



**VETERINARY MEDICAL BOARD
MULTIDISCIPLINARY ADVISORY COMMITTEE
MEETING MINUTES
July 23, 2024**

In accordance with Government Code section 11122.5, the Multidisciplinary Advisory Committee (Committee) of the Veterinary Medical Board (Board) met via teleconference/WebEx Event on **Tuesday, July 23, 2024**, with the following location available for Committee and public member participation:

Department of Consumer Affairs
1625 North Market Boulevard, Hearing Room
Sacramento, CA 95834

Webcast Link: <https://youtu.be/z9M3dCYLyyc>

10:00 a.m., Tuesday, July 23, 2024

1. Call to Order / Roll Call / Establishment of a Quorum

Committee Chair, Richard Sullivan, Doctor of Veterinary Medicine (DVM), called the meeting to order at 9:59 a.m. Executive Officer (EO), Jessica Siefertman, called roll, and eight members of the Committee were present; a quorum was established. Cheryl Waterhouse, DVM, was absent from the meeting.

Members Present

Richard Sullivan, DVM, Chair
Marie Ussery, Registered Veterinary Technician (RVT), Vice Chair
Kathy Bowler
Jeni Goedken, DVM
Barrie Grant, DVM, Board Liaison
Mark Nunez, DVM
Kristi Pawlowski, RVT, Board Liaison
Leah Shufelt, RVT

Staff Present

Jessica Siefertman, EO
Matt McKinney, Deputy EO
Patty Rodriguez, Enforcement Manager
Rob Stephanopoulos, Enforcement Manager
Amber Kruse, Enforcement Analyst
Anh-Thu Le, Enforcement Analyst

Jeff Olguin, Administration Analyst
Kim Phillips-Francis, Enforcement Analyst
Justin Sotelo, Policy Specialist
Elizabeth Dietzen-Olsen, Regulations Counsel, Attorney III, Department of
Consumer Affairs (DCA), Legal Affairs Division
Tara Welch, Board Counsel, Attorney IV, DCA, Legal Affairs Division

Guests Present

Dan Baxter, Executive Director, California Veterinary Medical Association (CVMA)
David Bouilly, Moderator, DCA, Strategic Organizational Leadership and Individual
Development (SOLID)
Christina Bradbury, DVM, Board Member
Nancy Ehrlich, RVT, California Registered Veterinary Technicians Association
(CaRVTA)
Melissa Gear, Deputy Director, DCA, Board and Bureau Relations
Cesar Victoria, Television Specialist, DCA, Office of Public Affairs
Grant Miller, DVM, Director of Regulatory Affairs, CVMA
Jeff Pollard, DVM

2. Welcome and Introductions of New MDC Members—*Richard Sullivan, DVM, Chair*

Dr. Sullivan welcomed and provided background information about new MDC members Jeni Goedken, DVM and Mark Nunez, DVM. Dr. Sullivan also thanked the Board's for its current MDC members, which includes six present or former Board members, one who has extensive work with the Board's enforcement unit, and two RVTs.

3. Public Comment on Items Not on the Agenda

Public Comment: Dr. Sullivan requested public comment on this item. There were no public comments made on this item.

4. Review and Approval of April 16, 2024 Committee Meeting Minutes

Motion: Dr. Sullivan requested a motion. Kathy Bowler moved and Kristi Pawlowski, RVT, seconded a motion to approve the April 16, 2024 meeting minutes.

Public Comment: Dr. Sullivan requested public comment on the motion. There were no public comments made on the motion.

Roll Call Vote: Dr. Sullivan called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 7-0-1 with Dr. Nunez abstaining.

Members	Vote			
	Yea	Nay	Abstain	Absent
Richard Sullivan, DVM, Chair	X			
Marie Ussery, RVT, Vice Chair	X			
Kathy Bowler	X			
Jeni Goedken, DVM	X			
Barrie Grant, DVM	X			
Mark Nunez, DVM			X	
Kristi Pawlowski, RVT	X			
Leah Shufelt, RVT	X			
Cheryl Waterhouse, DVM				X

5. Update, Discussion, and Potential Recommendation Regarding Records—
Richard Sullivan, DVM, and Marie Ussery, RVT

A. [Proposed Legislation to Amend Business and Professions Code \(BPC\) Sections 4826.6 and 4855](#)

Ms. Ussery provided the Committee with background information from the [meeting materials](#) and read the memorandum from the meeting materials into the record.

