



MEMORANDUM

DATE	October 10, 2024
TO	Veterinary Medical Board (Board)
FROM	Jessica Sieferman, Executive Officer
SUBJECT	Agenda Item 10. Update, Discussion, and Possible Action on 2025 Sunset Review Report

Background

Business and Professions Code (BPC) section [4800](#) is the statute that establishes the Board, its composition, and the date the Board is repealed (i.e., Sunset date). The Board’s Sunset date, which only can be extended by the California State Legislature, is January 1, 2026.

Each year, the California State Assembly Business and Professions Committee and Senate Business, Professions and Economic Development Committee (Joint Oversight Committee) hold joint sunset review oversight hearings to review the boards and bureaus under the Department of Consumer Affairs (DCA). The Sunset review process provides an opportunity for the DCA, the Legislature, the boards, and interested parties and stakeholders to discuss the performance of the boards and make recommendations for improvements.

Over the last three Board meetings, the Board has reviewed Sunset Review Report drafts and provided feedback at each meeting. Attached is the completed Sunset Review Report for final feedback, prior to submitting to the Legislature.

Action Requested

After providing any final feedback, please entertain a motion to:

Approve the 2025 Sunset Review Report, as modified, direct the Executive Officer to correct any factual inconsistencies and make any technical or non-substantive changes to the Sunset Review Report and submit the Sunset Review Report to the appropriate legislative committees, and delegate to the Executive Committee and Executive Officer authority to communicate and work with legislative committees and stakeholders on drafting and amending the Board’s sunset bill.

Attachments:

1. 2025 Sunset Review Report

Veterinary Medical Board

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of 10/105/2024

Section 1

Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/professions that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

Created in 1893, the Veterinary Medical Board (Board) regulates the largest population of veterinarians, veterinary hospitals, registered veterinary technicians (RVT), and veterinary assistant controlled substance permit (VACSP) holders in the nation. Its mission is to protect all consumers and animals by regulating licensees, promoting professional standards, and enforcing the California Veterinary Medicine Practice Act (Act). Public protection is the Board's highest priority in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public is paramount.

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

Wellness Evaluation Committee (WEC)

The Board's WEC was statutorily authorized in 1982 to assist the Board in seeking ways and means to identify and rehabilitate veterinarians and RVTs with impairment due to abuse of dangerous drugs or alcohol affecting competency so that veterinarians and RVTs so afflicted may be treated and returned to the practice of veterinary medicine in a manner that will not endanger the public health and safety (Business and Professions Code (BPC) § [4860](#)). The WEC has statutory duties and responsibilities, including evaluating veterinarians and RVTs who request participation in the program according to guidelines prescribed by the Board and considering the case of each veterinarian or RVT participating in the program to determine whether they may with safety continue or resume the practice of veterinary medicine or the assisting in the practice of veterinary medicine. (BPC § [4868](#).) The WEC consists of five members comprised of at least one veterinarian, two public members, and one RVT. Each WEC member is required to have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug use (BPC § [4861](#)).

Multidisciplinary Advisory Committee (MDC)

In 2009, the Legislature established the Board's MDC to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of the Act and to assist the Board in its examination, licensure,

¹ The term "board" in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

²Unless otherwise indicated, all references to CCR sections are sections under title 16.

and registration programs. The MDC consists of nine members comprised of five licensed veterinarians, three RVTs, and one public member. One veterinarian and one RVT must be Board members (BPC § [4809.8](#)).

Board/MDC Created Committees

In addition to the two statutorily mandated committees, the Board and the MDC often create subcommittees to focus on specific issues. These two-member committees or subcommittees conduct research, lead discussions, and make recommendations to the MDC and the Board on how to adequately address current issues. The Board currently has three standing committees/subcommittees:

- Executive Committee
- Complaint Audit Subcommittee
- California Department of Food and Agriculture

Since the last review, the Board has also created subcommittees and task forces to address the following topics and issues:

- Equine Practice
- Drug Compounding
- Medical Records
- Inspections
- RVT Education
- Alternate Practice Settings
- Access to Veterinary Care Task Force
- Unlicensed Practice
- Outreach
- National Examination

Board Members and Bios

Christina Bradbury, DVM, Professional Member, President

Dr. Bradbury of Meadow Vista was appointed to the Board in October 2018. She has been an internist in private practice in the greater Sacramento area since 2010. Dr. Bradbury received her board certification in small animal internal medicine from Colorado State University Veterinary Teaching Hospital in 2010, and completed an internship at Texas A&M College of Veterinary Medicine and Biomedical Sciences from 2006 to 2007. She is a member of the Sacramento Valley Veterinary Medical Association, California Veterinary Medical Association, Comparative Gastroenterology Society, American College of Veterinary Internal Medicine and the American Veterinary Medical Association. Dr. Bradbury earned a Doctor of Veterinary Medicine degree from the University of California, Davis and a Master of Science degree in clinical science from the Colorado State University, College of Veterinary Medicine and Biomedical Sciences.

Maria Preciosa S. Solacito, DVM, Professional Member, Vice President

Dr. Solacito of Palmdale was appointed to the Board in August 2020. She has been practicing as an emergency veterinarian at Greater Good Veterinary Care in Lancaster since November 2023. Dr. Solacito served in government with the County of Los Angeles, Department of Animal Care and Control, as Deputy Director from 2022 to 2023, as Senior Veterinarian from 2013 to 2021, and as Shelter Veterinarian from 2008 to 2012. She is a member of the Southern California Veterinary Medical Association, Southern California Filipino Veterinary Medical Association, Association for Animal Welfare Advancement, California Animal Welfare Association, and the Philippine

²Unless otherwise indicated, all references to CCR sections are sections under title 16.

Veterinary Medical Association. Dr. Solacito earned her Doctor of Veterinary Medicine degree from the University of the Philippines, College of Veterinary Medicine.

Patrick Espinoza, Public Member

Mr. Espinoza of San Diego was appointed to the Board in June 2024. Mr. Espinoza has served as Chief Deputy District Attorney at the San Diego County District Attorney's Office since 2021 and has served in positions there since 1995, including Division Chief, Team Leader and Deputy District Attorney. Mr. Espinoza is a member of the San Diego County Bar Association, La Raza Lawyers Association and the California District Attorneys Association. He earned a Bachelor of Arts degree in Political Science from Stanford University and a Juris Doctor degree from the University of California, Los Angeles School of Law.

Barrie Grant, DVM, Professional Member

Dr. Grant of Bonsall was appointed to the Board in February 2023. He has been an Equine Surgeon in private practice since 2008. Dr. Grant was an Equine Surgeon at San Luis Rey Equine Hospital from 1991 to 2008. He was a Faculty Member at Washington State University from 1969 to 1972 and from 1974 to 1991. Dr. Grant earned Doctor of Veterinary Medicine and Master of Science degrees from Washington State University.

Steven Manyak, DVM, Professional Member

Dr. Manyak of Long Beach was appointed to the Board in July 2024. Dr. Manyak has been President and Lead Veterinarian at Pine Animal Hospital, Inc. since 2012. He was an Associate Veterinarian at Rose City Veterinary Hospital from 2010 to 2011. Dr. Manyak was a Veterinary Assistant with Advanced Critical Care, Los Angeles in 2008. He is Board Chair of The Veterinary Cooperative. Dr. Manyak earned a Doctor of Veterinary Medicine degree from the Western University of Health Sciences and a Bachelor of Science degree in Microbiology from the University of California, Davis.

Kristi Pawlowski, RVT, Professional Member

Ms. Pawlowski of Mather was appointed to the Board in June 2023. She has been Chief Insight Director for the Insight Veterinary Wellness Center since 2020. Ms. Pawlowski has been Executive Director at the Sacramento Valley Veterinary Medical Association since 1991. She was Owner and Hospital Manager of Banfield Pet Hospital of Lincoln from 2007 to 2016 and of Banfield Pet Hospital of Folsom from 2002 to 2016. Ms. Pawlowski earned a Bachelor of Science degree in Human Resources and Organizational Behavior from California State University, Sacramento in 2019.

Dianne Prado, Public Member

Ms. Prado of Los Angeles was appointed to the Board in June 2019. She is the founder and Executive Director of the Housing Equality & Advocacy Resource Team (HEART L.A.). Ms. Prado began her career as a staff attorney with the Eviction Defense Network. She then joined the Inner City Law Center in 2012 as a Staff Attorney with the Homelessness Prevention Project. Ms. Prado then joined the Slum Housing Litigation unit and became a Supervising Attorney. She is a graduate of Western State University College of Law and holds her Bachelor of Arts in Criminology, Law, & Society from the University of California, Irvine.

²Unless otherwise indicated, all references to CCR sections are sections under title 16.

**Veterinary Medical Board (VMB) Member Roster and Attendance
Fiscal Years (FYs) 2019/2020–2024/2025**

Location	Dates																																			
	July 17–18, 2019	September 12, 2019	October 9–11, 2019	November 6, 2019	January 30–31, 2020	April 23, 2020	May 14, 2020	June 4, 2020	July 2, 2020	July 23–24, 2020	August 13, 2020	October 22–23, 2020	January 28–29, 2021	April 22–23, 2021	July 22–23, 2021	October 21–22, 2021	January 19–20, 2022	April 20–21, 2022	July 20–21, 2022	October 19–20, 2022	January 25–26, 2023	April 19–20, 2023	May 24, 2023	July 19–20, 2023	October 18–19, 2023	October 20, 2023	January 17–18, 2024	April 17–19, 2024	July 24–25, 2024	October 16–17, 2024	January 15–16, 2025	April 16–17, 2025				
Name of Board Member (Member Type/ Appointed By)	FY 19/20				FY 20/21				FY 21/22				FY 22/23				FY 23/24				FY 24/25															
Cheryl Waterhouse, DVM (Professional Member / Governor) Appointed: 06/07/2012; Re-Appointed: 07/07/2016 Term Expiration: 06/01/2020*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
Mark Nunez, DVM (Professional Member / Governor) Appointed: 08/20/2013; Re-Appointed: 02/27/2018 Term Expiration: 06/01/2021*	Attended	Attended	Not in Attendance/Excused Absence	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
Kathy Bowler (Public Member / Governor) Appointed: 08/04/2014; Re-Appointed: 10/12/2018 Term Expiration: 06/01/2022*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
Jennifer Loreda, RVT (Professional Member / Governor) Appointed: 09/04/2014; Re-Appointed: 10/12/2018 Term Expiration: 06/01/2022*	Attended	Attended	Attended	Not in Attendance/Excused Absence	Attended	Attended	Not in Attendance/Excused Absence	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
Jaymie Noland, DVM (Professional Member / Governor) Appointed: 09/22/2015; Re-Appointed: 01/16/2020 Term Expiration: 06/01/2023*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended

*Served up to a 1-year extension (BPC § 4802)

■ Attended
 ■ Not in Attendance/Excused Absence
 ■ Canceled
 ■ Not Applicable

**Multidisciplinary Advisory Committee (MDC) Member Roster and Attendance
Fiscal Years (FYs) 2019/2020–2024/2025**

Location	Dates	Name of Board Member (Member Type / Appointed By)														
		FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25									
Sacramento	July 16, 2019															
Sacramento	October 8, 2019															
Sacramento	January 29, 2020															
Canceled	April 22, 2020															
Teleconference	July 22, 2020															
Teleconference	October 21, 2020															
Teleconference	January 27, 2021															
Teleconference	April 21, 2021															
Teleconference	July 21, 2021															
Teleconference	October 20, 2021															
Teleconference	January 18, 2022															
Teleconference	April 19, 2022															
Teleconference	July 19, 2022															
Teleconference	October 18, 2022															
Teleconference	January 24, 2023															
Teleconference	April 18, 2023															
Canceled	July 18, 2023															
Teleconference	October 17, 2023															
Teleconference	January 16, 2024															
Teleconference	April 16, 2024															
Teleconference	July 23, 2024															
Teleconference	October 15, 2024															
TBD	January 14, 2025															
TBD	April 15, 2025															

*Period served as the Board's Liaison
 **Served up to a 1 year extension
 Legend: ■ Attended ■ Not in Attendance/Excused Absence ■ Canceled ■ Not Applicable

Barrie Grant, DVM (Professional Member (Board Liaison*) / Governor*) Appointed: 08/25/2023*; Term Expiration: 06/01/2025*																
Jeni Goedken, DVM (Professional Member / Veterinary Medical Board) Appointed: 07/23/2024; Term Expiration: 06/30/2027																
Mark Nunez, DVM (Professional Member / Veterinary Medical Board) Appointed: 07/23/2024; Term Expiration: 06/30/2027																

*Period served as the Board's Liaison
 **Served up to a 1 year extension
 Legend: ■ Attended ■ Not in Attendance/Excused Absence ■ Canceled ■ Not Applicable

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

The January 17–18, 2024 Board meeting was canceled due to a lack of quorum of members who were able to participate in the same physical location. At the time, the Board had six members, one of which was scheduled to participate virtually. A few days prior to the meeting, a member tested positive for COVID and could not participate in person. While the member was willing to participate virtually, the new requirement for a quorum of members to be physically present at the same location forced the Board to cancel the meeting. All items scheduled for the January meeting were pushed to April, causing the Board to add an additional day to the meeting.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

- **Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)**

Since the last Sunset Review, the Board's workforce has increased by 40%. After hiring a new Executive Officer and management team in FY 2018/19, the Board began restructuring units to better address operational needs and the increased workload. In FY 2021/22 the Board combined the Inspection and Enforcement Units into one Enforcement Unit where the analysts all now review inspection (minimum standards) cases and enforcement (standard of care) cases. At the beginning of FY 2023/24, the Board hired one Staff Services Manager II to serve as the Board's Deputy Executive Officer.

The Board completed all objectives for its 2020-2024 Strategic plan a year early. As such, the Board met in October of 2023 to develop a new Strategic Plan for 2024-2026. The Board anticipates approving the new plan in April 2024.

- All legislation sponsored by the board and affecting the board since the last sunset review.

Legislative Activity

The following legislative actions were introduced and/or enacted since the last Sunset Review. For each bill, only the affected sections contained within the Veterinary Medicine Practice Act [commencing with BPC § 4800], general provisions of the BPC, or sections of other codes pertaining to the Board are listed.

1. Bill Number: AB 2113 (Low, Chapter 186, Statutes of 2020)

Subject Matter: Refugees, Asylees, and Special Immigrant Visa Holders: Professional Licensing: Initial Licensure Process

Sections Affected: BPC Section 135.4

Effective Date: January 1, 2021

Summary: This law requires boards and bureaus within the Department of Consumer Affairs (DCA) to expedite the initial licensure process for an applicant who supplies satisfactory evidence that they are a refugee, have been granted asylum, or have a special immigrant visa, as specified. This law also allows boards and bureaus to assist these applicants during the

initial licensure process. This law further specifies that persons applying for expedited licensure will still be required to meet all applicable statutory and regulatory licensure requirements.

2. Bill Number: SB 878 (Jones, Chapter 131 Statutes of 2020)

Subject Matter: Department of Consumer Affairs: License application: Processing Times

Sections Affected: BPC Section 139.5

Effective Date: January 1, 2021

Summary: Beginning July 1, 2021, this law requires each board and bureau within the DCA that issues licenses, to prominently display on their websites each quarter either the current average time frame for processing initial and renewal license applications, or the combined current average time frame for processing both initial and renewal license applications. This law will also require each board or bureau to quarterly post on their websites either the current average processing time frame for each licensing type administered by the program, or the combined current average time frame for processing all licensing types administered by the program.

3. Bill Number: SB 1474 (Business, Professions and Economic Development Committee, Chapter 312, Statutes of 2020)

Subject Matter: Business and Professions

Sections Affected: Relevant Sections: 4800, 4804.5

Effective Date: January 1, 2021

Summary: This law 1) provides a one-year sunset extension for the following DCA programs that were undergoing the sunset review process prior to COVID-19: Board of Barbering and Cosmetology, Board of Behavioral Sciences, Board of Psychology, Board of Vocational Nursing and Psychiatric Technicians, Bureau for Private Postsecondary Education, Bureau of Real Estate Appraisers, California State Board of Pharmacy, Physician Assistant Board, Podiatric Medical Board of California, and the Veterinary Medical Board; 2) extends the operations for the following DCA programs until January 1, 2023: Board of Chiropractic Examiners, Naturopathic Medicine Committee, Board of Occupational Therapy, Respiratory Care Board, and the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board; 3) clarifies that registered dental hygienists may perform any procedure or service within their scope of practice if the appropriate education and training has been completed; 4) requires the Dental Hygiene Board to grant initial licensure to any applicant who within the preceding three years has satisfactorily completed the appropriate examinations, instead of the preceding two years in existing law; 5) clarifies the education a registered dental hygienist in alternative practice must possess to be issued a license; 6) prohibits the Contractors State License Board from releasing any deposit to anyone for any purpose except as determined by a court and requires that deposits be distributed to all claimants in proportion to the amount of their claims if the deposit is insufficient to pay all claims in full; 7) requires the Contractors State License Board to retroactively grant license renewal if a licensee submits an application within 90 days of the license expiration and pays all required fees; 8) prohibits contracts from limiting a consumer's ability to make complaints to a licensing board or from participating in an investigation of a licensee; and 9) makes several other non-substantive or technical changes.

4. Bill Number: AB 107 (Salas, Chapter 693, Statutes of 2021)

Subject Matter: Licensure: Veterans and Military Spouses

Sections Affected: BPC Sections 115.6, 115.8, 115.9, 2946, 5132, 10151.3

Effective Date: January 1, 2022

Summary: This bill, after July 1, 2023, requires most boards and bureaus within DCA to issue temporary licenses to military spouses meeting specified criteria within 30 days, including passing a background check if one is required for licensure. This bill also requires DCA and boards and bureaus to post license information for military spouses on their websites and requires DCA to submit an annual report on licensure of military members, veterans, and spouses.

5. Bill Number: AB 1282 (Bloom, Chapter 752, Statutes of 2021)

Subject Matter: Veterinary Medicine: Blood Banks for Animals

Sections Affected: Relevant Sections: BPC Sections 4826, 4836.5

Effective Date: January 1, 2022

Summary: This bill allows community-based animal blood banks to commercially sell animal blood from community donors. This bill expands the scope of actions constituting veterinary medicine to include the collection of blood from an animal for the purpose of transferring or selling that blood and blood component products, as defined, to a licensed veterinarian for use at a registered premises, except in certain circumstances. It authorizes the Board to establish a community-based animal blood bank registration, to be renewed annually, to cover the costs associated with oversight and inspection of community-based animal blood banks. It establishes specified safety procedures, such as veterinarian supervision and testing of the blood. This bill also requires both closed colony and community-based animal blood banks to submit quarterly reports to the California Department of Food and Agriculture, which would subsequently be required to phase out licensing of closed colony blood banks within 18 months once the reports show that community-based blood banks are collecting an annual amount equal to the amount sold by closed colony blood banks in four consecutive quarters.

6. Bill Number: AB 1535 (Committee on Business and Professions, Chapter 631, Statutes of 2021)

Subject Matter: Veterinary Medical Board: Application and Examination: Discipline and Citation

Sections Affected: BPC Sections 4800, 4804.5, 4826.3, 4827, 4830, 4836.2, 4836.3, 4841.4, 4841.5, 4842.5, 4846, 4846.4, 4847, 4847.1, 4848, 4848.1, 4848.3, 4849, 4853, 4853.1, 4853.6, 4854.1, 4861, 4862, 4863, 4864, 4866, 4867, 4868, 4869, 4870, 4871, 4872, 4873, 4875.2, 4875.6, 4883, 4900, and 4905

Effective Date: January 1, 2022

Summary: This bill extends the Sunset date of the Board from January 1, 2022, to January 1, 2026. Other notable provisions include: (1) removes the state-specific examinations for veterinarians and RVTs; (2) removes temporary and intern veterinarian licenses; (3) removes the requirement for out-of-state licensees to take an in-person California-specific course for reciprocity purposes; (4) decreases fees by 36% for RVTs; (5) prohibits a veterinary premises registration holder who is not a California-licensed veterinarian from interfering with, controlling, or otherwise directing the professional judgment of any California-licensed veterinarian or registered RVT; (6) expands disclosure requirements for veterinary premises registrations; (7) allows the Board to deem applications abandoned after one year of inactivity; (8) renames the Diversion Evaluation Committee to the Wellness Evaluation Committee, and (9) exempts a person providing specified care to animals deposited at animal shelters from licensure requirements and exempts animal shelters from the veterinary premises registration requirement if those shelters are solely administering nonprescription vaccinations, nonprescription medications, and medications pursuant to a written treatment plan.

7. Bill Number: SB 731 (Durazo, Chapter 814, Statutes of 2022)

Subject Matter: Criminal Records: Relief

Sections Affected: Education Code Sections 44242.5, 44346; Penal Code Sections 851.93, 1203.41, 1203.425, 11105

Effective Date: July 1, 2023

Summary: This bill, among other provisions, expands the types of arrest records that are eligible to be automatically sealed to include more types of felonies under specified circumstances. This bill also allows certain felony convictions that resulted in incarcerations to be automatically sealed as long as the individual has completed their sentence and has not been convicted of a new felony within four years. It also expands the date range for which arrests and convictions are eligible to be automatically sealed.

8. Bill Number: SB 1237 (Newman, Chapter 386, Statutes of 2022)

Subject Matter: Licenses: Military Service

Sections Affected: BPC Section 114.3

Effective Date: January 1, 2023

Summary: This bill clarifies that military members on active duty with the California National Guard or members of the military on non-temporary assignments stationed outside California are eligible for a waiver of license renewal fees, continuing education requirements, and other license renewal requirements.

9. Bill Number: SB 1495 (Committee on Business, Professions and Economic Development, Chapter 511, Statutes of 2022)

Subject Matter: Professions and Vocations

Sections Affected: Relevant Sections: BPC Sections 4846.5, 4883

Effective Date: January 1, 2023

Summary: This was the Senate Committee on Business, Professions and Economic Development 2022 omnibus bill. It updates the name of the Office of Statewide Health Planning and Development to the: Department of Health Care Access and Information; removes gendered language throughout the BPC; and incorporates legislative changes in the Medical Practice Act, Pharmacy Law, Licensed Marriage and Family Therapist Act, Dental Practice Act, Physician Assistant Practice Act, Veterinary Medicine Practice Act, Clinical Social Worker Practice Act, Professional Fiduciaries Act, Contractors State License Law, Collateral Recovery Act, Private Investigator Act, Private Security Services Act, Geologist and Geophysicist Act, and the Automotive Repair Act.