Discussion: The Committee discussed the importance of medical records, including documenting the continuity of care and providing a record of the process that guided the veterinarian in the care of the animal patient. The Committee’s discussion focused on the following:

- Limitations of mobile veterinarians to update records while serving animals away from a fixed veterinary premises.
- Cellular limitations due to the remote locations lacking cellular coverage.
- Challenges for animal owners to accurately transfer information, including the condition of the patient, between veterinarians.
- Situations when the animal owner has not designated a receiving veterinarian. It was discussed if proposed language needed to be included in BPC section 4855, subdivision (b)(2)(B) to state “...if the receiving veterinary premises is unknown *with a follow up in writing as soon as reasonably possible.*”
- Challenges for the originating veterinarian to relay information to the receiving veterinarian while the originating veterinarian is treating multiple animals, including some animals who may require emergency services.

- In emergency situations, if it would be better to allow veterinary personnel to communicate the diagnosis and any pertinent details to the receiving veterinarian. The Committee noted that if there was a written record, it would be open to having veterinary personnel relay the information. However, if there was no written record, the Committee felt that the veterinarian needed to relay the information.

Ms. Welch noted that there were provisions in the Veterinary Medicine Practice Act that allow communication between veterinarians; the receiving veterinarian can contact the originating veterinarian to follow up on information about the animal patient. She further noted for any situation not addressed in this proposal, the Board could monitor consumer complaints to determine if there were communication issues that could be addressed by the Board at that time.

Public Comment: Dr. Sullivan requested public comment on this item. The following public comment was made:

- [Dan Baxter](#), Executive Director, CVMA, provided the following comments:

Situations When Owner Has Not Designated a Receiving Veterinarian

Mr. Baxter stated that the proposal is intended to cover exigent circumstances that practitioners are unlikely to encounter. He thought the formulation of more prescriptive language risks undoing the beneficial, adjustable, and more understandable framework that the Subcommittee proposed. He discouraged any changes proposed to BPC section 4855(b)(2)(B).

Suggested Language for BPC Section 4855, Subdivision (b)

Mr. Baxter suggested that the Board consider revising BPC section 4855, proposed subdivision (b) to state "...medical care is recommended, the veterinarian *or designated representative*, upon release of the animal patient..." to make the language clearer.

Changes to the Text: The following includes the changes to the meeting materials that were discussed and approved to BPC section 4855 (proposed additions are in double underline blue text; proposed deletions are in ~~double red strikethrough text~~):

§ 4855.

[...]

- (b) If requested verbally or in writing by the client or their authorized agent because the animal is in critical condition or direct transfer to another veterinary premises for medical care is recommended, the veterinarian or

their delegated veterinary personnel, upon release of the animal patient from the veterinarian’s care, shall either:

[...]

Motion: Dr. Sullivan requested a motion. Mark Nunez, DVM, moved and Barrie Grant, DVM, seconded a motion to recommend to the Board submission to the California State Legislature the attached legislative proposal to amend BPC sections 4826.6 and 4855 regarding records as revised at this meeting.

Public Comment: Dr. Sullivan requested public comment on the motion. There were no public comments made on the motion.

Roll Call Vote: Dr. Sullivan called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 8-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Richard Sullivan, DVM, Chair	X			
Marie Ussery, RVT, Vice Chair	X			
Kathy Bowler	X			
Jeni Goedken, DVM	X			
Barrie Grant, DVM	X			
Mark Nunez, DVM	X			
Kristi Pawlowski, RVT	X			
Leah Shufelt, RVT	X			
Cheryl Waterhouse, DVM				X

B. Initiate a Rulemaking to Amend California Code of Regulations (CCR), Title 16, Section 2032.3

Dr. Sullivan provided the Committee with background information from the [meeting materials](#).

Public Comment: Dr. Sullivan requested public comment on this item. There were no public comments made on this item.