10. Bill Number: AB 1885 (Kalra, Chapter 389, Statutes of 2022)

Subject Matter: Cannabis and Cannabis Products: Animals: Veterinary Medicine

Sections Affected: BPC Sections 4883, 4884, 26000, 26001, 26130

Effective Date: January 1, 2023

Summary: This bill allows veterinarians to recommend cannabis for use on animal patients; requires the Board to adopt guidelines for veterinarians to use when recommending cannabis and post those guidelines to their website by January 1, 2024; includes cannabis products intended for use on an animal in the definition of cannabis products; and requires any cannabis products intended for use by an animal to conform with any additional standards or regulations established by the Department of Cannabis Control, which the bill requires be promulgated no later than July 1, 2025.

11. Bill Number: AB 883 (Mathis, Chapter 348, Statutes of 2023)

Subject Matter: Business Licenses: United States Department of Defense SkillBridge Program

Sections Affected: BPC Section 115.4

Effective Date: January 1, 2024

Summary: This bill would require, on and after July 1, 2024, a board to expedite, and authorize a board to assist, in the initial licensure process for an applicant who supplies satisfactory evidence to the board, that the applicant is an active duty member of a regular component of the Armed Forces of the United States enrolled in the United States Department of Defense SkillBridge program, as specified, and would provide that regulations to administer those provisions be adopted in accordance with the rulemaking provisions of the Administrative Procedure Act.

12. Bill Number: AB 1399 (Friedman, Chapter 475, Statutes of 2023)

Subject Matter: Veterinary Medicine: Veterinarian-Client-Patient Relationship: Telehealth

Sections Affected: BPC Sections 4067, 4825.1, 4826.6, 4829.5, 4853, 4857, 4875.1; Food and Agriculture Code Section 14401

Effective Date: January 1, 2024

Summary: Similar to existing regulation, this bill would prohibit the practice of veterinary medicine outside the context of a veterinarian-client-patient relationship (VCPR), as defined, except as specified. However, unlike existing law, this bill would allow the VCPR to be established using synchronous (real-time) video and audio communication instead of a physical, hands-on examination. Once the VCPR is established, this bill would authorize a licensee to practice veterinary telehealth, as defined.

The bill would require a veterinarian who practices veterinary medicine via telehealth, among other things, to employ sound professional judgment, to determine whether using telehealth is an appropriate method for delivering medical advice, or treatment to the animal patient and providing quality of care consistent with prevailing veterinary medical practice, be familiar with available medical resources, be able to provide the client with a list of nearby veterinarians who may be able to see the animal patient in person upon the request of the client, keep, maintain, and make an animal patient record summary available, provide the client with information about the veterinarian, and secure an alternative means of contacting the client if the electronic means is interrupted, as specified.

The bill would also define the term "client" for purposes of the act and make other conforming changes. This bill would exempt the location where a veterinarian practices telehealth from the requirement that it be registered if specified conditions are met, including, among other things, that the veterinarian does not perform any in-person examination or treatment of animal patients at that location.

13. Bill Number: SB 143 (Committee on Budget and Fiscal Review, Chapter 196, Statutes of 2023)

Subject Matter: State Government

Sections Affected: Various

Effective Date: September 13, 2023

Summary: This bill, among other things, allows for remote public meetings without noticed locations accessible to the public until December 31, 2023. The bill also implements the Federal License Portability Law for Servicemembers. Since this is a budget trailer bill, it is effective immediately.

14. Bill Number: SB 259 (Seyarto, Chapter 148, Statutes of 2023)

Subject Matter: Reports Submitted to Legislative Committees

Sections Affected: GC Sections 9795, 10248

Effective Date: January 1, 2024

Summary: Existing law requires a state agency that is required or requested by law to submit a report to the Members of either house of the Legislature generally to submit the report in a specified manner and to post the report on the state agency's internet website. This bill additionally requires a state agency to post on its internet website any report required or requested by law or identified in the Legislative Analyst's Supplemental Report of the Budget Act, that the state agency submits to a committee of the Legislature or to the Members of either house of the Legislature.

Existing law requires the Legislative Counsel to make various categories of legislative information available to the public in an electronic form. This bill additionally requires the Legislative Counsel to make available to the public, a link to the list of state and local agency reports submitted by state and local agencies to a committee of the Legislature or to the Members of either house of the Legislature generally, as specified.

15. Bill Number: SB 372 (Menjivar, Chapter 372, Statutes of 2023)

Subject Matter: Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes

Sections Affected: BPC Section 27.5

Effective Date: January 1, 2024

Summary: This bill requires a board to update a licensee's or registrant's records, including records contained within an online license verification system, to include the licensee's or registrant's updated legal name or gender if the board receives government-issued documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed. The bill requires the board to replace references to the licensee's or registrant's former name or gender with the individual's current name or gender, as applicable, on the publicly viewable information displayed on the internet about the licensee or registrant.

The bill prohibits a board from publishing information relating to the licensee's or registrant's former name or gender online and, instead, requires the board to post an online statement directing the public to contact the board for more information. For specified licensees and registrants, the board is prohibited from posting enforcement records online, but would be required to post an online statement stating that the individual was previously subject to an enforcement action and directing the public to contact the board, as prescribed. The bill provides that all records related to a request to update an individual's license or registration under the bill would be confidential and not subject to public inspection or disclosure.

The bill requires the board, if requested by a licensee or registrant, to reissue any license created by the board and conferred upon the licensee or registrant. The bill prohibits a board from charging a higher fee for reissuing a document with an updated legal name or gender than the fee it charges for reissuing a document with other updated information.

16. Bill Number: SB 544 (Laird, Chapter 216, Statutes of 2023)

Subject Matter: Bagley-Keene Open Meeting Act: Teleconferencing

Sections Affected: Government Code (GC) Sections 11123.2, 11123.5, 11124,

Effective Date: January 1, 2024

Summary: This bill enacts an additional, alternative set of provisions under which a state body may hold a meeting by teleconference. The bill requires at least one member of the state body

to be physically present at each teleconference location, defined for these purposes as a physical location that is accessible to the public and from which members of the public may participate in the meeting. The bill, under specified circumstances, authorizes a member of the state body to participate from a remote location, which would not be required to be accessible to the public and which the bill would prohibit the notice and agenda from disclosing.

The bill authorizes a member's remote participation if the other members who are physically present at the same teleconference location constitute a majority of the state body. The bill also authorizes a member's remote participation if the member has a need related to a disability and notifies the state body, as specified. Under the bill, that member would be counted toward the majority of members required to be physically present at the same teleconference location. The bill requires a member who participates from a remote location to disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member's relationship with those individuals. This bill requires the members of the state body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform unless the appearance would be technologically impracticable, as specified. The bill requires a member who does not appear on camera due to challenges with internet connectivity to announce the reason for their nonappearance when they turn off their camera.

This bill also requires the state body to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, remotely address the body, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for each teleconference location. The bill requires the telephonic or online means provided to the public to access the meeting to be equivalent to the telephonic or online means provided to a member of the state body participating remotely. The bill requires any notice required by the act to specify the applicable teleconference telephone number, internet website or other online platform, and physical address of each teleconference location, as well as any other information indicating how the public can access the meeting remotely and in person. If the state body allows members of the public to observe and address the meeting telephonically or otherwise electronically, the bill requires the state body to implement and advertise, as prescribed, a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, as specified.

The bill imposes requirements consistent with the above-described existing law provisions, including a requirement that the agenda provide an opportunity for members of the public to address the state body directly, as specified. The bill entitles members of the public to exercise their right to directly address the state body during the teleconferenced meeting without being required to submit public comments before the meeting or in writing. This bill provides that it does not affect prescribed existing notice and agenda requirements and requires the state body to post an agenda on its internet website and, on the day of the meeting, at each teleconference location designated in the notice of the meeting. This bill requires the state body, upon discovering that a means of remote participation required by the bill has failed during the meeting and cannot be restored, to end or adjourn the meeting in accordance with prescribed adjournment and notice provisions, including information about reconvening.

This bill removes the rollcall vote requirement and the requirement for a quorum in attendance at the primary physical meeting location.

The bill, instead, requires at least one staff member of the state body to be present at the primary physical meeting location. The bill requires the members of the state body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform unless the appearance would be technologically impracticable, as specified. The bill requires a member who does not appear on camera due to challenges with internet connectivity to announce the reason for their nonappearance when they turn off their camera. This bill repeals the above-described provisions on January 1, 2026.

This bill exempts from those provisions an internet website or other online platform that may require the submission of information to log into a teleconferenced meeting. The bill permits a person to submit a pseudonym or other anonymous information when using the internet website or other online platform to attend the meeting.

17. Bill Number: SB 669 (Cortese, Chapter 882, Statutes of 2023)

Subject Matter: Veterinarians: Veterinarian-Client-Patient Relationship

Sections Affected: BPC Sections 4826.7, 4840

Effective Date: January 1, 2024

Summary: This bill would authorize a veterinarian to allow an RVT to act as an agent of the veterinarian for the purpose of establishing the VCPR to administer preventive or prophylactic vaccines or medications for the control or eradication of apparent or anticipated internal or parasites by satisfying specified criteria.

18. Bill Number: SB 887 (Committee on Business, Professions and Economic Development, Chapter 510, Statutes of 2023)

Subject Matter: Consumer Affairs

Sections Affected: Relevant Sections: 4846, 4861, 4875.3

Effective Date: January 1, 2024

Summary: This bill, among other things, includes Board requested legislative amendments to authorize license verification be confirmed through electronic means, revises the Board's WEC composition to require at least one licensed veterinarian, at least two public members, and at least one RVT, and deletes the provision related to the criteria for a subject matter expert in citation cases.

- **All regulation changes approved by the board since the last sunset review. Include the status of each regulatory change approved by the board.**

Regulation Activity

The following regulatory changes were approved by the Board since the Last Sunset Review or are currently in progress:

1. Subject Matter: Veterinarian-Client-Patient Relationships (VCPRs)

Sections Affected: CCR, Title 16, Sections 2032.15 and 2032.25

Effective Date: April 1, 2021

Summary: This regulatory change provides clarity to the regulations regarding delegated veterinarian VCPR authority.

2. Subject Matter: RVT Job Tasks

Sections Affected: CCR, Title 16, Section 2036

Effective Date: April 1, 2021

Summary: This regulatory change allows RVTs to perform additional animal health care tasks (apply casts and splints and compound drugs) under indirect veterinarian supervision.

3. Subject Matter: RVT Emergency Animal Care

Sections Affected: CCR, Title 16, Section 2069

Effective Date: July 1, 2021

Summary: This regulatory change clarifies BPC section 4840.5 and the conditions under which an RVT may provide emergency treatment, the emergency treatment that may be provided, and an RVT's authority to administer drugs or controlled substances.

4. Subject Matter: Animal Physical Rehabilitation (APR)

Sections Affected: CCR, Title 16, Section 2038.5

Effective Date: January 1, 2022

Summary: This regulatory change addresses the growing practice of APR performed by individuals who are not licensed by the Board, such as licensed physical therapists and unlicensed individuals. Licensed physical therapists are only licensed by the Physical Therapy Board of California to perform physical therapy on humans, not animals, and persons not licensed by the Board to perform veterinary medicine on animals are considered veterinary assistants, who are not licensed or registered with the Board. The regulatory change establishes a clear definition of APR in the Board's regulations, clarifies who may perform APR, and clarifies the circumstances under which a person may perform APR.

5. Subject Matter: Disciplinary Guidelines

Sections Affected: CCR, Title 16, Section 2006

Effective Date: April 1, 2022

Summary: The regulatory change made amendments to the Board's Disciplinary Guidelines and CCR, title 16, section 2006 to update the Guidelines to reflect statutory and probationary changes, clarifies the minimum and maximum penalties for a disciplinary decision, and clearly defines the terms of supervision for a respondent on probation. The regulatory change also adopts new supervision requirements and other optional terms for probationers. Further, the regulatory change replaced ambiguous terms in the Disciplinary Guidelines with language pre-defined in the Act.

6. Subject Matter: Drug Compounding

Sections Affected: CCR, Title 16, Sections 2090 - 2095

Effective Date: April 1, 2022

Summary: This regulatory change implemented BPC section 4826.5 regarding drug compounding in a veterinary premises and provides guidance and an enforcement mechanism for inspectors to determine whether veterinarians and RVTs are preparing drug compounds in accordance with their scope of practice, experience, and premises. The regulatory change also provides veterinarians with guidance on the proper procedures for storing, handling, and preparing compounded drugs.

7. Subject Matter: Civil Penalties for Citations

Sections Affected: CCR, Title 16, Section 2043

Effective Date: April 1, 2023

Summary: This regulatory change removes limiting language from existing regulation and enhances the Board's enforcement mechanisms and consumer protection by incentivizing compliance for less egregious violations.

8. Subject Matter: RVT Equivalent Experience and Education

Sections Affected: CCR, Title 16, Section 2068.5

Effective Date: April 1, 2024

Summary: This regulatory change amends the regulation to require a "minimum" number of units or hours of instruction to meet the education requirement, clarifies RVT instructor qualifications and removes the requirement that coursework and experience must be completed within designated timeframes.

9. Subject Matter: Uniform Standards for Substance-Abusing Licensees

Sections Affected: CCR, Title 16, Sections 2006, 2006.5, 2006.51, 2006.52, 2006.53, 2006.54, 2006.55, and 2006.56

Effective Date: April 1, 2024

Summary: This regulatory change implements the uniform standards regarding substance-abusing healing arts licensees adopted by the DCA Substance Abuse Coordination Committee pursuant to BPC section 315, et seq. The regulatory change adopts uniform standards for the discipline of substance-abusing licensees when the Board has determined that a licensee is a substance abuser and that define certain terms and establish procedures and requirements for clinical diagnostic evaluations when ordered by the Board, licensees requests to return to practice, and use of private sector vendors for laboratory testing or wellness program services.

10. Subject Matter: Drug Compounding

Sections Affected: CCR, Title 16, Sections 2036.5, 2090, 2091, 2092, 2093, and 2094

Status: Approved by Board; In Process

Summary: This proposed regulatory change would provide additional clarification of drug compounding regulation and standardize the term "registered veterinary premises" from the terms "animal hospital," provide a definition for "immediate use" for the administration of a compounded drug to an animal patient, redefine "office stock" to clearly define the requirements for a mobile veterinary premises, expand the duties of an RVT when performing drug compounding, and define the requirements of a master formula document.

11. Subject Matter: Minimum Standards for Alternate Veterinary Premises

Sections Affected: CCR, Title 16, Sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3

Status: Approved by Board; In Process

Summary: This regulatory proposal would standardize the requirements for all veterinary premises, including fixed veterinary premises (small and large), mobile premises, and shelters. The proposal also would move all mandatory requirements into one section and create specific requirements applicable to each variation of the type of veterinary premises.

12. Subject Matter: Veterinary Facilities

Sections Affected: CCR, Title 24, Section 1251

Status: Approved by Board; In Process

Summary: This regulatory proposal would move existing building standards and related exemptions from the Alternate Veterinary Premises proposal to CCR, title 24, section 1251 and move from that section any practice management standards to title 16.

13. Subject Matter: Veterinary Graduate Student Exemption / RVT Examination Eligibility

Sections Affected: CCR, Title 16, Section 2027 and 2027.5

Status: Pending Staff Development

Summary: This regulatory proposal would allow veterinarian graduates who have earned a veterinary medical degree to apply for the Veterinary Technician National Examination (VTNE) and RVT registration. The proposal also would clarify that veterinarian students in their junior and senior years, and not graduates, may perform RVT animal health care tasks.

14. Subject Matter: Records

Sections Affected: CCR, Title 16, Section 2032.3

Status: Pending Board Approval

Summary: This regulatory proposal would standardize the record keeping requirements for all veterinary practice types, which includes the requirements for large animal practices. The proposal would also set minimum standards consistent with current practice standards and establish different standards for group and single animal patient records.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

There have been no major studies conducted since the last Sunset Review.

5. List the status of all national associations to which the board belongs.

The Board is a current member of the American Association of Veterinary State Boards (AAVSB). AAVSB is an association of veterinary medicine regulatory boards whose membership includes licensing bodies in 63 jurisdictions, including all of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and 10 Canadian provinces and territories. AAVSB's mission is to support and advance the regulatory process for veterinary medicine.

In addition, the Board had one representative (Kathy Bowler, MDC Public Member) on the International Council for Veterinary Assessment (ICVA). The ICVA provides national veterinary assessments including the North American Veterinary Licensing Examination (NAVLE). The ICVA collaborates with stakeholders in academia, licensing boards, and practicing veterinarians to ensure their tools can effectively assess the knowledge and skills required for veterinary practice. The AAVSB has four elected representatives on the ICVA Board of Directors. Ms. Bowler served as the 2022-2023 ICVA Board chair, assuming the role at the June 2022 ICVA Board meeting. Ms. Bowler was elected to an initial three-year term on the ICVA Board in September 2015 and reelected to a second term in September 2018 and as chair-elect, she represented ICVA at the 2021 AAVSB annual meeting.

The Board is also a member of the Council on Licensure, Enforcement and Regulation (CLEAR). CLEAR is an association of individuals, agencies and organizations that comprise the international community of professional and occupational regulation, providing a forum for improving the quality and understanding of regulation to enhance public protection. The Board's membership is part of a DCA organizational membership.

- **Does the board's membership include voting privileges?**

The Board's AAVSB membership includes one voting delegate (and an alternate delegate). The ICVA Board representative also has voting privileges. The Board's CLEAR membership comes with voting privileges represented by a single organization vote.

- **List committees, workshops, working groups, task forces, etc., on which the board participates. How many meetings did board representative(s) attend? When and where?**

[ICVA Board of Directors \(BD\), September 2015-Present](#)

[Board Representative: Kathy Bowler](#)

[Since the last Sunset Review, Ms. Bowler participated in 16 BD meetings. Ten meetings were virtual, and the other meetings were held in-person in Atlanta, GA, Mackinac Island, MI, Savannah, GA, Asheville, GA, Palm Springs, CA, and Banf, Canada.](#)

[ICVA Executive Committee \(EC\), April 2020 – 2024](#)

[Since the last Sunset Review, Ms. Bowler participated in 14 virtual EC meetings.](#)

[ICVA NAVLE Pool Review Committee \(NPRC\), 2015-Present](#)

[Board Representative: Kathy Bowler](#)

[Since the last Sunset Review, Ms. Bowler participated in two two-day NPRC meetings in Atlanta, GA and Savannah, GA.](#)

[ICVA Governance Working Group \(GWG\), 2016 – Present](#)

[Board Representative: Kathy Bowler](#)

[Since the last Sunset Review, Ms. Bowler participated in six virtual GWG meetings.](#)

[ICVA Talent Management Committee \(TMC\), 2018 – Present](#)

[Board Representative: Kathy Bowler](#)

[Since the last Sunset Review, Ms. Bowler participated in 2 virtual TMC meetings.](#)

[ICVA NAVLE Standard Setting \(SC\) Committee, 2022](#)

[Since the last Sunset Review, Ms. Bowler participated in 2 virtual SC meetings.](#)

[AAVSB, Regulatory Policy Task Force \(RPTF\), 2018 - Present](#)

[Representative: Richard Sullivan, DVM](#)

The RPTF finalizes policy statements and recommends changes to bylaws or any previous policy statements or issues in the Model Practice Act. The RPTF's overall responsibility is to review, revise, and develop model language that serves as a tool for the AAVSB Member Boards to utilize when considering updates to jurisdiction statute and rules and regulations.

[Since the last Sunset Review, Dr. Sullivan has participated in roughly 60 RPTF meetings. The RPTF holds monthly meetings, 10 virtually and two in-person in Kansas City, MO.](#)

AAVSB, Executive Director Advisory Committee (EDAC), November 2018 - Present Board Representative: [Jessica Sieferman](#), Executive Officer

The EDAC serves as a think tank for existing and proposed programs and services that the AAVSB could improve or develop to assist all member boards to be more efficient and effective. The EDAC provides input for AAVSB programming that would be of benefit to member board executive directors and staff. In addition, the EDAC supplies veterinary board operational perspective to assist AAVSB staff and leadership.

Since the last Sunset Review, Ms. Sieferman has participated in roughly 35 EDAC-related meetings. The EDAC meets monthly and EDAC members hold quarterly meetings with various regions. Except for the Annual Conferences, the EDAC meetings are all virtual.

AAVSB, Member and Program Services Think Tank (MPSTT), 2019 – Present

Board Representative: Kathy Bowler, 2019-2022

Board Representative: Mark Nunez, DVM, 2020-2022

Since the last Sunset Review, representatives participated in roughly 10 MPSTT meetings. Except for the Annual Conferences, MPSTT meetings were all virtual.

AAVSB, Program for the Assessment of Veterinary Education Equivalence (PAVE) for RVTs, June 2019 – Present Board Representative: Jennifer Loredo, RVT

PAVE for veterinarians is the pathway for veterinarians who are graduates of international, non-accredited veterinary programs, to practice in the United States. Ms. Loredo recently joined PAVE to assist with their PAVE equivalent program for RVTs.

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AAVSB, Executive Director Roundtable (EDR), 2020 – Present

Board Representative: Jessica Sieferman, Executive Officer

Since the last Sunset Review, Ms. Sieferman has participated in roughly 20 quarterly EDR virtual meetings.

AAVSB, Conference Committee (CC), 2022 – Present

Board Representative: Jessica Sieferman, Executive Officer

With the assistance of Association staff, the Conference Committee makes site recommendations within the budget established by the Board of Directors, provides input regarding topics, speakers, and the overall program, assists with communications to potential registrants, serves as host of the meeting and special events, develops the conference evaluation and reports findings to the Board of Directors.

Since the last Sunset Review, Ms. Sieferman has participated in roughly 36 monthly CC meetings. Except for the Annual Conferences, all meetings are virtual.

AAVSB, Veterinary Technician National Examination (VTNE) Committee, Dec. 2023 -Present

Board Representative: Kristi Pawlowski, RVT

The VTNE Committee is responsible for the development and administration of the VTNE and other related tasks as assigned by the Board of Directors.

Ms. Pawlowski has participated in seven meetings, six were virtual and one was held in Rhode Island, MA.

- **If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?**

As previously stated, the Board has representation on the ICVA. The NAVLE, administered by ICVA since 2000, is a requirement for licensure to practice veterinary medicine in all licensing jurisdictions in the U.S. and Canada. The NAVLE consists of 360 clinically relevant multiple-choice questions.

The VTNE is the national examination required for an RVT registration in California. It is owned and administered by AAVSB. While the Board is an active member in AAVSB, it has not been directly involved in its development, scoring, analysis or administration.

The Board utilizes the services of the DCA Office of Professional Examination Services (OPES) to conduct a review of the national examination every seven years. The purpose of the review is to determine whether the examination meets the professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (2014) and BPC Section 139. The NAVLE conducts an occupational analysis every seven years. Its last occupational analysis was completed in 2017.

Fiscal and Staff

Fiscal Issues

6. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

No, the Board's fund is not continuously appropriated. The Board's fund appropriation is developed annually and is subject to legislative approval.

7. Using Table 2. Fund Condition, describe the board's current reserve level, spending, and if a statutory reserve level exists.

The Board's current reserve level is 11.1 months (FY 2023/24). BPC section 4905 mandates the Board operate with not less than three months and not more than ten months in reserve. However, since FY 2014/15, the Board revenue has not kept pace with its authorized expenditures, thereby creating a structural imbalance where the Board's Contingent Fund (i.e. "savings account") is declining.

Each year, the Board's revenues are less than its expenditures creating a budget deficit. In order to make up for the operating budget deficit, the Board subsidizes its structural imbalance via funds from its Contingent Fund.

Table 2. Fund Condition		(list dollars in thousands)				
	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25**	FY 25/26**
Beginning Balance ¹	\$2,752	\$5,066	\$6,887	\$8,260	\$9,884	\$9,076
Revenues and Transfers	\$7,606	*\$8,185	\$8,310	\$8,516	\$8,477	\$8,605
Total Resources	\$10,358	\$13,251	\$15,197	\$16,776	\$18,361	\$17,678
Budget Authority	\$6,383	\$7,008	\$7,286	\$7,642	\$8,780	\$9,043

TOTALS	\$2,457	\$2,528	\$3,219	\$2,403	\$3,954	\$2,543	\$3,863	\$2,486
* Administration includes costs for executive staff, board, administrative support, and fiscal services.								

11. Describe the amount the board has spent on business modernization, including contributions to the BreEze program, which should be described separately.

Over the past four fiscal years, the Board has contributed a total of \$509,595. The actual amount contributed for FY 23/24 will be updated once data is available. A breakdown is provided below:

BreEze Costs and Funding			
FY 2020/21	FY 2021/22	FY 2022/23	FY 2023-24
Actual	Actual	Actual	Budget
\$121,357	\$115,364	\$97,793	\$103,000

12. Describe license renewal cycles and the history of fee changes over the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citations) for each fee charged by the board.

Table 4. Fee Schedule and Revenue		(list revenue dollars in thousands)					
Fee	Current Fee Amount	Statutory Limit	FY 20/21 Revenue	FY 21/22 Revenue	FY 22/23 Revenue	FY 23/24 Revenue*	% of Total Revenue
Application Fee – VET	\$350	\$350	\$282	\$276	\$264	\$290	3.6%
Veterinary Law Examination	\$100	\$100	\$56	\$61	\$62	\$69	0.8%
Initial Veterinary License	\$500	\$500	\$345	\$483	\$390	\$419	5.2%
Veterinarian License Biennial Renewal	\$350	\$500	\$2,917	\$3,122	\$3,146	\$3,111	39.4%
Delinquent Renewal – VET	\$50	\$50	\$13	\$15	\$10	\$9	0.2%
UVL Initial Application	\$350	\$350	\$6	\$7	\$19	\$12	0.1%
UVL Initial License	\$350	\$500	\$13	\$16	\$19	\$18	0.2%
UVL Biennial Renewal	\$350	\$500	\$20	\$26	\$22	\$24	0.3%
Delinquent Renewal – UVL	\$50	\$50	\$0	\$1	\$0	\$0	0.0%
Application Fee – TEC	\$225	\$225	\$268	\$266	\$195	\$193	3.0%
Initial RVT License	\$225	\$225	\$304	\$275	\$199	\$195	3.1%
RVT Biennial Review	\$225	\$225	\$304	\$275	\$887	\$895	13.4%
Delinquent Renewal RVT	\$50	\$50	\$15	\$15	\$12	\$13	0.2%
Initial Premises Registration	\$500	\$500	\$134	\$186	\$227	\$189	2.4%
Premises Registration Renewal	\$525	\$525	\$1,340	\$1,643	\$1,818	\$1,914	21.5%

Table 4. Fee Schedule and Revenue							(list revenue dollars in thousands)	
Fee	Current Fee Amount	Statutory Limit	FY 20/21 Revenue	FY 21/22 Revenue	FY 22/23 Revenue	FY 23/24 Revenue*	% of Total Revenue	
Delinquent Renewal – Premises	\$50	\$50	\$16	\$15	\$14	\$12	0.2%	
VACSP Initial Application	\$100	\$100	\$87	\$145	\$220	\$198	2.1%	
VACSP Initial Permit	\$100	\$100	\$87	\$145	\$220	\$198	2.1%	
VACSP Biennial Renewal	\$100	\$100	\$103	\$110	\$242	\$188	2.1%	
VACSP Delinquent Renewal	\$50	\$50	\$11	\$17	\$30	\$25	0.3%	
Total Revenue			\$7,261	\$7,979	\$7,996	\$7,972	\$31,208	

*FY 2023/24 will be updated with complete data in August per Board request.

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13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The Board submitted BCPs in FYs 2020/21, 2021/22, 2023/24, and 2024/25 to augment its Enforcement Unit by adding additional staff. As described in further detail under response 14 below, these BCPs were intended to address the growing enforcement complaint backlog. The other nine BCPs listed below were submitted by DCA for all programs.

Table 5. Budget Change Proposals (BCPs)								
BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
1111-038-BCP-2020-GB	2020-21	Enforcement Staff Augmentation	6	6	\$700,000	\$700,000	\$198,000	\$198,000
1111-048-BCP-2021-GB	2021-22	Regulations Unit – Funding Extension	0	0	\$0	\$0	\$19,000	\$19,000
1111-047-BCP-2021-GB	2021-22	Information Technology Security	0	0	\$0	\$0	\$23,000	\$23,000
1111-060-BCP-2021-GB	2021-22	Enforcement Staffing Augmentation	3	3	\$331,000	\$331,000	\$99,000	\$99,000
1111-079-BCP-2022-GB	2022-23	BreEze System Maintenance and Credit Card Funding	0	0	\$0	\$0	\$247,000	\$247,000
1111-129-BCP-2022-GB	2022-23	Chapter 752, Statutes of 2021 (AB 1282)	1	1	\$124,000	\$124,000	\$33,000	\$33,000
1111-023-BCP-2023-GB	2023-24	Office of Administrative Hearings – Budget Augmentation	0	0	\$0	\$0	\$54,000	\$54,000
1111-024-BCP-2023-GB	2023-24	Regulations Unit Permanent Funding	0	0	\$0	\$0	\$22,000	\$22,000
1111-025-BCP-2023-GB	2023-24	Organizational Improvement Office Permanent Funding	0	0	\$0	\$0	\$14,000	\$14,000

1111-032-BCP-2023-GB	2023-24	Veterinary Medical Board – Enforcement Workload	7	7	\$919,000	\$919,000	\$175,000	\$175,000
1111-033-BCP-2023-GB	2023-24	DCA Business Services Office - Cashier Courier Workload	0	0	\$0	\$0	\$3,000	\$3,000
1111-025-BCP-2024-GB	2024-25	BreEZe System Maintenance and Credit Card Funding	0	0	\$0	\$0	\$289,000	\$289,000
1111-029-BCP-2024-GB	2024-25	Veterinary Medicine – Enforcement	5	5	\$674,000	\$674,000	\$133,000	\$133,000

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Staffing Issues

14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

In FY 2019/20, the Board pursued a BCP and was approved for two additional Staff Services Analysts (SSA) and an Office Technician (OT). These positions were under the premises licensing program. These positions were to be responsible for the increased work associated with inspecting, at a minimum, 20% of veterinary premises and the new workload associated with issuing controlled substance permits to veterinary assistants.

In FY 2020/21, the Board pursued a BCP and was approved for 6 two-year limited-term Associate Governmental Program Analyst (AGPA) enforcement positions. These positions were necessary to address the 1,800 plus complaint backlog. These newly hired analysts were needed for managing the backlog as well as the ever-increasing number of annual complaints received.

In FY 2021/22, the Board pursued a BCP and was approved for a two-year limited-term Staff Services Manager I (SSM I) enforcement manager, probation AGPA classification, and probation technician at the OT classification to the enforcement unit to manage the six newly hired enforcement analysts and address the large number of probationers.

In FY 2022/23, the Board pursued and was approved for a Staff Services Manager II (SSM II) and ongoing of 4 limited-term AGPA positions. The SSM II allowed for the Executive Officer (EO) in managing the day-to-day priorities and acting on behalf of the EO when the EO is unavailable.

In FY 2023/24, the Board established and hired a SSM I Policy Specialist position. This position is able to handle critical legislative, regulatory, and visionary strategic planning tasks.

The previous AGPA Lead Analyst position was converted to a Board/Committee Member Liaison position. This position is the primary contact for board and committee members for all personnel matters. The position also arranges travel and provides outreach. The Board has developed Lead Analysts roles to help support the team and to prepare staff for promotional opportunities.

In FY 2024/25, the SSM II position and the four AGPA positions will become permanent positions with the Board.

In the last 4 fiscal years, the Board has encouraged staff to apply for internal vacancies and has promoted staff internally 29 times. These promotions have been a part of succession planning to encourage longevity and retention at the Board.

15. Describe the board's staff development efforts and total spent annually on staff development (cf., Section 12, Attachment D).

On average, the Board spent \$6,988 annually on staff development. The development includes Office of Administrative Law 3 Day Rulemaking Training Class, where staff are educated on? rulemaking under the Administrative Procedure Act and various classes for staff through CalHR.

In FY 2022/23, enforcement analysts participated in National Certified Investigator Training (NCIT) through CLEAR. This training was provided in two parts which included a basic program and a specialized program. All enforcement staff attended both sessions which covered areas including interviewing techniques, investigative analysis, and report development.

In addition to staff development, the Board provides inspector training. The training includes video and ride along training and video training for new inspectors. The Board averaged \$966 annually for the past four fiscal years.

The Board also provides training to our subject matter experts. The training includes roundtable discussions and video training. The Board averaged \$5,950 annually for the past four fiscal years. A breakdown of training expenses is provided in the table below:

Veterinary Medicine Board – Training Expenses by Fiscal Year					
Account Code	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24*
	Actual	Actual	Actual	Actual	YTD
5322400 - Training - Tuition & Registration	\$2,420	\$4,035	\$635	\$20,730	\$2,550

*FY 2023-24 figures will be updated and finalized when FM 13 data is available.

Section 3 Licensing Program

16. What are the board’s performance targets/expectations for its licensing² program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board has set a target of 30 days for processing applications; currently [processing times](#) are being met. The Board is continuously working on updating its licensing system BreEZe to continue to improve performance measures. There are approximately 46 open tickets to fix and streamline the application process. An example of one process improvement is “BMO 2163” which will work with the California approved veterinarian colleges in obtaining graduation information through an interface, so Board staff no longer must manually input that data.

Over the past four years, Board staff have worked with the BreEZe team to streamline the licensing process by utilizing BreEZe to its full potential. Board staff have taken many redundant and unnecessary processing steps and streamlined them, so the application process is much easier to understand. Part of this process was taking the two application University license process and combining it into a one application process.

Another system improvement the Board made was adding the automatic email notification system to its applications. After application review, Board staff add “deficiencies” to applications that remain deficient. Once these deficiencies are added, the applicant is automatically

² The term “license” in this document includes a license, certificate, permit or registration.

emailed a notice and their online account is updated with these alerts. These alerts not only notify the applicant of what is missing in the application documentation but tell the applicant how to fix the deficiency.

17. Describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

Pending applications have grown at a gradual rate that exceeds completed applications. To address this problem, Board staff email and call applicants letting them know what documentation or information is needed to move their application forward. In addition, licensing unit positions continued to experience turnover, which further delayed processing applications.

Over the past four years, the Board has recommended to the California State Legislature statutory amendments, such as those described below, to remove licensing barriers and streamline the licensing process:

AB 1535 (Committee on Business and Professions, Chapter 631, Statutes of 2021)

▪ **Veterinarians**

➤ **Elimination of California State Board Examination (CSBE)**

As requested by the Board, OPES completed an Occupational Analysis and Linkage Study for the national and state veterinarian examinations and deemed the state examination redundant to the national examination. As such, the Board voted to eliminate the state examination from the veterinarian licensing requirements, and AB 1535 repeals the state examination requirement. Effective January 1, 2022, passing the CSBE was no longer a requirement to obtain a veterinarian license.

➤ **Applicants Licensed Out-of-State**

• **California Course No longer Required**

Out-of-state licensees seeking a California license are no longer required to take a course on regionally specific and important diseases and conditions that are common in California.

• **Passed National Examination Over Five Years Ago**

Clarifies and streamlines the veterinarian license application requirements for individuals who passed the national licensing examination over five years from the date of submitting the California veterinarian license application, to satisfy one of the following:

- Retake and pass the national licensing examination.
- Submit proof of having practiced clinical veterinary medicine for a minimum of two years and completed a minimum of 2,500 hours of clinical practice in another

state, Canadian province, or United States territory within the three years immediately preceding filing an application for licensure in this state.

- Complete the minimum continuing education requirements of BPC section 4846.5 for the current and preceding year. (BPC § 4846, subd. (a)(5)(A).)

➤ **Application Abandoned After One Year**

To improve processing times and streamline Board staff review and monitoring of pending license applications, applications are deemed abandoned if all license requirements are not completed within one year after the application has been filed with the Board. (BPC § 4847.1, subd. (a).)

➤ **Full Two-Year Initial License Regardless of Birth Month**

Previously, initial licenses were issued with expiration periods based on the licensee's birth month. The difference in each licensee's initial license period could span anywhere from 13 to 24 months, even though all licensees pay the same initial license fee. AB 1535 changes the initial license period to a full two years, regardless of the licensee's birth month. (BPC § 4900, subd. (a).)

➤ **Email Address and Address of Record Confirmation**

Email address must be disclosed to the Board upon renewal and confirm the email and address of record are current and valid. This will ensure applicants/licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)

▪ **University Veterinarian**

➤ **Removal of the Regionally Important Diseases & Conditions Course Requirement:**

Applicants are no longer required to complete a course on regionally specific and important diseases and conditions that are common in California in order to obtain a university license.

➤ **Application Abandoned After One Year**

Applications are deemed abandoned if all license requirements are not completed within one year after the application has been filed with the Board. (BPC § 4847.1, subd. (a).)

➤ **Email Address and Address of Record Confirmation**

Email address must be disclosed to the Board upon renewal, and licensees must confirm the email and address of record are current and valid. This will ensure applicants/licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)

➤ **Temporary/Intern Licensees**

The Board no longer issues temporary veterinarian licenses for temporary practice and/or internships. Instead, all individuals previously seeking a temporary license will apply for a full veterinarian license.

- **RVTs**

- **Expanded Opportunities for Registration for Alternate Route Pathway Applicants**

Most recently, the Board amended CCR, title 16, section 2068.5 regarding RVT students and alternate route programs, which removes barriers to licensure by making clarifications to instructor qualification requirements and removing the restrictions that individuals complete their clinical practice of 4,416 hours within five years, but not less than two years, to give RVT students greater flexibility to complete the experience requirement, so long as a California-licensed veterinarian verifies the experience.

- **Out-of-State RVT Applicants**

To maintain out-of-state license reciprocity and assure access to veterinary care through expanded registration pathways, the Board recommended placing into statute the regulatory provision that authorized an applicant to satisfy the education requirements by completing the AAVSB education equivalency certification program in statute and clearly identifying the experience-only pathway for RVT applicants licensed in another state. The Board also recommended removing the initial education credits review application requirement to streamline the application process and remove this unnecessary barrier to RVT registration.

- **Full Two-Year Initial Registration Regardless of Birth Month**

Initial registrations were issued with expiration periods based on the registrant's birth month. The difference in each registrant's initial registration period could span anywhere from 13 to 24 months, even though all registrants pay the same initial registration fee. AB 1535 changes the initial registration period to a full two years, regardless of the registrant's birth month. (BPC § 4900, subd. (a).)

- **Email Address and Address of Record Confirmation**

Email address must be disclosed to the Board upon renewal, and registrants must confirm the email and address of record are current and valid. This will ensure applicants/licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)

- **Veterinary Assistant Controlled Substance Permit (VACSP) Holder**

- **Full Two-Year Initial Permit Regardless of Birth Month**

Initial VACSPs were issued with expiration periods based on the permit holder's birth month. The difference in each permit holder's initial permit period could span anywhere from 13 to 24 months, even though all permit holders pay the same initial permit fee. AB 1535 changes the initial permit period to a full two years, regardless of the permit holder's birth month. (BPC § 4900, subd. (a).)

- **Email Address and Address of Record Confirmation**

Email address must be disclosed to the Board upon renewal, and permit holders must

confirm the email and address of record are current and valid. This will ensure applicants/licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)

18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

Over the past four years, the Board has denied 19 (as of 10/18/2024) applications based on criminal history that were determined to be substantially related to the qualification, functions, or duties of the profession, pursuant to BPC section 480.

Substantially Related Convictions (BPC § 480)
2019 Great Bodily Injury, 2011 Driving Under the Influence .08%
2020 Inflict Corporal Injury
2020 Driving Under the Influence
2020 Inflict Corporal Injury
2021 Driving Under the Influence .08%, and Vehicle Hit and Run
2022 Unprofessional Conduct
2012 Sex with a Minor, Oral Copulation
2010 Possess Controlled Narcotic Substance, 2015 Possess Controlled Narcotic Substance
2002 Robbery, False Imprisonment, and Assault with a Deadly Weapon
2007 Driving Under the Influence .08%, 2017 Driving Under the Influence .08%,
2014 Possess/Purchase for sale Narcotic/Controlled Substance, 2015 Possess Controlled Narcotic Substance, 2016 Possess Controlled Narcotic Substance
2016 Welfare Fraud
2018 Fraud and Embezzlement
2018 Robbery
2010 Burglary, 2021 Driving Under the Influence .08%
2018 Assault with a Deadly Weapon
2015 Unlawful Act Related to Excrement / Bodily Fluid by Prisoner in Custody, 2020 Battery
2021 Driving Under the Influence – Causing Great Bodily Injury
2002 Receiving & Distributing Material Involving the Sexual Exploitation of Minors, 2007 Failure to Register as a Sex Offender, 2015 Failure to Update Annual Sexual Offender Registration

Table 6. Licensee Population					
		FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Veterinarian	Active ³	15,400	15,817	13,396	13,705
	Out of State		1,888	2,003	2,070
	Out of Country		40	43	47
	Delinquent/Expired	2,486	2,458	2,529	2,686
	Retired Status <i>if applicable</i>	398	445	463	468
	Inactive	243	341	391	359
	Other ⁴	-	-	-	-
RVT	Active	10,071	10,518	8,439	8,899
	Out of State		412	439	434
	Out of Country		3	3	3
	Delinquent/Expired	2,119	2,183	2,281	2,371
	Retired Status <i>if applicable</i>	154	187	203	213
	Inactive	307	317	386	414
	Other	-	-	-	-
VACSP	Active	8,616	10,126	7,102	7,985
	Out of State	-	9	9	14
	Out of Country	-	0	0	0
	Delinquent/Expired	3,200	3,977	5,086	5,130
	Retired Status <i>if applicable</i>	28	30	31	24
	Inactive	0	0	0	0
	Other	-	-	-	-
Veterinary Premises	Active	4,209	4,288	3,886	3,905
	Out of State	0	0	643	654
	Out of Country	0	0	0	0
	Delinquent/Expired			574	654
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Other	-	-	-	-

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

³ Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

⁴ Other is defined as a status type that does not allow practice in California, other than retired or inactive.

Table 7a. Licensing Data by Type - Veterinarian

		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	339	385	73	60	-	-	24	91	-
	(License)	1052	803	35	39	-	-	9	60	30
	(Renewal)	7,070	6,461	333	3,944	-	-	-	-	9
FY 22/23	(Exam)	0	5	9	1	-	-	0	-	252
	(License)	857	765	113	237	-	-	9	85	-
	(Renewal)	7,160	6,178	277	3,861	-	-	-	-	2
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	923	813	63	273	-	-	14	188	-
	(Renewal)	8,200	6,554	447	3,980	-	-	-	-	2

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type – University Veterinarian

		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	24	27	2	2	-	-	25	94	-
	(License)	41	33	3	5	-	-	4	53	-
	(Renewal)	76	56	0	61	-	-	-	-	1
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	41	33	3	5	-	-	8	18	-
	(Renewal)	72	37	0	90	-	-	-	-	0
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	37	28	1	12	-	-	9	54	-
	(Renewal)	88	53	0	118	-	-	-	-	0

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type – Registered Veterinary Technician

		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	1,050	706	237	334	-	-	42	91	78
	(Renewal)	4,498	3,887	247	3,114	-	-	11		11
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	-	N/A	N/A
	(License)	965	872	274	232	-	-	5	81	-
	(Renewal)	4,744	3,850	256	3,236	-	-	-	-	2
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	918	815	164	159			6	50	-
	(Renewal)	5,366	3,961	325	3,400			-	-	2

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type – Veterinary Assistant Controlled Substance Permit

		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	2,105	1,633	316	670	-	-	57	80	-
	(Renewal)	3,037	1,689	3	4,707	-	-	-	-	9
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	2,355	2,135	437	444	-	-	3	69	-
	(Renewal)	3,790	2,358	119	5,481	-	-	-	-	3
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	2,120	1,872	269	392			1	48	-
	(Renewal)	3,676	1,986	921	5,791			-	-	3

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type – Premises

		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 21/22	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	442	399	35	38	-	-	16	73	-
	(Renewal)	3,767	3,451	220	791	-	-	-	-	6
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	502	459	50	32	-	-	2	25	-
	(Renewal)	3,979	3,594	168	903	-	-	-	-	2
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	424	364	38	52	-	-	3	41	-
	(Renewal)	4,340	3,763	167	915	-	-	-	-	3

* Optional. List if tracked by the board.

Table 7b. License Denial

	FY 21/22	FY 22/23	FY 23/24
License Applications Denied (no hearing requested)	2	8	5
SOIs Filed	0	0	0
Average Days to File SOI (from request for hearing to SOI filed)	N/A	N/A	N/A
SOIs Declined	N/A	N/A	N/A
SOIs Withdrawn	N/A	N/A	N/A
SOIs Dismissed (license granted)	N/A	N/A	N/A
License Issued with Probation / Probationary License Issued	0	1	0
Average Days to Complete (from SOI filing to outcome)	N/A	N/A	N/A

19. How does the board verify information provided by the applicant?

- **What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?**

The Board requires all applicants to complete state and federal fingerprinting through Live Scan or hard card prior to licensure. The Board does not require applicants to answer disciplinary action and conviction/felony questions prior to licensure.