Motion: Dr. Sullivan requested a motion. Kathy Bowler moved and Kristi Pawlowski, RVT, seconded a motion to recommend the Board take the following actions:

1. Approve the proposed regulatory text to amend California Code of Regulations, title 16, section 2032.3.
2. If legislative amendments to Business and Professions Code sections 4826.6 and 4855 are enacted to remove the summary requirement, direct

staff to submit the regulatory text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested.

3. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations as noticed for California Code of Regulations, title 16, section 2032.3.

Public Comment: Dr. Sullivan requested public comment on the motion. There were no public comments made on the motion.

Roll Call Vote: Dr. Sullivan called for the vote on the motion. Ms. Siefertman took a roll call vote on the motion. The motion carried 8-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Richard Sullivan, DVM, Chair	X			
Marie Ussery, RVT, Vice Chair	X			
Kathy Bowler	X			
Jeni Goedken, DVM	X			
Barrie Grant, DVM	X			
Mark Nunez, DVM	X			
Kristi Pawlowski, RVT	X			
Leah Shufelt, RVT	X			
Cheryl Waterhouse, DVM				X

C. [Proposed Legislation to Add BPC Section 4855.1](#)

Dr. Sullivan provided the Committee with background information from the [meeting materials](#) and read the memorandum from the meeting materials into the record.

Discussion: The Committee’s discussion focused on the following:

- CVMA’s written recommendation to modify the language to state:

 Within thirty (30) days of receiving a written or verbal request by the client or their authorized agent, the *licensee manager of the veterinary premises* shall provide a record of client payments made to the veterinary premises related to services and treatment provided. *A record of client payments made to the veterinary premises related to services and treatments*

provided must be maintained for a minimum of three (3) years after the animal's last visit.

- In discussion of the last sentence of CVMA's recommendation, the Committee inquired if the statement meant the receipt for services or if it was intended to mean a detailed invoice.

Dr. Sullivan and Ms. Sieferman clarified that the last sentence was not intended to create new bookkeeping requirements; it was intended for the specific instance of the treatment at a specific visit, which is often required for pet insurance purposes.

Public Comment: Dr. Sullivan requested public comment on this item. The following public comments were made:

- [Grant Miller](#), DVM, Director of Regulatory Affairs, CVMA, thanked the Board for incorporating CVMA's letter and recommendations to the discussion and provided the following response:

CVMA's Suggested Language for BPC Section 4855.1

Dr. Miller stated the last sentence was intended to match the current three year retention requirement for **medical records**. He also noted the addition of "licensee manager" is to provide clarification that the managing licensee of the registered veterinary premises would be ultimately responsible.

Pet Insurance and Consumer Protection

Dr. Miller stated that only one out of every five pets in California is insured. On the topic of pet insurance, he was concerned the Committee was not discussing consumer protection, but rather it is about consumer convenience. He was concerned about the direction the Committee was going in that regard. Dr. Miller stated CVMA discussed the proposal, it saw the validity in it based on consumer protection. He said some consumers do not understand what they have paid for, and they need to know that information. He clarified CVMA's understanding of the language is that it is about payment in relation to a service or treatment. He believed that was the intent of consumer protection, and CVMA's proposal adequately addresses that intent of the Subcommittee.

- [Nancy Ehrlich](#), RVT, CaRVTA, provided the following response:

Suggested Language for BPC Section 4855.1

Ms. Ehrlich suggested rewording "...the *licensee manager*...shall ensure *that* a record of client payments..." so it clarifies that the managing licensee is responsible for the task, but it does not require that they do it themselves.

Changes to the Text: The Committee considered public comment. The following includes the changes to the meeting materials that were discussed and approved to BPC section 4855.1 (proposed additions are in double underline blue text; proposed deletions are in ~~double red strikethrough text~~):

§ 4855.1

Within thirty (30) days of receiving a written or verbal request by the client or their authorized agent, the licensee manager of the veterinary premises shall provide a record of client payments made to the veterinary premises related to services and treatment provided. A record of client payments made to the veterinary premises related to services and treatments provided must be maintained for a minimum of three (3) years after the animal's last visit.

Motion: Dr. Sullivan requested a motion. Kathy Bowler moved and Mark Nunez, DVM, seconded a motion to recommend to the Board submission to the California State Legislature a legislative proposal to add BPC section 4855.1 regarding client payment records as amended today.