From FY 19/20 through FY 23/24, the Board denied 0 licenses based on the applicant's failure to disclose criminal history information.

- **Does the board fingerprint all applicants?**

Yes, every applicant is required to obtain fingerprint clearance prior to licensure.

- **Have all current licensees been fingerprinted? If not, explain.**

Yes, all current licensees have been fingerprinted.

- **Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?**

The Veterinary Information Verifying Agency (VIVA) is the national database relating to disciplinary actions, and it is maintained by the AAVSB on behalf of California and 56 other licensing jurisdictions in the United States, Canada, and the U.S. Territories. VIVA is somewhat limited, however, as only 50% of states report to VIVA. The Board receives regular reports from the AAVSB and checks the national databank prior to issuing a license.

Due to the lack of other state participation, the Board cannot solely rely on VIVA. In addition to checking VIVA, the Board requires a letter of good standing from all state boards where applicants indicate they are licensed prior to licensure. The Board also requires state and federal Live Scan fingerprinting of veterinarian, RVT, and VACSP applicants. Once applicants have been fingerprinted, the Board receives subsequent arrest reports if the individuals become licensed by the Board.

The Board does not check the database prior to renewing a license; however, if a report is received that indicates that a licensee has been disciplined in another state, the Board takes reciprocal action that could lead to either sanctions against the license or revocation, depending on the type of violations. Additionally, renewal applications include a self-certification that inquires whether the licensee has been found guilty or pled no contest to a criminal conviction since their last license renewal.

- **Does the board require primary source documentation?**

Yes, the Board requires primary source documentation such as transcripts, examination scores, and fingerprint clearances. The Board also considers transcripts and examination scores held by AAVSB's VIVA database to be primary source verified.

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

The Board utilizes the VIVA database, fingerprinting, Program for the Assessment of Veterinary Education Equivalence (PAVE), and Educational Commission for Foreign Veterinary Graduates (ECFVG) to process out-of-state and out-of-country applicants. The PAVE and ECFVG programs assess the educational equivalency of out-of-country degrees in veterinary medicine to those programs that are approved by the American Veterinary Medicine Association (AVMA).

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

At present, the U.S. military requires veterinarians to already have been licensed before they can report for duty in the armed services. The military education, training, and experience are

considered if the applicant includes this under the general work experience or education requirements for RVT registration.

- **Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?**

Yes.

- **How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?**

To obtain a California veterinarian license, the applicant must have graduated from an accredited school/college of veterinary medicine. The Board does not evaluate education, training, or experience in lieu of a degree.

RVT applicants are able to submit clinical practice experience in lieu of graduating from an approved college (BPC § [4841.5\(b\)\(2\)](#); CCR § [2068.5](#)).

- **What regulatory changes has the board made to bring it into conformance with BPC § 35?**

The Board has not made any regulatory changes to accept military training or experience.

- **How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?**

The Board has waived renewal fees and requirements for 7 licensees in the past four fiscal years:

FY 20/21 - 0

FY 21/22 - 0

FY 22/23 - 7

FY 23/24 - 4

There has been a minimal impact on Board revenue (-\$5,875.00) from BPC Section 114.3.

- **How many applications has the board expedited pursuant to BPC § 115.5?**

In the past four fiscal years, the Board expedited X applications pursuant to BPC § 115.5:

FY 20/21 - 26

FY 21/22 - 11

FY 22/23 - 11

FY 23/24 - 11

22. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

The Board is currently utilizing the NLI process through the BreEZe database. The NLI process is completed electronically, and there is no backlog.

Examinations

23. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

Currently, veterinarian license applicants must take and pass a national exam and a law exam. RVT registration applicants must take only the national exam. All exams are in English and the North American Veterinary Licensing Examination (NAVLE) and the VTNE are also administered in French.

24. What are pass rates for first time vs. retakes in the past 4 fiscal years? Are pass rates collected for examinations offered in a language other than English?

The Veterinarian California State Board (CSB) Exam pass rates for first time candidates average approximately 80% for the last four fiscal years. Examination was administered in English. However, as of January 2022 passage of the CSB is no longer required for licensure.

The NAVLE pass rates for national first-time candidates average approximately 71% for the last four fiscal years. The VTNE pass rates are 68% for national first-time candidates. The retake information is not reported by the test administrator. Pass rates are provided in the language administered.

Table 8a. Examination Data⁵		
California Examination (include multiple language) if any:		
	License Type	Veterinarian
	Exam Title	CSB
FY 20/21	Number of Candidates	601
	Overall Pass %	84%
	Overall Fail %	16%
FY 21/22	Number of Candidates	122
	Overall Pass %	76%
	Overall Fail %	24%
FY 22/23	Number of Candidates	N/A
	Overall Pass %	N/A
	Overall Fail %	N/A
FY 23/24	Number of Candidates	N/A
	Overall Pass %	N/A
	Overall Fail %	N/A
Date of Last OA		2019
Name of OA Developer		OPES
Target OA Date		N/A

Table 8(b). National Examination. Include multiple languages, if any.			
	License Type	Veterinarian	RVT
	Exam Title	NAVLE	VTNE
FY 2020/21	Number of Candidates	6,639	7,331
	Overall Pass %	76%	72.71%
	Overall Fail %	24%	27.29%
FY 2021/22	Number of Candidates	7,019	8,242
	Overall Pass %	71.6%	67.61%
	Overall Fail %	28.4%	32.39%
FY 2022/23	Number of Candidates	8,230	8,733
	Overall Pass %	64%	66.4%
	Overall Fail %	36%	33.95%
FY 2023/24	Number of Candidates	TBD	9,462
	Overall Pass %	TBD	65.06%
	Overall Fail %	TBD	34.94%
Date of Last OA		2020	2017
Name of OA Developer		OPES	PSI/AAVSB

⁵ This table includes all exams for all license types as well as the pass/fail rate. Include as many examination types as necessary to cover all exams for all license types.

Target OA Date	N/A	N/A
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25. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

The NAVLE and the VTNE are computer-based examinations.

Applicants taking the NAVLE are allowed to take the examination four times within a 12-month period. When NAVLE candidates are approved, they are submitted into the Prometric scheduling system through ICVA's testing coordinator, and individual NAVLE Scheduling and Admission Permits are created for each candidate. The candidate uses the permit to set up their testing appointment with Prometric, and then takes the permit and their current, government-issued photo ID with signature (such as a driver's license or passport) with them to the Prometric Testing Center to check in on the day of their appointment. There is an individualized code on the permit which the candidate then uses to begin their NAVLE at their assigned workstation within the Prometric Testing Center. Prometric staff handle all proctoring duties, and the test file is sent to ICVA's testing coordinator (NBME) after completion of the examination. Scoring is handled at NBME, and score reports are released electronically to candidates and licensing boards approximately four weeks after the completion of each testing window.

The NAVLE is given in two testing windows each year - one window of four weeks from mid-November to mid-December, and one window of two weeks in April. The NAVLE is administered in 20 locations throughout California. NAVLE candidates who wish to be licensed in California but are physically located in another location at the time of the test (for example, a candidate with family in California who is attending school at the University of Edinburgh) may take their test at the Prometric center in their physical location, and their score report will be made available to the California board once the reports come out for that testing window.

The VTNE is administered during three exam windows each year. Applicants are allowed to take the examination five times and must apply to AAVSB Board of Directors for additional attempts. The exam is computer-based and is given at PSI testing centers throughout the U.S. and Canada or can be Live Remote Proctored (LRP).

LRP is an available option through PSI Exams. PSI has a process for online scheduling and equipment testing, so candidates can take the exam safely and securely from home or another secure location.

Requirements for LRP include a system check to verify computer meets requirements for compatibility and 360-degree room scan of the testing environment. Once completed, candidate will log into MyAAVSB account and select Remote Online Proctored Exam. AAVSB will email scheduling information for test.

Once logged in for the test, a picture with of the candidate and unexpired government issued photo ID that matches application is required.

The VTNE is a 3-hour exam which consists of 170 multiple-choice questions. The score on the VTNE is based on responses to 150 operational questions. The additional 20 pilot questions embedded in the test are used for constructing future examinations and will not count towards the final score.

26. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

The Board has identified statutes that hinder the efficient and effective processing of applications and/or examinations. The Board has made changes to the following statutes to streamline the license process. Listed in more detail in New Issue #15, the RVT and VACSP application/qualification statutes are listed in multiple sections and contain redundant and/or unnecessary requirements. This creates confusion with Board staff, applicants, educational programs, employers, and other invested stakeholders. As such, the Board is proposing amendments to combine sections, remove redundant sections, and align with the structure of the veterinarian requirements.

27. When did the Board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the Board plan to revisit this issue? Has the Board identified any reason to update, revise, or eliminate its current California-specific examination?

The Board last conducted its occupational analysis between August 2019 and July 2020. At a subsequent Board meeting in October 2020, the result of the analysis indicated that there was overlap between the California-specific examinations and the national examinations. For the veterinarian applicants, the California-specific examination, known as the California State Board Examination (CSBE), was determined to overlap the national veterinarian examination known as the North American Veterinary Licensing Examination (NAVLE), except for California laws, rules, and regulations. In addition to the CSBE, veterinarian applicants are also required to complete a California Veterinary Law Examination (VLE), which covers California laws, rules, and regulations. As a result of the study and Board discussion, the Board supported a legislative proposal (AB 1535) to remove the statutorily required examination (CSBE) as a requirement. On January 1, 2022, AB 1535 became effective, which in part, removed the CSBE requirement.

School Approvals

28. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

The Board approves the coursework requirements for training registered veterinary technicians and also requires schools to be approved by the Bureau of Private Postsecondary Education (BPPE) for all private veterinary technology programs that are approved directly by the Board (BPC §§ [4841.5](#) and [4843](#)).

For both veterinarians and RVTs, programs accredited by the American Veterinary Medical Association (AVMA) are deemed by the Board to have met the minimum requirements for approved schools (CCR §§ [2064](#) and [2065](#)).

All other veterinary colleges must have academic standards equivalent to programs accredited by the AVMA to be recognized by the Board (CCR § [2022](#)).

29. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

BPC section 4843 requires the Board approve all schools or institutions offering a curriculum for

training registered veterinary technicians. However, as described in detail in New Issue #6, the Board believes requiring all schools or institutions to be approved by the Board is a redundant and costly endeavor. The oversight provided by the Committee on Veterinary Technician Education and Activities (CVTEA), Bureau of Private Postsecondary Education, and the Accrediting Commission for the Community and Junior Colleges (ACCJC) provide adequate protection for students. As such, the Board seeks a legislative proposal to amend BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

The Board does not approve schools. School approval is dependent on approval from the AAVSB, Bureau for Private Postsecondary Education, or the U.S. Department of Education (BPC § 4841.5 and CCR, § 2065(i)). Schools failing to meet the approval standards of one of the three entities are removed as an approved school. The AVMA is the sole approval organization for the U.S. and Canada accrediting programs for both veterinarian (56 fully accredited programs) and RVT programs (152 fully accredited programs). For RVT applicants applying through the Alternate Route Pathway, there are six (6) schools offering a (non-accredited) certificate that the Board accepts towards meeting the education requirement.

Table 8c. Number of Schools Offering Veterinary Education		
Profession	Number of Schools Offering	
	Fully Accredited AVMA Programs	Board Alternate Route Education
Veterinarian	56 (California has 2 Schools)	N/A
RVT	152 (Schools has 14 Schools)	6 (All Schools are in California)

30. What are the board’s legal requirements regarding approval of international schools?

The Board only recognizes the accreditation standards of the AVMA for international veterinary schools, which accredits 24 programs from 10 countries listed below (CCR [2066](#)).

Table 8d. International Veterinary Schools		
Country	Number of Schools Offering Veterinarian Approved Programs	Number of Schools Offering RVT Approved Programs
Australia	4	0
Canada	5	1
France	1	0
Ireland	1	0
Mexico	1	0
Netherlands	1	0
New Zealand	1	0
South Korea	1	0
United Kingdom	6	0
West Indies	2	0

While the Board may not approve international schools, both veterinarian and RVT applicants have the opportunity to have their foreign education granted credit through three specific programs. Veterinarian applicants are permitted to have their foreign education granted credit if it is approved through either the Educational Commission for Foreign Veterinary Graduates (ECFVG) or the PAVE for veterinarians (BPC § 4846 and CCR §§ 2010.1, 2023, 2024 and 2025). RVT applicants may have their foreign education granted credit if it is approved through the PAVE for veterinary technicians (BPC § 4841.5(c)). All three programs compare the foreign education standards to the AVMA accredited standards to determine if the foreign school meets or exceeds the requirements of an AVMA accredited program. Upon meeting the requirement of one of these programs, the applicant with foreign education will be determined to have met the education requirement in California.

Continuing Education/Competency Requirements

31. Describe the board’s continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
VET	Biannual	36	5%
RVT	Biannual	20	5%

Continuing education (CE) for veterinarian license and RVT registration renewal is statutorily required. Excluding the first license renewal, veterinarians are required to complete 36 hours of CE every two years (BPC § 4846.5; CCR § [2085.1](#)), and RVTs are required to complete 20 hours of CE every two years (CCR § [2086.2](#)). Approved CE providers are listed under BPC Sections [4846.5](#), subdivision b, and CCR, title 16, section [2086.1](#). CE coursework will only be accepted by the Board if it was obtained in subjects related to the practice of veterinary medicine and/or veterinary technology (BPC § 4846.5; CCR 16, §§ 2085.6 and 2086.5). CE courses must be consistent with current standards and practices beyond the initial academic studies required for initial licensure or registration.

A veterinarian who renews their license on or after January 1, 2018, must complete a minimum of one credit hour of CE on the judicious use of medically important antimicrobial drugs, as defined, every four years as part of the CE requirement (BPC § [4846.5\(k\)\(1\)](#)).

- **How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department’s cloud?**

Licensees are required to sign their renewal notice under penalty of perjury stating they have completed the requisite number of CE hours within the last two-year renewal period. Licensees are required to maintain CE completion documentation for no less than four years and, if audited, are required to provide that documentation to the Board upon request.

Currently, the Board is verifying CE for licensees who are moving their license from inactive to active. The licensee submits proof of CE when they apply for an active license from inactive.

The Board utilizes the AAVSB's Registry of Approved Continuing Education (RACE) CE Broker when available. This service allows veterinary professionals the chance to record all CE coursework in a single centralized database. The Board will log in and view CEs taken during the renewal cycle.

The Board has not worked with the Department to receive primary source verification through the Department's cloud.

- **Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.**

Yes. The Board has a CE audit process to audit 5% of its licensee population annually.

- **What are consequences for failing a CE audit?**

Consequences of failing a CE audit may result in an educational letter, a citation or disciplinary action initiated against the licensee depending on severity of the infraction.

- **How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?**

Over the past four fiscal years the Board has conducted 813 audits of veterinarians and RVTs of those audits, 287 resulted in failures. The overall failure percentage is 35%.

- **What is the board's CE course approval policy?**

The course approval criteria are outlined in regulation (CCR, tit. 16, §§ [2085.3](#), [2085.6](#), and [2086.5](#)) Based on the approval criteria, the Board delegates course approval to its national regulatory agency, the AAVSB Registry for Approved Continuing Education (RACE) for all non-statutorily approved providers and courses.

- **Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?**

CE providers are approved under statutory authority (BPC § [4846.5](#), subd. (b)) for veterinarians and through regulatory authority (BPC § [4838](#); CCR, tit. 16, § [2086.1](#)) for RVTs. For most CE courses, the AAVSB, through its RACE program approves individual courses (CCR, tit. 16, § [2085.5](#)). Other CE providers, such as the AVMA (including regional factions), colleges and universities, governmental agencies (e.g., Centers for Disease Control and Prevention, USDA, CDFA, and Board), approved specialty organizations (i.e., American Board of Veterinary Specialties and National Association of Veterinary Technicians in America), and trade organizations (i.e., Accreditation Council for Continuing Medical Education, American Dental Association, and American Medical Association) are also acceptable, as long as the CE coursework meets the requirements as outlined in BPC section 4846.5 and CCR, title 16, sections 2085.6 and 2086.5.

- **How many applications for CE providers and CE courses were received? How many were approved?**

The Board does not receive applications for CE providers or for specific courses.

- **Does the board audit CE providers? If so, describe the board's policy and process.**

The Board does not audit CE providers.

- **Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance-based assessments of the licensee's continuing competence.**

The Board has not discussed any effort to move toward a performance-based assessment of the licensee's continuing competence.

Section 4 Enforcement Program

32. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board has the following performance targets:

- Cycle time for complaint assignment – 10 days
- Investigation cycle time – 365 days
- Formal discipline cycle time – 540 days
- Cycle time from probation monitor assignment to first contact with probationer – 10 days
- Probation violation response cycle time – 5 days

The Board typically meets its 10-day target for complaint assignments but has gone above it on occasion from intake vacancies. To minimize this increase, management makes all reasonable efforts to fill its vacancies expeditiously.

The Board is not meeting its investigation and formal discipline cycle time targets due to an aging backlog of complaints in need of investigation and potential disciplinary action. Since these complaints are already several years old and naturally exceed our performance targets, once the investigations are completed, the reflected cycle times exceed our targets. The Board has implemented efficiencies, explored/applied process changes, and shifted resources to better address these targets (and has made progress); however, with the backlog of several thousand of these aging complaints, it will still take several years to come within striking distance of these performance targets.

On average, the Board meets its performance targets for probation monitor first contact, as well as its target to respond to probation violations without issue.

33. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance

barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Over the past decade, the Board has seen frequent, sharp increases in complaints received year over year. These increases have affected all areas of enforcement, as they could not be immediately investigated without additional staff. However, despite the lack of appropriate staff, Board management was quick to explore ways to become more efficient using current resources and implemented several efficiencies.

These include, but are not limited to:

- Mapping out all enforcement processes to identify and remove unnecessary steps.
- Shifting duties to reallocate existing staff to enforcement.
- Changing the investigative process to minimize the number of individuals involved in the investigation.
- Proactively communicating with external entities, such as the Office of the Attorney General (OAG), the DCA, Division of Investigation, and contracted experts
- Obtaining all potential evidence and mitigation prior to transmittal of cases to the OAG
- Exploring settlement options early and often

In addition to the above and because each enforcement analyst had a caseload of over 700, in FY 2020/21, the Board submitted and received approval for a Budget Change Proposal (BCP) for six additional limited-term enforcement analysts (which is all the budget could support at the time). Shortly thereafter, the Board added another enforcement manager to its team to manage the new staff obtained through the 2020/21 BCP. Further, in 2021, the Board folded its inspection program into the enforcement program (as the two are directly related) and bolstered the number of staff assigned to investigations. Moreover, the Board further increased staffing levels, adding four limited-term enforcement analysts in the Summer of 2022.

With the additional staff, the Board has been able to keep up with the number of complaints received on an annual basis and slowly cut into the backlog - indicating that current staffing levels are appropriate to keep up with the needs of the Board. However, this accomplishment does not eliminate the backlog of cases that was continually growing while efficiencies were implemented, and resources were obtained. Therefore, the Board will continue to explore additional efficiencies and investigate obtaining temporary help to cut into the backlog of complaints at a faster rate to reach our performance targets for investigations and formal discipline.

Table 9. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
COMPLAINTS			
Intake			
Received	1,505	1,593	1,670
Closed without Referral for Investigation	77	68	96
Referred to INV	1,448	1,511	1,580
Pending (close of FY)	16	25	20
Conviction / Arrest			

CONV Received	185	214	203
CONV Closed Without Referral for Investigation	3	3	0
CONV Referred to INV	184	207	208
CONV Pending (close of FY)	1	4	0
Source of Complaint⁶			
Public	1,179	1,170	1,311
Licensee/Professional Groups	40	52	19
Governmental Agencies	141	95	10
Internal	117	220	45
Other	4	9	4
Anonymous	209	261	281
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	10 days	10 days	8 days
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	11 days	6 days	8 days
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	10 days	9 days	9 days
INVESTIGATION			
Desk Investigations			
Opened	1,632	1,718	1,787
Closed	1,297	1,975	2,046
Average days to close (from assignment to investigation closure)	763	700	762
Pending (close of FY)	3,798	3,713	3,546
Non-Sworn Investigation			
Opened	0	0	0
Closed	0	0	0
Average days to close (from assignment to investigation closure)	N/A	N/A	N/A
Pending (close of FY)	0	0	0
Sworn Investigation			
Opened	45	59	40
Closed	14	53	47
Average days to close (from assignment to investigation closure)	193	272	275
Pending (close of FY)	44	103	50
All investigations⁷			
Opened	1,678	1,777	1,827
Closed	1,311	1,975	2,039
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	763	703	764
Average days for investigation closures (from start investigation to investigation closure)	798	767	786
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)	971	796	960
Average days from receipt of complaint to investigation closure	796	719	774
Pending (close of FY)	3,818	3,727	3,559

⁶ Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

⁷ The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

CITATION AND FINE			
Citations Issued	48	26	18
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	1,293	1,396	1,352
Amount of Fines Assessed	\$188,750	\$121,000	\$82,000
Amount of Fines Reduced, Withdrawn, Dismissed	\$14,500	\$15,000	\$4,000
Amount Collected	\$203,250	\$102,283	\$111,332
CRIMINAL ACTION			
Referred for Criminal Prosecution	6	5	3
ACCUSATION			
Accusations Filed	22	23	34
Accusations Declined	0	1	0
Accusations Withdrawn	2	1	0
Accusations Dismissed	0	0	0
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	475	167	150
INTERIM ACTION			
ISO & TRO Issued	1	1	2
PC 23 Orders Issued	0	0	0
Other Suspension/Restriction Orders Issued	0	0	0
Referred for Diversion	0	0	0
Petition to Compel Examination Ordered	0	1	0
DISCIPLINE			
AG Cases Initiated (cases referred to the AG in that year)	77	92	133
AG Cases Pending Pre-Accusation (close of FY)	63	90	142
AG Cases Pending Post-Accusation (close of FY)	26	36	34
DISCIPLINARY OUTCOMES			
Revocation	2	1	4
Surrender	1	4	6
Suspension only	0	0	0
Probation with Suspension	0	0	0
Probation only	4	10	12
Public Reprimand / Public Reproval / Public Letter of Reprimand	1	0	0
Other	0	0	0
DISCIPLINARY ACTIONS			
Proposed Decision	1	2	2
Default Decision	1	1	3
Stipulations	6	12	22
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	320	313	336
Average Days from Closure of Investigation to Imposing Formal Discipline	520	432	493
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	1,316	1,134	1,596
PROBATION			
Probations Completed	21	15	16
Probationers Pending (close of FY)	59	57	53
Probationers Tolled *	11	12	9

Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed	0	4	0
SUBSEQUENT DISCIPLINE⁸			
Probations Revoked	0	0	1
Probationers License Surrendered	0	3	1
Additional Probation Only	1	0	2
Suspension Only Added	0	0	0
Other Conditions Added Only	0	0	0
Other Probation Outcome	0	0	1
SUBSTANCE ABUSING LICENSEES **			
Probationers Subject to Drug Testing	25	21	16
Drug Tests Ordered	743	490	291
Positive Drug Tests	199	158	49
PETITIONS			
Petition for Termination or Modification Granted	1	3	0
Petition for Termination or Modification Denied	0	0	0
Petition for Reinstatement Granted	0	1	0
Petition for Reinstatement Denied	0	1	1
DIVERSION **			
New Participants	2	0	0
Successful Completions	0	0	0
Participants (close of FY)	3	2	2
Terminations	0	1	0
Terminations for Public Threat	0	0	0
Drug Tests Ordered	59	122	75
Positive Drug Tests	1	0	0

Table 10. Enforcement Aging						
	FY 20/21	FY 21/22	FY 22/23	FY 23/24	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days	339	274	459	387	1,459	25%
91 - 180 Days	29	65	84	112	290	5%
181 - 1 Year	36	116	171	153	476	8%
1 - 2 Years	62	145	306	309	822	14%
2 - 3 Years	22	167	302	413	904	15%
Over 3 Years	72	530	653	655	1,910	33%
Total Investigation Cases Closed	560	1,297	1,975	2,029	5,861	
Attorney General Cases (Average %)						
Closed Within:						
0 - 1 Year	3	3	5	0	11	6%
1 - 2 Years	6	2	8	11	27	15%
2 - 3 Years	22	1	7	3	33	19%

⁸ Do not include these numbers in the Disciplinary Outcomes section above.

Table 10. Enforcement Aging						
	FY 20/21	FY 21/22	FY 22/23	FY 23/24	Cases Closed	Average %
3 - 4 Years	16	7	11	21	55	31%
Over 4 Years	27	8	11	4	50	29%
Total Attorney General Cases Closed	74	21	42	39	176	

34. What do overall statistics show as to increases or decreases in disciplinary action since last review?

Since the last review, AG cases initiated has not significantly increased or decreased. The number of Accusations filed has also remained similar to the last reporting period. The total number of disciplinary outcomes has also not changed significantly outside of outside of 44 in FY 2017/18 which appears to have been an outlier. Average number of days from AG case initiated to Accusation filed reduced significantly from FY 2021/22 to FY 2022/23.

35. How are cases prioritized? What is the board's compliant prioritization policy?

Board cases are prioritized pursuant to BPC section [4875.1](#), which is in line with [DCA's Complaint Prioritization Guidelines for Health Care Agencies](#).

36. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

Licensees are required to report animal cruelty, animal fighting, and animal injuries that occur at rodeos. Insurers are required to report to the Board any settlement or arbitration award over \$10,000 of a claim or action for damages for death or personal injury caused by the licensee's negligence, error, or omission in practice, or by their rendering of unauthorized professional services. (BPC § 801, subd. (d).) Court clerks are required to report to the Board crimes or licensee liability for any death or personal injury resulting in a judgment for an amount in excess of \$30,000 caused by the licensee's negligence, error or omission in practice, or their rendering of unauthorized professional services. (BPC § 803, subd. (a).) The Board has not received information that the required reports are not being submitted.

- **What is the dollar threshold for settlement reports received by the board?**

[For insurers](#), \$10,000 for injury/death caused by negligence, error, or omission in practicing or by rendering unauthorized professional services. (BPC § [801](#), subd. (d)). [For licensees without professional liability insurance](#), \$3,000 for damages for death or personal injury caused by negligence, error or omission in practice, or by the unauthorized rendering of professional services. (BPC §[802](#), subd. (a)).

- **What is the average dollar amount of settlements reported to the board?**

The average dollar amount of settlements reported to the Board over the past four fiscal years was \$24,122.38.

37. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

- **What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?**

The Board has authority to issue probationary licenses to applicants without sending cases to the OAG. These are considered settlements pre-Statement of Issues. The Board does not offer settlements for cases before they are transmitted to the OAG pre-accusation.

- **What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?**

The Board has settled 76 cases, post accusation, and had hearings on 9 cases for the past four years.

- **What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?**

Approximately 94% percent of cases (86% of accusations filed) have been settled rather than resulted in a hearing. The Board makes efforts shortly after filing an accusation to have the DAG offer settlement terms to respondents to avoid costly litigation that would likely end in probation.

38. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The Board does not have a statute of limitations. However, licensees are required to maintain written records for three years after the date of the last patient visit; therefore, a complaint submitted for final services provided to a consumer more than three years ago may limit the ability of the Board to take action. Similarly, arresting agencies and courts often purge records of less egregious offenses after three to five years, which makes it difficult to gather information on underlying acts in criminal convictions.

39. Describe the board's efforts to address unlicensed activity and the underground economy.

The Board has authority to cite and fine unlicensed practitioners of veterinary medicine. (BPC § [148](#); CCR, tit. 16, § [2043](#).) In addition, the Board has the authority to request that the California Public Utilities Commission disconnect the phone service of cited individuals advertising unlicensed services. If the DCA, Division of Investigation is called to provide investigatory services on a case, they can issue a misdemeanor citation. Further, unlicensed cases may be referred to the district attorney's office for the filing of criminal charges against the individual.

The Board is considering legislative proposals to amend Business and Professions Code (BPC) Section 4875.1 subdivision (a)(1) to change “veterinarian or registered veterinary technician” to “individual” to include those practicing without a license.

In addition, the Board's 2024-2028 Strategic Plan includes the following Objectives to further combat unlicensed practice:

- Seek statutory changes to enhance unlicensed practice penalties to decrease unlicensed veterinary practice. (Objective 4.2)
- Pursue legislation to narrow licensure exemptions in the Business and Professions Code (BPC) Section 4827 to prevent unintended consequences. (Objective 4.3)
- Develop racetrack/horse show specific materials regarding unlicensed practice to educate consumers. (Objective 5.8)

These objectives were delegated to the MDC, and an Unlicensed Practice Subcommittee was created to focus on these objectives. This Subcommittee is holding multiple stakeholder meetings to learn more about the unlicensed practice occurring in the industry and what can be done to further combat the illegal activity. The Board looks forward to collaborating with the Legislature if/when legislative amendments are recommended.

Cite and Fine

40. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?

The Board may issue a citation to a licensee or unlicensed person along with a fine to incentivize compliance with the Act. ~~The Board increased its authority since the last Sunset Review and may issue citations for more egregious violations (Class C) up to the \$5,000 statutory limit.~~ Depending on the violation classification, fines can range from \$250 to \$5,000. The Board has not increased its \$5,000 citation cap in statute. However, on April 1, 2023, the Board made a regulatory change to its cite and fine regulation (CCR 2043), removing the verbiage “while engaged in the practice of veterinary medicine,” allowing the Board to issue citations to individuals for violations of the Act that do not occur solely while they are practicing veterinary medicine; this would include failure to complete required continuing education and convictions that do not rise to the level of disciplinary action.

41. How is cite and fine used? What types of violations are the basis for citation and fine?

Cite and fine is used against unlicensed practitioners of veterinary medicine, as well as licensees and registrants. Citations are appropriate when formal discipline is not warranted due to the nature of the violation and/or in consideration of the amount of time elapsed since the violation occurred. Citations may be issued with or without a fine. These violations include, but are not limited to, negligence and/or incompetence, medical recordkeeping violations, and violations of the minimum standards.

42. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

There were 18 informal conferences and two Administrative Procedure Act appeals held over the past four fiscal years.

43. What are the five most common violations for which citations are issued?

The most common violations included in citations are: negligence; unprofessional conduct; unlicensed practice; recordkeeping violations; and minimum standards.

44. What is average fine pre- and post- appeal?

Average fine pre-appeal: \$4,469. Average fine post-appeal: \$2,688.

45. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

The Board uses the Franchise Tax Board intercepts program to collect outstanding fines for non-licensees. Three letters are sent to the individual for payment. If no payment is received, the Board sends the individual's information to the accounting office, with copies of the three letters, to forward to the Franchise Tax Board intercepts program. The Board has sent 13 cases to the Franchise Tax Board for collection over the prior four fiscal years.

Cost Recovery and Restitution

46. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

The Board seeks cost recovery for its investigation and enforcement expenses whenever possible. When a case is heard before an administrative law judge, the amount of cost recovery ordered may be reduced by a substantial amount based on the evidence and resulting reduction in causes for discipline and the respondent's ability to pay. Stipulated settlements may contain reduced cost recovery amount in the interest of arriving at an expedited agreement to ensure consumer protection. The total cost recovery amount must be paid six months prior to the end of probation; failure to pay the cost recovery could result in extension of probation. Cost recovery attached to revocation and stipulated surrender cases usually is ordered to be paid upon successful petition for reinstatement of the license.

[Shortly after the last Sunset Review, the Board raised concerns related to cost declarations prepared by the Division of investigations. In a follow up report to Senator Roth, the Board explained that, in order for investigative and enforcement costs to be considered for cost recovery, all cost declarations must comply with CCR, title 1, section 1042. In previous Board cases, ALJs had awarded AGO expenditures \(up until the hearing\), but disallowed cost recovery for investigative costs due to the investigative cost declarations not complying with CCR section 1042.](#)

[This was because the DOI cost declarations at the time were not sufficient as they did not break down tasks by date and length of time or provide the level of specificity needed in order for an ALJ or respondent to determine whether the charges are reasonable.](#)

[Since that time, DOI implemented a new cost declaration template in compliance with CCR, title 1, section 1042.](#)

In addition, the Board has improved its internal cost declarations for subject matter experts, consultants, and inspectors leading to more cost recovery being ordered.

47. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

The Board would order all costs incurred during the investigation/prosecution process, as all is collectable. Over the prior three fiscal years, the Board has ordered cost recovery an average of eight times per year, with each order averaging \$170,243. From July 1, 2020 through September 30, 2024, the Board has ordered cost recovery on probation cases 35 times totaling \$820,735. The Board does not believe any of the ordered cost recovery is uncollectable as any outstanding cost recovery owed is included in the amount due to the Board prior to the probationer being fully reinstated or issuance of a new license for a surrendered or revoked license. During that same period, the Board ordered cost recovery on revocation and stipulated surrender cases 36 times, totaling \$597,584; however, it should be noted that it is unlikely that these orders will be paid, as most surrendered/revoked licensees do not attempt to reinstate their licenses – which is when the cost recovery is due.

48. Are there cases for which the board does not seek cost recovery? Why?

The Board does not seek cost recovery in discipline resulting from a statement of issues, petitions to reinstate, petitions to revoke probation and petitions to modify or terminate probation or default decisions, as it does not have the authority to do so. Further, as referenced above, although cost recovery may be ordered in surrender and revocation cases, the majority of this cost recovery will not be collected until the Board grants a petition for reinstatement of the license.

49. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.

The Board has not used the Franchise Tax Board intercepts program to collect cost recovery.

Table 11. Cost Recovery⁹ (list dollars in thousands)				
	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Total Enforcement Expenditures	\$2,876	\$3,396	\$4,134	\$4,168
Potential Cases for Recovery *	8	6	11	16
Cases Recovery Ordered	8	6	11	16
Amount of Cost Recovery Ordered	\$99	\$107	\$305	\$223
Amount Collected	\$76	\$69	\$251	\$109

* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

50. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The Board has authority to order restitution as a term of probation; however, it was not extensively utilized in the past. Enforcement staff are now trained to review the receipts, invoices, and billing submitted by complainants to determine whether restitution can and should be ordered.

For example, a respondent may be ordered to pay restitution if they provided substandard veterinary services, resulting in additional costs incurred by a client at a subsequent veterinarian to address the substandard care.

Table 12. Restitution (list dollars in thousands)				
	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Amount Ordered	\$3,880	\$13,251	\$18,683	\$6,328
Amount Collected	\$3,880	\$13,251	\$18,683	\$6,328

**Section 5
Public Information Policies**

51. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The Board utilizes the internet to inform the public of Board activities through social media, the Board website, ListServ, and online webcasts. The Board posts meeting materials online [here](#) and notifies the public through social media and ListServ when these documents are available. The meeting agendas are available a minimum of 10 business days prior to the meetings, and the

⁹ Cost recovery may include information from prior fiscal years.

agenda items are posted prior to the meeting. Final meeting minutes are posted on the Board's meetings page indefinitely.

52. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long to webcast meetings remain available online?

The Board webcasts its meetings and plans to continue to webcast future Board and committee meetings for the foreseeable future. Webcasted meetings are uploaded to YouTube and will remain available on YouTube as long as YouTube continues to offer this service; direct links are provided on the Board's meeting webpage [here](#).

53. Does the board establish an annual meeting calendar, and post it on the board's web site?

Yes, the Board holds quarterly meetings, which are posted on the Board's [website](#), as well as on the Board's social media accounts.

54. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with BPC § 27 if applicable?

The Board's complaint disclosure policy is consistent with DCA's [Recommended Minimum Standards for Consumer Complaint Disclosure](#) to the extent that disclosure of any complaint information will not impede or impair current or future investigations and will not discourage or deter the filing of consumer complaints. The Board posts accusations and disciplinary actions consistent with DCA's Website Posting of Accusations and Disciplinary Actions and the provisions of BPC section 27. The Board provides the following information to the public regarding its licensees, registrants, and permit holders:

- licensee's name;
- address of record;
- license status;
- license type;
- issue date;
- expiration date;
- certification; and,
- disciplinary/enforcement actions.

The Board is consistent with DCA's Website Posting of Accusations and Disciplinary Actions by attaching all filed accusations, in their entirety, to the respective license profiles in BreEZe; the public can view all enforcement and discipline documents through the Board's "[Verify a License](#)" link on its website.

55. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides information through the BreZE database regarding licenses, registrations, and permits issued by the Board, including enforcement action (citations and formal discipline) taken and the current status of the license, registration, or permit, but does not include any awards, certificates, or education information.

56. What methods are used by the board to provide consumer outreach and education?

The Board utilizes its website and social media for consumer outreach and education, as well as encouraging public attendance at Board. Additionally, Board staff work with various stake holders when developing legislation and regulatory proposals.

Section 6 Online Practice Issues

57. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

In the last Sunset Review, the Board discussed telemedicine as a form of online veterinary medicine practice which had garnered a national movement to address the provision of veterinary services via telemedicine. Effective January 1, 2024, BPC 4826.6 was added to the Veterinary Medicine Practice Act, establishing parameters for telemedical veterinary services to be provided to California's consumers. The Board will monitor the newly implemented statute for recurring issues that may be resolved through regulation.

As of January 1, 2024, AB 1399 (Friedman, Chapter 475, Statutes of 2023) expanded the scope of veterinary telehealth practice. The Board will monitor telehealth practice for potential violations of the new laws. Prior to AB 1399, the Board investigated unlawful online practice following receipt of consumer complaints. When appropriate, the Board would issue citations for unlicensed practice.

Section 7 Workforce Development and Job Creation

58. What actions has the board taken in terms of workforce development?

The Board regularly reviews its laws and regulations to identify any potential barriers to licensure. The Board identified an unnecessary and unfair barrier to licensure in the veterinary technician national examination (VTNE) eligibility process. The VTNE administrators, American Association of Veterinary State Boards (AAVSB), had a nearly two-decade old policy that only graduates of a veterinary technician program could sit for the VTNE. With nearly 34% of VTNE candidates (roughly 3,000 students) failing the exam on their first attempt, candidates were waiting months to retake the exam – often resulting in lost job opportunities and many deciding to walk away from the health care profession altogether.

58. Using data and statistics from various sources, the Board demonstrated students who were allowed to take the VTNE while still in school consistently performed significantly better than

~~those who had graduated. After a year of strong advocacy and active engagement with national stakeholders and state veterinary boards, the AAVSB agreed to amend their policy. Students in all 63 AAVSB jurisdictions can now take the VTNE prior to graduation, resulting in more licenses being issued and individuals entering the health care profession faster than ever before. In 2018, the Board's Executive Officer conducted a thorough review of registration requirements for veterinary technicians. Items considered were an Occupational Analysis, Review and Linkage Study provided by DCA's OPES, the December 2018 candidate bulletin provided by PSI (AAVSB's examination vendor) outlining examination content, and the CVTE test questions, answers, and reference sheet.~~

~~After careful consideration of the facts outlined from the review, the Board voted to discontinue the administration of the CVTE, thereby saving potential licensees the examination costs of \$200. The Board may consider approving a future state examination if animal health care tasks limited to California are identified.~~

59. Describe any assessment the board has conducted on the impact of licensing delays.

Board staff continues to work with the DCA, BreEze unit to streamline the application process when appropriate. Additionally, statutes and regulations are being reviewed on an ongoing basis by the Board and its staff to ensure timely processing of applications while using the BreEze system effectively.

60. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

~~Board staff works with the Western University of Health Sciences to present a law and ethics course to the second-year veterinary students. Additionally, Board staff has attended (regularly attends?) the three-day California Curriculum Course held by Western University of Health Sciences and lecture on licensing and enforcement related subjects.~~

~~In the past, the Board has worked with schools to hold Board meetings on campus to encourage students to attend meetings. The Board previously held a meeting at UC Davis School of Veterinary Medicine. Board staff has also reached out to the Student American Veterinary Medical Association in California to identify ways to effectively educate students on the Board's role, current issues facing the Board, licensing requirements, and the licensing process. As options to hold hybrid-style meetings in non-DCA owned buildings increase, the Board will reevaluate the feasibility of holding meetings on campus. Board staff regularly presents to veterinary students to inform them of licensing requirements and licensing processes. The Board through the Board's two veterinary student liaisons, one from UC Davis School of Veterinary Medicine and one from Western University of Health Sciences Veterinary College, students are kept apprised of Board activities and any changes to licensing requirements and the licensing process. Recently, the Board has been collaborating with the Association of Veterinary Technician Educators (AVTE) to provide more outreach to potential RVTs and educate them on the registration requirements and registration process.~~

61. Describe any barriers to licensure and/or employment the board believes exist.

~~As discussed in New Issue #15, the Board has identified a potential barrier to RVT registration due to the current regulatory requirement for RVT students applying through an alternate pathway to complete 4,416 directed clinical practice hours under the direct supervision of a CA-licensed veterinarian. During the Board's last Sunset Review, the Board requested a similar requirement for out of state veterinarians seeking California licensure be reduced to 2,500 practice hours. The~~

[Board believed the significant practice hour requirement served as a barrier to licensure, potentially impacting women who may have taken time off from practice to raise children. Similarly, the Board believes the current RVT practice hours serves as a barrier. Since the Board is requesting the Legislature restructure RVT registration requirements, it seeks to align the practice our requirement with that of veterinarians.](#)

62. Provide any workforce development data collected by the board, such as:

a. Workforce shortages

[Since 2022, all DCA healing arts boards implemented a voluntary workforce survey for licensees at the time of renewal, which collects data related to demographics, race, ethnicity, languages spoken, license specialties, clinic types, etc. hat data is provided to the Department of Health Care Access and Information \(HCAI\) for analysis and public reporting. HCAI has developed detailed dashboards that includes most license types. This information is regularly reviewed and evaluated.](#)

b. Successful training programs.

~~The Board does not have the resources to do conduct independent studies on workforce shortages and training programs and has not collected such data. However, professional veterinary associations regularly compile workforce shortage information and information on training programs, and the workforce and training program data is available to the Board.~~

~~[The Board does not collect data on workforce training programs.](#)~~

63. What efforts or initiatives has the board undertaken that would help reduce or eliminate inequities experienced by licensees or applicants from vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or that would seek to protect those communities from harm by licensees?

The Board ensures through its licensing and examination processes and their evaluation that all individuals who are licensed by the Board meet the same level of competency regardless of their demographic.

Since its last Sunset Review, and as noted in this report, the Board has devoted extensive efforts and resources to increase access to veterinary health care services for the benefit of consumers and their animals.

Since 2023, at the opening of each meeting, the Board makes a land acknowledgement to publicly recognize the indigenous peoples who have been dispossessed and displaced from their ancestral homelands and territories, and the culture, history, and continued contributions of the original caretakers of the land on which meetings are held. The Board also notes its continued commitment to working with the tribes on issues of mutual concerns.

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?

The Board submitted its Uniform Standards for Substance Abusing Licensees regulatory package to the Office of Administrative Law (OAL) for review on December 28, 2023, the rulemaking was approved on February 12, 2024, and it became effective on April 1, 2024.

65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

~~66.64.~~ The Board's CPEI regulations went into effect on April 1, 2020. Describe how the board is participating in development of [BreEze online application and payment capability](#) and any other secondary IT issues affecting the board.

- **Is the board utilizing BreEze? What Release was the board included in? What is the status of the board's change requests?**

The Board began utilizing BreEze in January 2016 in DCA's second release. There are currently 47 improvement requests pending.

- **If the board is not utilizing BreEze, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?**

N/A

**Section 9
Board Action and Response to Prior Sunset Issues**

Board Action and Response to Prior Sunset Issues

Include the following:

- Background information concerning the issue as it pertains to the board.
- Short discussion of recommendations made by the Committees during prior sunset review.
- What action the board took in response to the recommendation or findings made under prior sunset review.
- Any recommendations the board has for dealing with the issue, if appropriate.

1. **(FEE INCREASES) The Board has levied multiple fee increases over the years, reaching their legislative statutory maximums. Should the statutory fee caps be raised again?**

Committee Staff Recommendation: The Board should describe its long-term budget sustainability plan and update the Committees on the Board's budget outlook. The Board should continue to work with the Committees on its request to increase the Board's fee schedule caps and determine the best approach to balance the Board's budgetary needs while minimizing increased financial burden placed on veterinary licensees.

Update: The Board's fees have been at their statutory caps since 2020. At that time, it was projected that the Board's statutory caps would need to be increased during the last Sunset Review process. However, due to multiple cost savings measures and conservative spending, the Board estimated it would still be within its statutory three-month minimum reserves in FY 2025/26. As such, it did not seek a statutory cap increase during the last review.