Public Comment: Dr. Sullivan requested public comment on the motion. There were no public comments made on the motion.

Roll Call Vote: Dr. Sullivan called for the vote on the motion. Ms. Siefertman took a roll call vote on the motion. The motion carried 8-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Richard Sullivan, DVM, Chair	X			
Marie Ussery, RVT, Vice Chair	X			
Kathy Bowler	X			
Jeni Goedken, DVM	X			
Barrie Grant, DVM	X			
Mark Nunez, DVM	X			
Kristi Pawlowski, RVT	X			
Leah Shufelt, RVT	X			
Cheryl Waterhouse, DVM				X

6. Update and Discussion from the Complaint Audit Subcommittee—*Jeni Goedken, DVM, and Cheryl Waterhouse, DVM*

Dr. Goedken provided the Committee with background information from the [meeting materials](#) and read the memorandum from the meeting materials into the record.

Discussion: The Committee thanked the Subcommittee and Board staff on training Subject Matter Experts (SMEs) and working to reduce the number of cases. Ms.

Sieferman noted the Board could always use more SMEs. The Committee encouraged all interested licensees to apply with the Board.

Public Comment: Dr. Sullivan requested public comment on this item. There were no public comments made on this item.

7. **Update on MDC Subcommittee Appointments and Tasks to Implement the Board's 2024–2028 Strategic Plan**—*Richard Sullivan, DVM, Chair*

Dr. Sullivan provided the Committee with background information from the [meeting materials](#) and reviewed the memorandum from the meeting materials into the record.

Public Comment: Dr. Sullivan requested public comment on this item. There were no public comments made on this item.

8. **Update, Discussion, and Potential Recommendation from the Inspection Subcommittee**—*Jeni Goedken, DVM, and Kristi Pawlowski, RVT*

A. **Proposed Legislation to Amend BPC Section 4809.7 Regarding Inspection Authority**

Ms. Pawlowski provided the Committee with background information from the [meeting materials](#) and read the memorandum from the meeting materials into the record.

Discussion: The Committee's discussion focused on the following:

- **The rationale for the 20% inspection requirement.**
The 2003 Sunset Report indicated that the Board was auditing 13% of its veterinary premises. In 2012, the mandate was increased to “at least 20%.” However, at that time, it was notated that the Board did not have the funds to increase inspections.
- **How veterinary premises were selected.**
The process for inspection includes both complaints from the public and random selection.
- **How funding from registered veterinary premises were earmarked.**
The funds received from the registration of a veterinary premises are placed in a special fund and are intended to cover operational costs. However, those funds are insufficient to cover the costs of meeting the 20% inspection mandate.
- **Inspection Application (App).**
The new Inspection App will allow inspectors and Board staff to review

cases faster and help streamline Board staff’s ability to address issues or concerns with more efficiency.

Motion: Dr. Sullivan requested a motion. Kristi Pawlowski, RVT, moved and Kathy Bowler seconded a motion to recommend to the Board submission to the California State Legislature the legislative proposal to amend BPC section 4809.7 regarding veterinary premises inspection authority.

Public Comment: Dr. Sullivan requested public comment on the motion. There were no public comments made on the motion.

Roll Call Vote: Dr. Sullivan called for the vote on the motion. Ms. Siefertman took a roll call vote on the motion. The motion carried 8-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Richard Sullivan, DVM, Chair	X			
Marie Ussery, RVT, Vice Chair	X			
Kathy Bowler	X			
Jeni Goedken, DVM	X			
Barrie Grant, DVM	X			
Mark Nunez, DVM	X			
Kristi Pawlowski, RVT	X			
Leah Shufelt, RVT	X			
Cheryl Waterhouse, DVM				X

9. Future Agenda Items and Meeting Dates

Ms. Siefertman presented this item and noted the Committee will have the following agenda items in the future:

- [MDC tasks identified under Agenda Item 7](#)
- **Demographic Study Update**

She provided the following proposed future meeting dates:

- October 15, 2024
- January 14, 2025
- April 15, 2025
- July 15, 2025
- October 14, 2025

Public Comment: Dr. Sullivan requested public comment on this item. There were no public comments made on this item.

10. Adjournment

Dr. Sullivan adjourned the meeting at 12:07 p.m.

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