Over the past four years, the Board continued to closely monitor its budget and fund condition and recognize cost savings wherever possible resulting in reverting more savings into its fund each year. As of June 2024, the Board estimates still being within its three-month minimum through FY 2028/29 (three years longer than initially anticipated) and will need fee increases effective FY 2029/30.

2. (RVT ISSUES) Does the Board have sufficient representation of the RVT profession, and are RVT policy issues appropriately addressed?

Committee Staff Recommendation: The Board should report on its work related to the RVT profession and assess whether it can effectively address issues related to RVT examination, continuing education, and approval of RVT schools. The Board should discuss how it is addressing delays regarding RVT-related Board actions or proposed regulatory packages.

Update: RVT related policy issues continue to be a priority for the Board and MDC. The RVT profession is an essential part of veterinary care, and the Board is committed to addressing any concerns raised. Over the last four years, the Board effectively addressed the following RVT policy issues:

Decreased RVT Fees

Through AB 1535 (Committee on Business and Professions, Chapter 631, Statutes of 2021), RVT fees decreased by roughly 56%, from \$350 to \$225. (BPC § 4905, subds. (n), (o), and (p).) This was accomplished without negatively impacting the Board's fund, because veterinary premises fees were increased to cover the revenue loss.

Increased Title Protections

AB 1535 also brought stronger title protections, as requested by the RVT profession, by requiring RVTs, veterinary assistants, and VACSP holders to wear name tag identifications in any area of veterinary premises accessible to members of the public. (BPC § 4826.3.)

Created Additional Registration Pathway for International RVT Graduates

Through AB 1535, the Board became the first state to accept the AAVSB's [PAVE for Veterinary Technicians](#) certification. (BPC § 4846.) This new pathway is for veterinary technicians who are graduates of international, non-accredited veterinary technology programs to practice in the United States and Canada. The PAVE for Veterinary Technicians program evaluates the education equivalence of these graduates and issues certifications that meets the education requirement for eligibility to take the Veterinary Technician National Exam (VTNE) and become licensed in California.

Legislative Proposal to Add RVT to Board Composition

Pursuant to BPC section 4800, the Board is comprised of eight members: four veterinarians; one RVT; and three public members. Since the last review, the Board evaluated its composition

under BPC section 4800 and voted to recommend legislation to add an RVT member to the Board. As such, the Board requests the Legislature add another RVT member to the Board's composition, bringing the total number of Board members to nine.

Eliminated Expiration of Education and Experience

Effective April 2024, the Board amended CCR section 2068.5 to remove a requirement that coursework and experience be completed within a five-year timeframe. This requirement caused multiple RVT applicants to retake already completed coursework, which led to increased cost burden and significant delays to workforce entry. The Board recognized no such timeframe existed for veterinarian applicants and believed this requirement was an unnecessary and burdensome barrier to entry. Eliminating the timeframe benefited the public by providing greater access to veterinary care by increasing the amount of RVTs in the workforce.

Advocated for International Policy Change Impacting RVT Students

Throughout 2023, the Board strongly advocated for the AAVSB to change a 2008 policy that only graduates of accredited programs (or are part of Board approved alternate pathways) are eligible to sit for the VTNE. The VTNE is provided in three different testing windows. If a candidate fails, they must wait until the next testing window to take the exam again. Nearly 34% of VTNE candidates (roughly 3,000 students) fail exam on their first attempt and have to wait months before they can take the CTNE again. This often leads to the loss of job opportunities and a delay of these individuals entering the health care profession.

In early 2023, it was brought to the Board's attention that AAVSB made exceptions for multiple states to allow students in an accredited program to take the VTNE 3-10 months prior to graduation. When the Board requested the same exception, AAVSB denied the request and referred back to their 2008 policy. Multiple discussions with other state boards and AAVSB indicated the policy had been applied differently depending on the jurisdiction. As such, the Board believed the VTNE eligibility policy served as an unnecessary and unfair barrier to licensure.

In June and September 2023, the Board and seven other jurisdictions signed two joint letters requesting AAVSB reconsider its policy. The AAVSB Board of Directors agreed to reconsider the policy and directed their VTNE committee to research the issue, obtain feedback from other jurisdictions, and make final recommendations to the Board of Directors. In October 2023, the VTNE Committee recommended to not only keep the existing policy but to also eliminate the ability for candidates participating in Board approved alternate pathways to sit for the VTNE.

In short, if AAVSB accepted the VTNE Committee recommendation, the alternate pathway candidates who have had the ability to take the VTNE for decades, would lose their ability to sit for the exam.

California is already facing a significant shortage of veterinary professionals (including RVTs). Delaying candidates to sit for the VTNE and simultaneously removing an existing pathway to licensure would lead to fewer individuals entering the veterinary profession and further exacerbating the access to care issue in California.

Over several months, the Board proactively engaged in discussions with the AAVSB Board of Directors, all other jurisdictions, and outside stakeholders. The Board worked with stakeholders

to bring data to the AAVSB Board of Directors demonstrating students who take the exam prior to graduating consistently and significantly outperform those who graduated. As a result, the AAVSB Board of Directors ultimately decided to not approve the VTNE recommendations. Instead, they voted to grant the request to allow RVT students to take the VTNE prior to graduation. In addition, the AAVSB Board of Directors decided to take over the exam eligibility review for all jurisdictions that have alternate pathways for RVTs, saving a significant amount of time for all impacted jurisdictions.

Due largely in part to the Board's advocacy, RVT students from all 63 AAVSB jurisdictions now have a better chance of passing the VTNE and entering the workforce earlier than ever before.

RVT Education Programs

As discussed in more detail under Section 10, the Board spent a considerable amount of time researching the Veterinary Medicine Practice Act statutes and supporting regulations related to approving RVT educational programs, as well as other RVT educational accreditation/approval bodies, to determine whether the Board's role in the approval process should be reduced or eliminated.

The Board held a stakeholder meeting with over 50 participants. These participants included RVT school administrators, RVTs, CaRVTA, and representatives from BPPE and AAVSB. The Board's Executive Officer and MDC Subcommittee provided an overview of the issue, discussed the Board's consumer protection mission and the student protection mission of the other oversight agencies. The overall consensus from the participants was that RVT school and degree programs should not be Board approved. Rather, the oversight provided by BPPE, CVTEA, and ACCJC appeared to provide adequate protections for students, and requiring the programs to be approved by the Board was a redundant and costly endeavor.

The Board agreed with this assessment and is seeking legislative amendments to BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal of sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

Out-of-State Applicants

Throughout the course of its review of the above issue, the Board identified an issue related to out-of-state RVT applicants. BPC section 4841.5 provides three education pathways for RVTs to obtain registration: through an accredited or approved two-year program; through education or a combination of education and clinical experience; or through AAVSB's education equivalency certification program.

The statute does not authorize any individual to obtain an RVT registration without completing education. However, CCR section 2068.6 provides a pathway for RVTs licensed, certified, or registered in another state to obtain RVT registration in California solely through clinical experience. To maintain out-of-state license reciprocity, the Board requests a legislative amendment placing the regulation in statute and clearly identifying the experience-only pathway for RVT applicants licensed in another state. This proposal is discussed in more detail under Section 10.

RVT Subcommittee

The Board's MDC recently created an RVT Subcommittee to serve as the initial subcommittee to research all RVT related issues. This Subcommittee, comprised of two RVT members, will ensure that all RVT-related policy issues remain a top priority.

3. (STAFF RETENTION) The Board is experiencing frequent employee turnover. What solutions should the Board consider in order to improve staff hiring and retention?

Committee Staff Recommendation: The Board should continue its focus on filling any existing vacancies, and report on the steps it is taking to improve employee morale and retention. The Board should also discuss how it is ensuring that new hires transition into their roles quickly and effectively. Finally, the Board should update the Committees on projected staff needs in the coming years.

Update: Since the last review, the employee turnover has significantly reduced. Staff morale has significantly increased, and many staff have accepted promotional opportunities within the Board rather than pursuing promotional opportunities outside the Board. To ensure new hires transition into their roles quickly and effectively, they immediately begin training with existing staff as well as participating in round-table meetings as a group. The Board created lead analyst positions on each team to serve as a resource to new hires and provide growth opportunities for those wishing to grow within the Board and their state career.

The Board was successful in obtaining funding for additional enforcement staff, and retention remains high. Most employees who have left the Board were due to promotional opportunities. As the license population increases, consumer complaints against licensees also increase. Due to the consistent increase in enforcement investigations, the Board anticipates needing additional staff to match the increased workload.

4. (BREEZE IMPLEMENTATION) Is any action necessary to ensure the Board can address BreEZe implementation issues?

Committee Staff Recommendation: The Board should provide a report on the status of implementing the BreEZe system and note if it expects any additional or increased maintenance costs in the coming years.

Update: Since the last review, the Board made significant improvements to the BreEZe system. For a detailed description of system enhancements, please refer to the attached report provided to Senator Richard Pan after the Board's Sunset Review Oversight Hearing on March 3, 2021. System enhancements continued throughout 2024 and will continue as process improvements are identified. These enhancements have led to decreased processing times, as discussed in more detailed in the licensing tables earlier in this report. Other than the standard maintenance costs previously discussed in this report, the Board does not anticipate additional or increased maintenance costs in the coming years.

5. (MISSING RECORDS) The Board is unable to locate applicant files who were denied a license due to prior criminal convictions. Are the Board's recordkeeping protocols adequate?

Committee Staff Recommendation: The Board should attempt to locate any missing files on applicants who were denied a license based on substantially related criminal convictions. The

Board should review existing internal record-keeping protocols and ensure that all files are appropriately maintained.

Update: Shortly after the Board's Sunset Review Report was submitted to the Committees in December 2019, the Board located five of the previously seven missing physical application files, which had been misfiled. Although the Board was unable to locate two physical denied application files, the Board had the ability to contact all applicants denied within the past four years because the Board had the applicants' contact information in the electronic BreEZe files.

In the past, whenever an applicant had a criminal conviction, staff would maintain any information received regarding a criminal conviction (e.g., applicant's response and supporting documents) in the physical application file. In addition, staff maintained a paper checklist for manager and EO approval, which included the denial rationale. Now, convictions are predominately handled by the Enforcement Unit, and denial rationale is well-documented in BreEZe and the Board's computer network. In addition, with the Board's transition to paperless applications, physical files will eventually be phased out, and the Board will no longer maintain physical files. This transition ensures application files are readily accessible and save the Board costs of purchasing physical files and paying for storage. The Board is also working with DCA's Records Imaging Unit to digitize all prior licensee files to increase ease of access for staff.

6. (COVID-RELATED WAIVERS) Was the Board able to obtain the necessary emergency waivers to adequately respond to the COVID-19 pandemic while maintaining its consumer protection mandate?

Committee Staff Recommendation: The Board should report on its experience requesting COVID-19 related waivers and discuss if those measures were adequate in responding to the circumstances of the pandemic while maintaining consumer protection.

Update: As reported in the Board's 2021 response to the Legislature, the Board appreciated the streamlined process DCA created to request COVID-19 related waivers. During that time, the DCA Director had to balance consumer protection with the need to facilitate the continued provision of care to individuals affected by the COVID-19 outbreak, as stated in Governor Newsom's Executive Order. The Board believes DCA's measures were adequate in responding to the circumstances of the pandemic while maintaining consumer protection and sincerely appreciates the DCA Director and her Executive Team in assisting California consumers and licensees.

7. (LICENSING DELAYS) What solutions does the Board have to address the severe delays in its licensing timelines?

Committee Staff Recommendation: The Board should continue to implement strategies to address licensing delays and describe the resource it needs to improve timelines. The Board should continue to monitor licensing performance closely, and report to the Committee with an update during the next Sunset Review.

Update: The Board continues to implement licensing process improvements and continues to see timeline improvements. One of the Board's 2020-2024 Strategic Plan goals is to issue

licenses to applicants who have submitted a complete application within four weeks of receipt. As of January 2021, the average amount of days to approve an initial Veterinarian license application was 18 days. With recent legislative and regulatory approvals, cycle times for all applications improved significantly.

In the last review, the Board reported an outreach campaign launched to encourage all applicants and licensees to process their initial and renewal applications online. Using the BreEZe system significantly reduced processing times and the need for Board resources. At that time, the Board reported the outreach campaign yielded positive results, with 70% of veterinarians and 85% of RVTs renewing online. As of June of 2024, nearly 100% of all applicants, licensees, registrants, and VACSP holders apply and renew online. Most of those who renew are renewed on the same day the renewal application was submitted to the Board.

8. (VACSP) Does the Board have recommendations to improve participation in the VACSP program?

Committee Staff Recommendation: The Board should report on the implementation of the VACSP license category and recommend potential actions to improve initial permitting and renewal into this program.

Update: Since the last review, the Board automated the initial permitting process. If the BreEZe system indicates adequate fees have been paid and the fingerprint results return as cleared, the system will automatically issue the permit. Any processing delays that occur are due to the applicant not providing fingerprints or the applicants' criminal history requiring further review. The Board does not recommend any additional actions.

9. (RECIPROCITY) Should the Legislature clarify what foreign experience counts towards waiving the Board's examination requirements?

Committee Staff Recommendation: The Board should discuss its request to statutorily clarify reciprocity of out-of-state clinical practice experience.

Update: In January 2021, the Board approved a legislative proposal repealing the California State Board Exam (CSBE) requirement in BPC section 4848, subdivision (a)(2)(B). The Board's legislative proposal also included removing the veterinarian license reciprocity pathway created in BPC section 4848, subdivision (b)(1), since the pathway was in lieu of taking the CSBE. To ensure out-of-state veterinarian licensees are competent to practice in California, the Board included three options in the legislative proposal for demonstrating competency. One of those options is to submit proof of practicing clinical veterinary medicine for a minimum of two years and completing a minimum of 2,500 of clinical practice hours in another state, Canadian province, or United States territory within the three years immediately preceding filing an application for licensure in this state. The Board's legislative proposal was included in AB 1535, which repealed BPC section 4848 and added new BPC section 4846 to adequately address this issue.

10. (ABANDONED APPLICATIONS) Should the Board be able to abandon or remove licensing applications that are several years old?

Committee Staff Recommendation: The Board should discuss with the Committees its request to have authority to abandon and application and speak to what it believes to be an appropriate amount of time before an application can be abandoned.

Update: AB 1535 adequately addressed this issue by adding a one-year time frame for application abandonment. This timeframe was appropriate as it was based on several other abandoned license application time frames and is sufficient to ensure the applicant has time to submit documentation to the Board, while reducing Board staff time and Board costs of monitoring outdated applications and reflecting, in Board application statistics, actual active applications statistics. (BPC § 4847.1, subd. (a).)

11. (CHANGE OF ADDRESS) Should applicants be required to notify the Board of a change of address?

Committee Staff Recommendation: The Board should report on its request to require applicants to notify to Board of a change of address and discuss its plans to enforce non-compliance of this proposed provision.

Update: AB 1535 adequately addressed this by adding BPC section 4847.1, subdivision (c), to require an applicant to notify the Board of any changes in mailing or employment address that occur after filing the application.

12. (ELIMINATION OF THE STATE EXAMINATION) Should the California State Board Examination be eliminated based on findings that the national North American Veterinary Licensing Examination (NAVLE) is sufficient in determining applicant competency?

Committee Staff Recommendation: The Board should report on its recommendation to eliminate the California State Board Examination and discuss how its proposed statutory changes would impact existing pathways to licensure.

Update: AB 1535 repealed the CSBE requirement (former BPC § 4848, subd. (a)(2)(B)). Effective January 1, 2022, passing the CSBE is no longer required to obtain a veterinarian license (see BPC § 4846).

13. What is the status of the Board's implementation of Assembly Bill 2138 (Chiu/Low) and are any statutory changes needed to enable the Board to better carry out the intent of the Fair Chance Licensing Act?

Committee Staff Recommendation: The Board should provide an update in regards to its implementation of AB 2138 provisions, as well as relay any recommendations it has for statutory changes.

Update: The Board worked with DCA to remove the requirement for applicants to disclose criminal convictions on their initial licensing applications, effective July 1, 2020. On the effective date, the Board updated its licensing process to reflect AB 2138. Now, if Board licensing staff receives notifications of convictions that occurred over seven years ago and fall outside of AB 2138 parameters, licensing staff continues processing the application without referring the application to the Enforcement Unit for investigation.

On November 11, 2020, the Board became the first DCA program with effective regulations implementing AB 2138. The Board does not have any recommendations for statutory amendments related to AB 2138 at this time.

In 2023, the Board pursued a legislative proposal to amend BPC section 4836.2 regarding VACSP and felony controlled substance convictions that conflicted with AB 2138. Specifically, BPC section 4836.2, subdivision (c), stated the following:

“(c) The board shall not issue a veterinary assistant controlled substance permit to any applicant with a state or federal felony controlled substance conviction.”

This prohibition conflicted with AB 2138 in that, pursuant to BPC section 480, subdivision (a)(1), the Board cannot deny a license for a criminal conviction older than seven years, unless the applicant was convicted of a serious felony, as defined in Penal Code section 1192.7 or a crime for which registration is required pursuant to Penal Code section 290, subdivision (d)(2) or (3).

BPC section 480, subdivision (c), also prohibits the Board from denying a license for any conviction, or on the basis of the acts underlying the conviction, that has been dismissed pursuant to Penal Code sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425, or a comparable dismissal or expungement.

Thus, the prohibition in BPC section 4836.2, subdivision (c), directly conflicted with BPC section 480 if the conviction occurred over seven years ago, was dismissed, or expunged. The Board's legislative proposal to resolve the issue was included in SB 816 (Roth, Chapter 723, Statutes of 2023) and struck the conflicting language from BPC section 4836.2, subdivision (c). The Board does not have any additional recommendations for AB 2138 related statutory changes.

14. (ANIMAL SHELTERS) Does the Board have recommendations to address concerns regarding minimum standard of care in animal shelters?

Committee Staff Recommendation: The Board should discuss its draft regulations regarding minimum standards of care in animal shelters. In addition, the Board should outline any additional recommendations it may have regarding concerns of Veterinarian shortages working in shelter settings, and concerns about facility standards for animal shelters.

Update: Since the Board's last sunset review, the Board held several stakeholder meetings with the shelter community to work through the concerns raised in the previously approved rulemaking regarding shelter minimum standards. After a consensus with stakeholders was reached, the Board approved a rulemaking to add CCR section 2030.4, which would have exempted animal shelters from specific veterinary premises minimum standards. However, it was later discovered that the proposed shelter exemptions were related to building standards. As such, the Board revised the proposed rulemaking package to instead add shelter exemptions in CCR, title 24, section 1251.2, subsection (c), which would define “animal shelter premises” and exempt that premises type from being required to provide a reception room and office and a separate examination room of sufficient size to accommodate the veterinarian, veterinary assistant, patient, and client. This change was discussed during another stakeholder meeting with the shelter community and no additional concerns were raised. The rulemaking package currently is in process.

15. (ANIMAL PHYSICAL REHABILITATION) Is further action necessary to clarify the scope, the level of veterinary supervision, and the minimum education and training requirements for providing animal rehabilitation?

Committee Staff Recommendation: The Board should report back on the work of the Animal Rehabilitation Task Force and discuss if it has any further recommendations for consideration by the Legislature.

Update: In its 2021 sunset review response, the Board reported its animal physical rehabilitation (APR) rulemaking package addressing this issue was in its final stages. That proposal addressed the growing practice of APR performed by individuals who are not licensed by the Board. Licensed physical therapists are only licensed by the Physical Therapy Board of California to perform physical therapy on humans, not animals, and persons not licensed by the Board to perform veterinary medicine on animals are considered veterinary assistants, who are not licensed or registered with the Board. The regulation, which went into effect on January 1, 2022, established a clear definition of APR, clarified who may perform APR, and clarified the circumstances under which a person may perform APR.

The Board does not have any further recommendations for consideration on this issue.

16. (ANIMAL CANNABIS) Does the Board anticipate new emerging animal cannabis issues that would require legislative action?

Committee Staff Recommendation: The Board should provide an update on its work related to medicinal cannabis use on animals, and report if it anticipates new issues to emerge in the future regarding this issue.

Update: On September 27, 2018, Governor Edmund G. Brown Jr. signed into law AB 2215 (Kalra, Chapter 819, Statutes of 2018). AB 2215 became effective January 1, 2019. This bill amended section 4883 of, and added section 4884 to, the BPC, relating to the ability of a veterinarian to discuss the use of cannabis on an animal for medicinal purposes and required the Board, by January 1, 2020, to adopt guidelines for veterinarians to follow when discussing cannabis within the VCPR. The Board adopted cannabis guidelines in October 2019 and posted them to the Board's website.

On September 18, 2022, Governor Newsom signed into law AB 1885 (Kalra, Chapter 389, Statutes of 2022). AB 1885 became effective January 1, 2023. Among other things, this bill amended BPC sections 4883 and 4884 and authorized veterinarians to recommend the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes and required the Board, by January 1, 2024, to adopt guidelines for veterinarians to follow when recommending cannabis within the VCPR. In addition, the California Department of Cannabis Control (DCC) is required to create regulations for animal product standards by July 1, 2025. Until DCC promulgates animal product standards, cannabis products cannot be marketed or sold for use on, or consumption by, animals.

In April 2023, the Board revised and posted its [cannabis guidelines](#) required by AB 1885. The Board may need to further revise its guidelines after the DCC promulgates regulations for animal product standards in 2025. The Board has no additional information to report on new issues regarding the use of cannabis on animal patients.

17. (ANIMAL INJURIES AT RODEO EVENTS) Are current statutes sufficient to safeguard animal welfare at rodeo events, and ensure accurate reporting of animal injuries?

Committee Staff Recommendation: The Board should report on its findings regarding the role of veterinary medical professionals at rodeo events and provide any recommendations it has to address concerns regarding animal injuries.

Update: As indicated in its 2021 sunset review response, the Board received concerns at its October 2019 meeting from a Showing Animals Respect and Kindness (SHARK) representative regarding the treatment of animals at California rodeos and the Board's lack of involvement. In response, at its January 30, 2020 meeting, the Board reviewed the current statutory framework regarding rodeos and invited stakeholders to speak to the concerns raised at the October 2019 Board meeting.

Representatives from the Professional Rodeo Cowboys Association (PRCA), Steinbeck Country Equine Clinic (SCEC), and Clovis Rodeo addressed the Board and discussed compliance with Penal Code section 596.7 and BPC section 4830.8 and standards and protocols regarding rodeo events.

The PRCA representative indicated that after watching the video of the Board's October 2019 meeting, he felt that it was important to address the Board regarding attending rodeo veterinarians. As the largest sanctioning body in the world, PRCA sanctions over 40 events in California. The PRCA representative indicated their rules require a veterinarian to be onsite for every event. Additionally, SCEC responded to the allegations of SHARK, alleging the SCEC representative had been a personal target of SHARK, and SHARK's agenda was to politicize the issue and diminish or outlaw the sport of rodeo in the state of California. PRCA explained they require attending veterinarians at their sanctioned rodeo events.

Board members discussed how many of the problems likely occur at smaller and local events, but no stakeholders were able to estimate how many rodeo events occur in California, annually.

A representative from Clovis Rodeo discussed his personal duties as an attending veterinarian at rodeo events and discussed preparedness for potential animal injuries. He also indicated that injury rates are low. Board members discussed potentially requesting more information on the Board's Rodeo Reporting Form, such as whether the animal was injured during the event or not. Stakeholders cautioned against requesting more information on the form, as personal threats have been made against them after providing home addresses on the form.

The Board also heard from a Humane Society of the Sierra Foothills (HSSF) representative, who explained that attending veterinarians at rodeo events have a legal obligation to report to local authorities when there is reasonable cause to believe that animal neglect, abuse, cruelty, or other illegalities have occurred. HSSF believed that, legally, there should be no difference between a veterinarian seeing signs of abuse or cruelty in an examination room or seeing it at a rodeo event. HSSF concluded by stating that the Board has the authority and capacity to help close rodeos' abusive loopholes and clarify veterinarians' legal obligations and offered assistance to accomplish this.

A representative from Action for Animals thanked the Board for its work on behalf of animals and expressed concern with the high number of rodeo events held in California versus the number of animal injuries that are being reported, suggesting that reports are not being made or submitted to the Board. Action for Animals suggested that the Board require that a single injury be reported on each form, rather than allowing multiple injuries on one form. Action for Animals also discussed legislation they were seeking that would require a veterinarian, or an RVT onsite with a veterinarian on call, to be present at all rodeo events. They believed that if rodeos cannot provide an onsite veterinarian, or RVT with an on-call veterinarian, then rodeos should be abolished. A representative from Social Compassion in Legislation indicated its support of the efforts by Action for Animals to make changes in rodeo reporting requirements.

Since that time, the Board has not taken any further action and does not recommend any legislative changes. The Board continues to monitor the issue, and, to the Board's knowledge, there was no legislation regarding rodeos since the last review. The Board will participate in any discussions should legislation be proposed in the future.

18. (HORSE RACING) Should the Board be involved in monitoring equine welfare in the horse racing industry?

Committee Staff Recommendation: The Board should continue to update the Committees on its collaboration with the CHRB.

Update: In its 2021 sunset review response, the Board reported that it continued to collaborate with CHRB. When racetracks were forced to close to the public during the pandemic, the Board worked with CHRB to ensure that Board inspectors could still perform random inspections of mobile veterinarians providing services to racehorses. CHRB and the Board continued to work together on investigations, whenever possible. Three cases the CHRB referred to the Board resulted in the Board filing three accusations against veterinarians who provided services to racehorses. Since that time, the Board filed multiple accusations against other licensees for similar violations.

In January 2022, several representatives from the equine community, CVMA, and CHRB raised significant concerns with the Board's enforcement actions. In general, the concerns centered around the enforcement of practice and record keeping standards they believed were not applicable to the equine community and were counter to standard equine practice. In response, the Board created an MDC Equine Practice Subcommittee to work with stakeholders, including CHRB and CVMA, and develop recommendations to address the concerns while still adequately protecting consumers and equine patients.

As a result, the Board included proposed amendments to its alternate veterinary premises and buildings standards rulemaking packages that better aligned with large animal fixed and mobile premises. Those rulemaking packages were approved by the Board at its April 2024 meeting and are in process. In addition, the Board is revising its record keeping requirements to, among other things, differentiate elements required in an individual animal patient record and a group record. CHRB has been an integral addition to these discussions and appreciates the continued collaboration.

19. (COLLABORATION WITH THE BOARD OF PHARMACY) Should the Board engage in greater collaboration with the Board of Pharmacy regarding promulgation of regulations that apply to the veterinary profession?

Committee Staff Recommendation: The Board should provide its perspective on any recent issues involving pharmacy regulations promulgated by the BOP, including pharmacy compounding, and speak to whether there are any opportunities for greater communication and collaboration between the two boards.

Update: As indicated in its 2021 Sunset Review response, the communication and collaboration between the Board and the Board of Pharmacy has improved. The Board engaged in greater collaboration with the Board of Pharmacy regarding promulgation of regulations that apply to the veterinary profession. As an example, in October 2022, the Board kept the Board of Pharmacy apprised of a legislative proposal to authorize VACSP holders to perform drug compounding and the Board's amendments to its drug compounding regulations.

In addition, in January 2023, the Board of Pharmacy notified the Board of proposed language it was considering regarding drug compounding. The Board's Drug Compounding Subcommittee reviewed the language and expressed concerns that the proposed language would unreasonably impact the practice of veterinary medicine. After additional collaboration, the Board of Pharmacy determined to leave the section in question unchanged.

In April 2023, the Board of Pharmacy notified the Board of potential changes to their provisions related to pharmacists compounding for veterinary office dispensing. Based on consideration of comments received from CVMA, the Board of Pharmacy's Enforcement and Compounding Committee determined the changes are appropriate. The Board's Drug Compounding Subcommittee again reviewed the proposed changes and did not raise any concerns.

The two Boards will continue to collaborate on any overlapping drug compounding issues.

20. (CORPORATE PRACTICE OF MEDICINE) Should existing statutes be updated to ensure appropriate corporate practice of medicine?

Committee Staff Recommendation: The Board should report on its legislative recommendations on addressing corporate practice of medicine and provide additional details on the feedback it has received from industry representatives.

Update: AB 1535 included the Board's legislative proposal to address the corporate practice of veterinary medicine. As of January 1, 2022, veterinary premises registration applications require additional information of the owners, officers, general partners, and agent for service of process for increased transparency, and a veterinary premises registration holder who is not a California-licensed veterinarian is prohibited from interfering with, controlling, or otherwise directing the professional judgment of any California licensed veterinarian or RVT. The Board is authorized to require any information, including, but not limited to, employment contracts between the veterinary premises registration holder and a California-licensed veterinarian or RVT, the Board deems is reasonably necessary for the enforcement of that provision. (BPC §§ 4853, subd. (e), and 4854.1.)

In addition, the Board is able to deny, revoke, or suspend a license or registration or assess a fine for exercising control over, interfering with, or attempting to influence the professional judgment of another California-licensed veterinarian or RVT through coercion, extortion, inducement, collusion, or intimidation through any means, including, but not limited to, compensation, in order to require the other California-licensed veterinarian or RVT to perform veterinary services in a manner inconsistent with current veterinary medical practice in this state. (BPC § 4883, subd. (t).)

At this time, the Board has no additional concerns to report regarding the corporate practice of veterinary medicine.

21. (DATA COLLECTION ON CORPORATE VETERINARY PRACTICE) Should the Board collect data on corporate ownership of veterinary practices?

Committee Staff Recommendation: The Board should discuss the value and the feasibility of collecting data on corporate ownership of veterinary practices.

Update: Given the shortage of data on the corporatization of veterinary medicine, the Board received a request from the International Longshore & Warehouse Union to begin tracking data on corporate ownership of veterinary practice. This data collection request includes requiring veterinarians to note if their veterinary practice is connected to a corporate establishment during their initial license application and at the time of license renewal.

Pursuant to BPC sections 4845 and 4854.1, the Board collects high level corporation data, if applicable, on all initial and renewal premises registrations. The Board also began collecting data on how many veterinarians, RVTs, VACSPs, veterinary assistants, and clerical staff each premises employs. The Board is open to discussing any specific corporation data the Legislature deems necessary to collect for consumer protection.

22. (INDEPENDENT CONTRACTORS) Does the new test for determining employment status prescribed by the court decision *Dynamex Operations West Inc. v. Superior Court*, have any unresolved implications for licensees working in the veterinary profession?

Committee Staff Recommendation: The Board should inform the committees of any discussions it has had about the Dynamex decision and AB 5, and whether there is potential to impact the current landscape of the veterinary profession, beyond the exemption provided for veterinarians.

Update: AB 5 exempted veterinarians from the new ABC test requirements, and the subsequent bill, AB 2257 (Gonzalez, Chapter 38, Statutes of 2020), maintained this exemption. As such, the Borello test would be applied to relief veterinarians and other independent contractors providing specialty veterinarian services. However, the employment status of veterinary staff, such as RVTs and veterinary assistants, will be determined by the new ABC test. Most RVTs and veterinary assistants are classified as employees, and the Board has not been made aware of and, thus, has not discussed any significant negative impacts to veterinary staff as a result of AB 5. Accordingly, there are no unresolved implications for licensees working in the veterinary profession resulting from the new test.

23. (TELEHEALTH) Should existing law be amended to increase access to veterinary services via telehealth?

Committee Staff Recommendation: The Board should provide the Committees with an update on its discussions around telehealth and telemedicine and advise if there are statutory changes that could facilitate increased access to services while maintaining high standards of veterinary care.

Update: In 2021, the Board approved a legislative proposal to help clarify how veterinarians can use telemedicine. After multiple stakeholder meetings, it became apparent to the Board that veterinarians do not take advantage of existing telemedicine methods, because they were confused as to what and how they can use telemedicine. The proposal would have defined "teleconsultation," "telehealth," "telemedicine," and "teletriage" and explained when each method could be used. The Board was unable to find an author for the bill.

In 2023, the Board actively participated in numerous discussions with stakeholders, members of the Legislature and the sponsors of AB 1399 (Friedman, Chapter 475, Statutes of 2023). AB 1399 included some of the Board's 2021 legislative proposals and allows veterinarians to establish a VCPR through telemedicine without an in-person examination. The Board believes telemedicine plays a vital role in delivering timely care to animal patients. While the Board has a fundamental concern that this bill may enable animal patients to go their entire lifespan without an in-person examination, the Board sincerely appreciated Assembly Member Friedman's acceptance of all the Board's requested amendments for additional consumer protection.

These amendments included adding a 14-day limitation on prescribed antibiotics, which would not be refilled without an in-person examination, and specifying that veterinarians could not prescribe controlled substances or xylazine unless they have examined the animal patient in person.

The Board's most significant concerns with the bill had been addressed while allowing the VCPR to be established via telehealth. As such, the Board supported AB 1399.

24. (CONTINUING EDUCATION AUDIT) Are there any requirements or resources needed to implement the Board's continuing education audit program?

Committee Staff Recommendation: The Board should report on its CE audit program and include information on implementation timelines and audit objectives.

Update: The Board launched its CE audit program in January 2021. The Board audits roughly 5% of its license population. One of the main goals while launching this program was to make it as simple as possible for licensees to provide the necessary information to the Board. Licensees can upload CE certificates to the Board during their license renewal or email the certificates to the Board upon audit notification.

As indicated previously in this report, the Board has conducted XXX CE audits. Of those, XX% successfully passed.

In 2022, the Board began relying on CE audit information stored in AAVSB's RACetrack program. RACetrack is a free service that allows veterinary professionals the ability to record CE coursework in a single centralized database. This system easily communicates CE to credentialing agencies while also allowing the Board to retrieve CE information. If the Board selected a licensee for CE audit, and all of the licensee's CE documentation was in RACetrack, the licensee would simply let the Board know by replying to the CE Audit email from the Board. All RACetrack providers are required to upload attendance records directly to RACetrack, providing primary source verification without requiring licensees to upload any documentation.

Unfortunately, in 2023, the Board became aware of significant concerns related to the credibility of RACetrack and stopped using its CE audit services until the concerns can be resolved.

The Board paused its CE audits in 2023 and is currently revising its audit program. The Board anticipates relaunching its CE audit program in the fall of 2024. At this time, the Board does not believe additional resources are necessary to implement the Board's CE audit program.

25. (ENFORCEMENT BACKLOGS) Does the Board have any administrative remedies or solutions, beyond requesting additional resources, to address the growing enforcement backlogs and timelines?

Committee Staff Recommendation: The Board should inform the Committees on its short-term and long-term strategies to address the growing enforcement backlogs and the increase in investigation timelines. The Board should detail how new resources, if granted, will be used to improve enforcement operations. All efforts should be made to fill any existing vacancies in its Enforcement Unit to further reduce backlogs. The Board should continue to monitor enforcement performance closely, and report to the Committee with an update during the next Sunset Review.

Update: As reported in the Board's 2021 sunset review response, the Board made significant improvements in the enforcement process. Many of those improvements were outlined in the Board's subsequent report to Senator Roth, which is attached for reference.

Since that report, the Board merged its Inspection and Enforcement Units and trained all analysts on the enforcement and inspection processes. The Board reallocated staff from the Administrative and Licensing units and also gained additional analyst positions through a BCP. The Board reclassified all enforcement positions to enable quick transition from staff services analysts to associate governmental program analysts. This has led to better recruitment and retention of existing staff.

In FY 2020/21, the Board was only able to close 560 investigations, and its pending caseload was at an all time high. In FY 2023/24, after implementing process improvements and hiring additional analysts, the Board closed 2,029 investigations (a 262% increase). This increase in investigation closures was accomplished despite the Board initiating 10% more investigations.

Average cycle times to close investigations with and without referral for prosecution has increased over the past four years, but this was anticipated as more analysts are able to focus on the oldest pending cases. The analysts also are conducting more thorough investigations

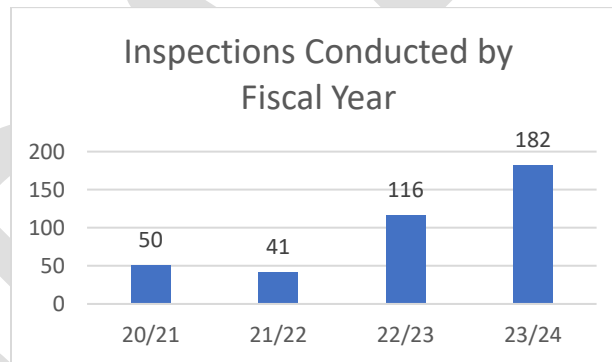
and requesting responses from respondents, including any mitigation, prior to deciding whether to transmit cases to the OAG. While these additional steps have added to the investigation cycle times, it has significantly decreased the cycle times associated with the average number of days from closure of the investigation to imposing formal discipline. In FY 2020/21, the average cycle time was 964 days. By FY 2023/24, the average cycle time was 312 days.

If the Legislature includes the Board's legislative proposal to allow the Board to accept stipulated settlements without transmitting disciplinary cases to the OAG for formal disciplinary proceedings, the Board anticipates that cycle time decreasing even more.

26. (HOSPITAL INSPECTIONS) How does the Board plan to reach its 20% hospital inspection goal?

Committee Staff Recommendation: The Board should inform the Committees how it plans to meet the legislatively mandated 20% hospital inspection goals.

Update: As reported previously in this report, the Board merged its Inspection and Enforcement Units in FY 2021/22 and various process improvements were implemented in FY 2022/23. As demonstrated below, when compared to the initial unit merge, the Board increased its inspections by 182% in FY 2022/23 and 343% in FY 2023/24.



While these improvements led to increased inspections, it is still nowhere near the 20% inspection mandate required under BPC section 4809.7. Part of the Board's 2020-2024 Strategic Plan included a goal to evaluate the feasibility of the mandate in BPC) section 4809.7 requiring the Board to inspect at least 20% of veterinary premises on an annual basis. As discussed in more detail [here](#), in 2022, the MDC's Inspections Subcommittee presented the history of the requirement, including the Board's inability to ever meet the percent mandate due to insufficient funds, and the Subcommittee's research on the comparison to all other state veterinary boards and DCA entities inspection programs. The Subcommittee concluded the statutory inspection mandate was unrealistic and unattainable.

The Subcommittee noted the numerous process improvements the Board was implementing and discussed the \$600,000 grant the California Department of Technology awarded to the Board and the Board of Barbering and Cosmetology. This grant was for the development of a mobile inspection app, which was predicted to significantly streamline the inspection process for the inspectors and Board staff. The Subcommittee's work was placed on hold until the various process improvements and the mobile inspection app was implemented.

The mobile inspection app is currently in development, and User Acceptance Testing is scheduled to begin in July. The app is scheduled to launch at the end of September 2024.

During the Board's Strategic Planning Session in October 2023, the Board discussed the Subcommittee's prior findings and decided to include the following objective in the Board's 2024-2028 Strategic Plan:

4.4. Pursue legislation to remove the 20% Veterinary Premises Inspection Mandate.

The Board approved its 2024-2028 Strategic Plan during its April 2024 meeting. As such, the Board seeks the following legislative amendment:

4809.7. The board shall establish a regular inspection program that will provide for random, unannounced and announced inspections of veterinary premises ~~and the board shall inspect at least 20 percent of veterinary premises on an annual basis.~~

To provide assurances to the public, the Legislature, and stakeholders that inspections of veterinary premises will continue to remain a priority and continue to be tracked, the Subcommittee is considering adding an inspection performance measure goal that will be regularly monitored and reported on at every Board meeting. The Subcommittee also will evaluate ways to prioritize random routine inspections (e.g., randomly selected from veterinary premises registered with the Board within the last year or those that have not been inspected within the last five years).

27. (PREMISES REGISTRATION) Does the Board require additional enforcement tools in regard to premises registration and managing licensees?

Committee Staff Recommendation: The Board should report to the Committees about its recommendations to address loopholes and abuses of the premises permits and the managing licensee designation. The Board should provide details about the prevalence of the problem, and whether the Board needs additional enforcement tools to address the reported abuses.

Update: As more thoroughly described in the Joint Committees' 2021 Background Paper, an application for premises registration was required to contain the name of the responsible licensee manager (MGL) who is to act for and on behalf of the licensed premises but was not required to identify the owner of the facility. Although all license applicants are required to submit to a criminal background check, it was unclear who needed to be fingerprinted in connection with veterinary premises registration applications and under what circumstances the Board could deny premises registrations.

In addition, it was unclear if the Board had authority to deny a premises registration or MGL substitution application when a revoked veterinarian was the owner or operator of the premises. A veterinarian, who was named as the premises MGL but whose license was subsequently revoked or suspended, could submit to the Board an application naming a new MGL associated with the premises, while the revoked veterinarian operated the premises without the Board's knowledge. The Board reports instances of abuse, in which MGLs who have been disciplined for various violations were able to continue controlling the veterinary premises and the veterinary practice therein.

Further, the Board had become aware of multiple instances where unlicensed individuals own or operate a veterinary premise without maintaining minimum standards while rotating MGLs in and out. New MGLs would assume responsibility, realize the premises owner would not provide necessary resources to properly maintain the premises, decide to go elsewhere, and the premises owner/operator hires a new MGL. The endless loop led to veterinary services being provided on an ongoing basis without the unlicensed premises owner/operator ever being held responsible for the premises conditions.

AB 1535 resolved those concerns and included the Board's legislative proposal to (1) clarify the premises refers to the location of veterinary medicine practice rather than the real estate (BPC § 4853, subd. (b)); (2) require identification of the veterinary premises owner or operator on the registration application (BPC § 4853, subd. (c)); (3) grant authority to deny registrations on the basis of the premises owner(s)/operator(s) criminal and disciplinary history (BPC § 4883); (4) prohibit MGL substitution if the owner/operator is circumventing the law (e.g., the owner's veterinarian license has been revoked, so an MGL is named as the substitution but the revoked veterinarian is still operating the veterinary premises) (BPC § 4853, subd. (c)(2)); and (5) cancel registrations when an MGL has not been identified (BPC § 4853.6, subd. (b)). As such, the Board has no additional recommendations at this time.

28. (DIVERSION PROGRAM COSTS) Should Diversion participants pay the administrative costs of the program?

Committee Staff Recommendation: The Board should explain its request to change the payment arrangements for individuals wishing to enroll in the Board's Diversion program. The Board should also detail potential timelines and anticipated costs for these changes, and how it would impact current and future Diversion participants.

Update: AB 1535 renamed the Diversion Program to be the Wellness Program and shifted the administrative costs of the Wellness Program from the Board to the program participants. While this increased costs to participants, it mirrored other DCA healing arts programs. Payments are now made directly to the Board's third-party Wellness Program provider through an agreed upon payment plan. Historically, the Wellness Program had 1-2 participants at a time. In its last report, the Board reported no participants in 2020. As of July 2024, there are two participants.

29. (DIVERSION EVALUATION COMMITTEE) Should the Board have statutory authority to suspend members of its Diversion Evaluation Committee?

Committee Staff Recommendation: The Board should report on its request to obtain statutory authority to dismiss a DEC member. If pursuing this change, the Board should discuss the appropriate level of public disclosure that should occur in the event that substantiated evidence found a DEC member relapsing or abusing drugs and/or alcohol.

Update: AB 1535 renamed the Diversion Evaluation Committee (DEC) to be the Wellness Evaluation Committee (WEC) and provided the Board authority to remove a WEC member suspected of relapsing or abusing drugs and/or alcohol. (BPC § 4861, subd. (e).) In the event that the suspicions are substantiated with evidence, the Board would evaluate the case to determine appropriate disciplinary action. Just like any other disciplinary case involving substance abuse, if the allegations are substantiated and there is a potential threat to

consumers and animal patients, the Board may take disciplinary action. All formal Board disciplinary actions are public information. As such, the appropriate level of public disclosure would be made through formal disciplinary action against the WEC member, rather than through a WEC removal process.

30. (VETERINARY SPECIALISTS) Should the Legislature clarify the term “veterinary specialist” for the purpose of public protection?

Committee Staff Recommendation: The Board should provide a report on its request to add statutory clarity of veterinary specialties and discuss whether additional specialties beyond AVMA-recognized specialty organizations should be considered.

Update: AB 1535 adequately clarified who can claim to be a “veterinary specialist.” Effective January 1, 2022, only licensees and registrants who are certified by an American Veterinary Medical Association-Recognized Veterinary Specialty Organization may make a statement, claim, or advertisement that the licensee or registrant is a veterinary specialist or board certified. Claiming to be a specialist without being properly certified can subject licensees to disciplinary action. (BPC § 4883, subd. (s).)

SB 1495 further amended BPC section 4883, subdivision (s), to include National Association of Veterinary Technicians in America-Recognized Veterinary Specialty Organizations.

31. (CITATIONS) Should the Legislature update the Board’s process for issuing and contesting citations?

Committee Staff Recommendation: The Board should review with the Committees its proposed legislative language regarding the process of issuing and contesting citations and describe how these changes would improve the Board’s enforcement program and consumer protection function.

Update: AB 1535 amended BPC section 4875.6 to eliminate unnecessary language already covered in BPC section 125.9 and the Administrative Procedure Act. AB 1535 also removed an overly burdensome requirement for a subject matter expert to review and investigate every complaint for probable cause, regardless of whether the allegations involved standard of care allegations. (BPC § 4875.2.) As previously reported to the Legislature, there are many other violations unrelated to the standard of care that do not warrant a subject matter expert review (e.g., criminal convictions, inadequate continuing education, unlicensed advertisements/practice, specific record keeping violations, etc.). Requiring a subject matter expert to review each case can significantly delay case resolution.

Prior to the amendment to BPC section 4875.6, the statute enabled repeat offenders by requiring each investigation to include attempts to discuss and resolve the alleged violation. Regardless of the requirements of this statute, the enforcement process often includes contacting the subject with the allegations and providing an opportunity to respond and come into compliance. If the Board finds minor violations, but timely compliance is obtained, most cases are closed with educational letters to the subject documenting the subject has been informed of the necessary statutes/regulations and the possibility of enforcement/disciplinary action for similar violations in the future.

If the Board closes a case with an educational letter and the subject repeats the same offense in the future, the Board should not be required to attempt to resolve the alleged violation with the subject before issuing a citation.

The Board appreciates the Legislature including the amendment in AB 1535.

32. (TECHNICAL CLEANUP) Is there a need for technical cleanup?

Committee Staff Recommendation: The Board should work with the Committees to enact any technical changes to the Business and Professions Code needed to add clarity and remove unnecessary language.

Update: AB 1535 adequately addressed all technical changes requested during its last Sunset. Additional amendments are discussed in Section 10.

33. (CONTINUATION OF THE BOARD) Should the licensing and regulation of the practice of veterinary medicine be continued to be regulated by the current Board membership?

Committee Staff Recommendation: The practice of veterinary medicine should continue to be regulated by the Veterinary Medical Board in order to protect the interest of the public. The Board should be reviewed by the Committees once again on a future date to be determined.

Update: The Board appreciates being extended another four years.

Section 10 New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

- Issues raised under prior Sunset Review that have not been addressed.
- New issues identified by the board in this report.
- New issues not previously discussed in this report.
- New issues raised by the Committees.

1. Unlicensed Practice Penalties [Strat Plan Goal 4.2]

Discussion: BPC section 4875.2 authorizes the Board's Executive Officer to issue a citation to unlicensed individuals for unlicensed practice. CCR, title 16, section 2043 classifies unlicensed practice as a class "C" violation and sets the civil penalty range between \$2,000 and \$5,000 for each citation. (CCR, tit. 16, § 2043, subs. (e).) BPC section 125.9, subdivision (b)(3), also caps the amount per citation at \$5,000 per inspection or investigation.

Unlicensed individuals pose a danger to consumers and animal patients, as they do not have the same education and training or otherwise have the competence to practice on animals. While the \$5,000 cap is sufficient to incentivize compliance for some smaller unlicensed practice cases, those unlicensed individuals who are charging consumers significantly more are less incentivized to comply. Those individuals may continue to practice knowing the financial impact of a citation is significantly less than the profit they can gain by continuing to operate.

The Board is aware of other DCA Boards that have specific statutory authority to issue fines higher than what BPC section 125.9 currently allows (e.g., BPC § 655, subd., (h)). This can serve as a much stronger deterrent for unlicensed practice.

Request: The Board would like to work with the Legislature over the next year to determine whether the statutory cap for unlicensed practice should be increased to deter unlicensed practice of veterinary medicine.

2. **Licensure Exemptions** [Strat Plan Goal 4.3]

Discussion: BPC section [4827](#), subdivision (a)(1), exempts from the Veterinary Medicine Practice Act bona fide animal owners, owners' bona fide employees, and any person assisting the owner, provided that the practice is performed gratuitously. This exemption was originally intended for ranchers and their employees when treating livestock. However, the broad verbiage of this exemption has created the following unintended consequences:

Licensees Claiming Exemption

The Board has received complaints against licensed veterinarians alleging veterinarians caused significant harm or death to animal patients. In those cases, licensed veterinarians claim the Board has no jurisdiction, since they were assisting the owner and performed services gratuitously (either by never charging for the specific task or providing a refund after the fact).

Promotes Unlicensed Practice

The Board receives complaints frequently from consumers and the industry that unlicensed individuals are being hired by animal rescues and owners of animals participating in trade shows, polo events, and unsanctioned rodeos. Some of these unlicensed individuals claimed to be licensed in other countries and/or have adequate education, training, and/or experience to perform the veterinary services. There have been many instances of significant animal patient harm or death, but they have claimed they are either the owner (in the case of animal rescues), they are employed by the owner, or they assisted the owner and did not charge for the specific service that was deemed negligent. As such, the Board was forced to close the cases due to lack of jurisdiction.

Request: The Board does not believe the Legislature initially intended to create such a significant opening for unlicensed practice. This exemption has led to significant patient harm and death. The Board requests the Legislature work with the Board to narrow this exemption to its intended purpose to protect consumers and animal patients.

3. **20% Veterinary Premises Inspections Mandate** [Strat Plan Goal 4.4]

Discussion: During the Board's [2003 Sunset Review](#), the Joint Legislative Sunset Review Committee (JLSRC) raised concerns regarding the number of veterinary facilities inspected on an annual basis, which averaged 13% since the previous Sunset Review in 1996. Additionally,

there were concerns that once a facility had been inspected, it would not be inspected again until six or more years later. According to the [Board's Final Response](#) in June 2004 to the issues raised by the JLSRC, “[i]n subsequent oral communications with the Joint Committee, the Board stated that its goal is to have all premises inspected within a five-year period.”

In its [2012 Sunset Review](#), the Board reported that due to denial of increases for inspection expenditure authority, the number of inspections had not increased despite efforts to work with existing resources. As a result, the Board's 2013 Sunset Bill, [SB 304](#) (Lieu, Chapter 515, Statutes of 2013), amended BPC section [4809.7](#) to require the Board to “make every effort to inspect at least 20% of veterinary premises on an annual basis.” Prior to this amendment, BPC section [4809.7](#) contained no percentage mandate and simply stated, “the Board shall establish a regular inspection program which will provide for random unannounced inspections”. This also was included in the Board's 2012-2014 Strategic Plan as one of its enforcement goals since historically, the Inspection Unit had always been a subsection of the Enforcement Unit.

Following the enactment of [SB 304](#) in 2014, the Board again made efforts to build its Inspection Unit, which at that time consisted of a single Enforcement Analyst and five inspectors. By 2015, the Inspections Unit consisted of one Hospital Inspection Coordinator, one Staff Services Analyst (SSA), one Office Technician (OT), and 13 inspectors. That year, the Board nearly tripled the number of inspections conducted from 203 in 2014 to 601, and the decision was made to separate Inspections into its own unit. The following year, the Inspections Unit reached an all-time high of 628 inspections performed. However, the workload volume generated from these inspections was unprecedented and overwhelming for staff, resulting in significant enforcement case backlogs that remain today.

Subsequently, [SB 546](#) (Hill, 2017) was introduced and would have amended BPC section [4809.7](#) to state, in part, “The Board shall inspect at least 20 percent of veterinary premises on an annual basis... .” As recorded in the Board's April 19, 2017 [Meeting Minutes](#), the Executive Officer reported that the Board had requested the following provisions be included in SB 546:

The first provision would change existing statutory language surrounding a “suggested” 20 percent inspection of all registered veterinary premises and instead make the 20 percent inspection language mandatory. The change would assist the Board in securing necessary funding from the Department of Finance. The legislative request, taken from the Board's 2015 Strategic Plan, would mandate the Board to inspect 20 percent of all veterinary premises on an annual basis and, mandate that all new veterinary premises be inspected within one year of being issued a premises permit.

It was also reported that the Board had insufficient funds to complete the annual goal of inspecting 20% of premises.

At the Board's October 19, 2017 meeting, it was reported the Senate Appropriations Committee raised concerns regarding the potential fiscal impact to the Board and its Fund if the proposed 20% inspection mandate was enacted. (October 19, 2017 [Meeting Materials](#), Agenda Item 11.B.) As such, the inspection mandate was stricken from the bill before passing out of the Senate Business, Professions and Economic Development Committee. The Executive Officer requested the Board move the inspection mandate forward in the next legislative session because mandatory hospital premises inspections “would ensure consumer protection,

require a minimum number of annual inspections performed, and assist in obtaining additional funding for the program." (October 19, 2017 [Meeting Minutes](#), p. 7.)

The inspection mandate provisions reemerged the following year in [SB 1480](#) (Hill, Chapter 571, Statutes of 2018), which became effective January 1, 2019. The language of BPC section [4809.7](#) now states, "The board shall establish a regular inspection program that will provide for random, unannounced inspections and the board shall inspection at least 20 percent of veterinary premises on an annual basis."

After [SB 1480](#) passed, a legislative BCP was approved, giving the Board additional budget allocation for two analysts and one technician. It should be noted that BCPs provide the Board with budget authority from the *existing* fund, but they do not provide *additional* funds to the Board. The only way for the Board to receive additional funding is through increased license, registration, and/or permit fees. So, although it was noted in 2017 that the Board had insufficient funds to support the existing program, the program grew without any additional funds.

In addition, due to the significant backlog created by the inspection surge, routine inspections were temporarily paused while the analysts focused on closing complaint-related inspections, the remaining routine inspections, and the probation inspections. As a result, the number of inspections performed significantly decreased.

During the Board's Strategic Planning discussion at its October 23, 2020 meeting, the Board discussed the difficulty in meeting the annual 20% veterinary premises inspection mandate under BPC section [4809.7](#). Historically, the Board has never been able to meet this mandate. The Board-approved Strategic Plan included a goal to evaluate the feasibility of the 20% inspection mandate. In addition, some Board members proposed re-evaluating the inspections checklist and decreasing the number of items being inspected to reduce the amount of time it takes Board inspectors to complete inspections and Board staff to review the reports.

With that suggestion in mind, the Board directed the MDC to evaluate the inspection process and checklist and make recommendations to the full Board. During the April 2021 MDC meeting, the Inspections Subcommittee reported its research regarding inspections programs within DCA and other veterinary state boards nationwide. It was noted that the Board was the only DCA program that had a percentage mandate, and the Board has never been able to meet the 20% mandate. In addition, the Subcommittee opined the 20% mandate is unrealistic. The April 2021 Subcommittee memo can be found [here](#) for reference.

As reported during the [July 2021 MDC meeting](#), the Subcommittee met with the Board's Inspection and Enforcement management to discuss their specific perspectives on the inspection process. The Subcommittee expressed the most eye-opening part was learning about the inefficiencies in the process and the overall structure of the Inspection and Enforcement Units. As a result, the managers recommended, and the Subcommittee agreed, to merge the two units back together as they were prior to 2015.

Regarding the 20% mandated, the Subcommittee again expressed to the MDC concerns that the mandate was too high, especially hearing from other DCA board inspection programs and other state-wide veterinary boards. The MDC was informed that the Board's fund could

not support inspecting 20% of all registered veterinary premises prior to it becoming a mandate, and the mandate did not secure additional funds when it was enacted. The only way to increase funds for the inspection program is to increase veterinary premises registration fees. Without increasing fees, the Board will never have enough funds to meet the 20% mandate.

The Subcommittee concluded the statutory inspection mandate was unrealistic and unattainable.

During the Board's Strategic Planning Session in October 2023, the Board discussed the Subcommittee's prior findings and decided to include the following objective in the Board's 2024-2028 Strategic Plan:

4.4. Pursue legislation to remove the 20% Veterinary Premises Inspection Mandate.

The Board approved its 2024-2028 Strategic Plan during its April 2024 meeting. The Board will continue to make inspections a priority and track the Board's inspections progress closely.

The California Department of Technology awarded a \$600,000 grant to the Board and the Board of Barbering and Cosmetology to develop a mobile inspection app that will significantly streamline the inspection process for the inspectors and Board staff. The mobile inspection app is currently in development, and User Acceptance Testing is scheduled to begin in July. The app is scheduled to launch at the end of September 2024.

Legislative Request: Please include the following legislative amendment in the Board's Sunset Bill:

4809.7. The board shall establish a regular inspection program that will provide for random, unannounced and announced inspections of veterinary premises ~~and the board shall inspect at least 20 percent of veterinary premises on an annual basis.~~

4. Add RVT to Board Composition [Strat Plan Goal 4.5]

Discussion: BPC section 4800 establishes the Board member composition of eight members, only one of which can be an RVT. This RVT is automatically assigned to the MDC (BPC § 4809.8), makes regular reports at each Board meeting, and participates in numerous meetings with state and national organizations. The workload for one RVT member is extensive, and the Board would like an additional RVT member be appointed to the Board to assist with the workload.

In addition, the Board believes the RVT perspective is invaluable in discussions and decision making and welcomes the input of other RVTs. As such, the Board is seeking a legislative amendment to add one RVT member to the Board's composition.

Legislative Request: Amend BPC section 4800 to add one RVT member as follows:

4800. (a) There is in the Department of Consumer Affairs a Veterinary Medical Board in which the administration of this chapter is vested. The board shall consist of the following ~~eight~~nine members:

- (1) Four licensed veterinarians.
- (2) ~~One~~Two registered veterinary technicians.
- (3) Three public members.

[...]

The Board also requests a corresponding amendment to accommodate either RVT Board member to be assigned to the MDC as follows:

4809.8. (a) The board shall establish an advisory committee to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of this chapter and to assist the board in its examination, licensure, and registration programs. The committee shall serve only in an advisory capacity to the board and the objectives, duties, and actions of the committee shall not be a substitute for or conflict with any of the powers, duties, and responsibilities of the board. The committee shall be known as the Veterinary Medicine Multidisciplinary Advisory Committee. The multidisciplinary committee shall consist of nine members. The following members of the multidisciplinary committee shall be appointed by the board from lists of nominees solicited by the board: four licensed veterinarians, two registered veterinary technicians, and one public member. The committee shall also include one veterinarian member and one registered veterinary technician member of the board, to be appointed by the board president, ~~and the registered veterinary technician member of the board~~. Members of the multidisciplinary committee shall represent a sufficient cross section of the interests in veterinary medicine in order to address the issues before it, as determined by the board, including veterinarians, registered veterinary technicians, and members of the public.

[...]

5. Authorization for veterinary assistant controlled substance permit (VACSP) holders to perform drug compounding. [Strat Plan Goal 4.7]

Discussion: Existing law authorizes licensed veterinarians and RVTs to compound drugs for animal use. (BPC § 4826.5.) VACSP holders cannot currently perform drug compounding.

During an April 2022 MDC meeting, veterinarians and RVTs raised concerns that restricting the ability to compound drugs to veterinarians and RVTs negatively impacts access to veterinary care. During public comment, an RVT shared how COVID had negatively impacted an already growing shortage of veterinary care and had significantly increased wait times in emergency veterinary hospitals. She went on to explain how she ran a 24-hour veterinary hospital and how, at any given time, there could be up to eight hour wait times in her area. Prohibiting VACSP holders from performing drug compounding tasks, such as adding medications to an IV fluid, further delays treatment for patients ([minutes](#)).

The Board subsequently agreed with this assessment. The Board believes not allowing VACSP holders (who are trained and directly supervised) to compound drugs for animal use creates an unnecessary and significant delay in accessing necessary compounded drug preparations.

To increase access to veterinary care by decreasing wait times for patients to receive treatment, and while maintaining consumer protection by requiring veterinarian supervision of the VACSP holder, the Board recommends amending BPC section 4826.5 to authorize VACSP holders to compound drugs under a licensed veterinarian's supervision.

Legislative Request: The Board requests amending BPC section 4826.5 (as shown below) to add VACSP holders to the individuals who are authorized to compound drugs for animal use. This will increase access to veterinary care by decreasing wait times for patients to receive treatment, while maintaining consumer protection by requiring veterinarian supervision of the VACSP holder.

Proposed Amendments

4826.5. Notwithstanding any other law, a licensed veterinarian or a registered veterinary technician or veterinary assistant controlled substance permit holder under the supervision of a licensed veterinarian may compound drugs for animal use pursuant to Section 530 of Title 21 of the Code of Federal Regulations and in accordance with regulations promulgated by the board. The regulations promulgated by the board shall, at a minimum, address the storage of drugs, the level and type of supervision required for compounding drugs by a registered veterinary technician or veterinary assistant controlled substance permit holder, and the equipment necessary for the safe compounding of drugs. Any violation of the regulations adopted by the board pursuant to this section shall constitute grounds for an enforcement or disciplinary action.

6. Remove Requirement to Approve All RVT Schools [Strat Plan Goal 4.9]

Discussion: In 1995, the Board approved the very first RVT school program, San Diego – Mesa College. From 1997-2017, oversight included renewing approvals for one to five years, which is inconsistent with the current statute that approvals are only good for two years. (BPC § 4843.) From 2012-2017, letters and certificates were sent to the program renewing the approval, but it does not appear any formal renewal process, including a renewal application or renewal fees, occurred. Board inspections of the RVT education program occurred in 2002, 2006, and 2007. While the program was responsible for covering the costs of the inspections, the Board recovered nominal travel reimbursements in 2002 and 2006.

In 2014, a school administrator wanted to be approved by the Board, but they were told the Board no longer approved schools. The school administrator raised his request and concerns to the Board during a subsequent Board meeting. At that time, a representative from the California Registered Veterinary Technicians Association (CaRVTA) reminded the Board it was required by statute to approve all RVT schools operating in California.

From 2014-2018, the Board worked on a rulemaking package clarifying requirements and adding more requirements to the RVT education programs. The rulemaking package also transitioned from the alternate route model to strictly alternate route programs. When the rulemaking package was approved in 2018, 20 other rulemaking packages were already pending.

In 2021, the Board's Executive Officer raised concerns that the requirement for Board approval of RVT education programs may serve as a redundant and overly burdensome requirement for the programs with little, if any, consumer protection benefit.

At the Board's request, an MDC Subcommittee was formed and began evaluating the RVT education approval requirement. Subcommittee members watched multiple webcasts and reviewed meeting minutes spanning back to 2014, when the Board initially began discussing the original rulemaking package. From that review, the Subcommittee noted the following:

- While it was known other oversight bodies (CVTEA and BPPE) accredited/approved the schools, there were no discussions related to whether the Board should approve RVT schools or how approving schools served a consumer protection purpose.
- Concerns related to the cost of implementing a school approval program were briefly raised a few times, but Board members were told incorrectly that identifying costs in a Form 399 would result in a successful BCP, and that BCP would provide the Board increased funds to support the program. While a BCP does increase the allocated budget amount, the only way to increase the Board's fund is to increase licensing fees. Increasing fees was not discussed.
- Concerns related to the Board's existing resources and inability to inspect veterinary premises also were raised, and some Board members questioned how the Board would be able to provide additional onsite inspections to all RVT schools. Again, the members were told a BCP would solve this concern.

In March 2023, the Subcommittee held an RVT Education Programs Stakeholder Meeting. The meeting announcement informed individuals that the Board was considering removing the requirement for the Board to approve all RVT education programs. The announcement further advised that the Board was seeking input and participation from all interested stakeholders, including the public, education program administrators, other education program oversight agencies, and professional associations.

Over 50 participants attended the meeting. These participants included RVT school administrators, RVTs, CaRVTA, and representatives from BPPE and AAVSB. The Executive Officer and Subcommittee provided an overview of the issue, discussed the Board's consumer protection mission and the student protection mission of the other oversight agencies, as follows:

Committee on Veterinary Technician Education and Activities (CVTEA)

CVTEA accredits the majority of veterinary technology programs within California. All CVTEA-accredited programs in veterinary technology must meet the Standards of Accreditation of the CVTEA to ensure the quality of the educational experience and the assessment of student knowledge and skills. The CVTEA also performs regular site visits and evaluates annual, biennial, interim, and terminal reports submitted by accredited programs.

During the January 2022 MDC meeting, the CVTEA provided an overview of their accrediting process and answered questions from the MDC members. That presentation and subsequent discussion can be viewed [here](#).

Bureau of Private Postsecondary Education (BPPE)

All private postsecondary education programs operating in California must be approved by BPPE. BPPE's mission is to protect students and consumers through the

oversight of California's private postsecondary educational institutions by conducting qualitative reviews of educational programs and operating standards, proactively combating unlicensed activity, impartially resolving student and consumer complaints, and conducting outreach.

In general, BPPE is responsible for the following:

- Protecting consumers and students against fraud, misrepresentation, or other business practices at private postsecondary institutions that may lead to the loss of students' tuition and related educational funds;
- Establishing and enforcing minimum standards for ethical business practices and the health and safety and fiscal integrity of postsecondary education institutions; and,
- Establishing and enforcing minimum standards for institutional stability for all students in all types of private postsecondary educational and vocational institutions.

During the January 2022 MDC meeting, BPPE provided an overview of their process and oversight. That presentation and subsequent discussion can be viewed [here](#).

[Accrediting Commission for Community and Junior Colleges \(ACCJC\)](#)

ACCJC also accredits veterinary technology education programs. Their mission "supports its member institutions to advance educational quality and student learning and achievement. This collaboration fosters institutional excellence and continuous improvement through innovation, self-analysis, peer review, and application of standards." (ACCJC, Mission, <https://accjc.org/about/> (as of July 12, 2024.)) Much like AVMA and BPPE, ACCJC also conducts regular reviews of the programs, including onsite visits, to determine if the programs meet ACCJC's eligibility requirements, commission policies and accreditation standards.

The overall consensus from the participants was that the Board should not require RVT school and degree programs to be Board approved. The oversight provided by BPPE, CVTEA, and ACCJC appeared to provide adequate protections for students, and requiring the programs to be approved by the Board was a redundant and costly endeavor.

After reviewing all information provided, the Board voted in April 2023 to seek a legislative proposal to amend BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

Legislative Request: Amend BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

7. **Out-of-State RVT Applicants**

Discussion: BPC section 4841.5 provides three education pathways for RVTs to obtain registration: (1) through an accredited or approved two-year program; (2) through education or a combination of education and clinical experience; or (3) through AAVSB's education equivalency certification program. The statute does not authorize any individual to obtain an RVT registration without completing education. However, CCR, title 16, section 2068.6 provides

a pathway for RVTs licensed, certified, or registered in another state to obtain RVT registration in California solely through clinical experience. To maintain out-of-state license reciprocity, the Board recommends placing the regulation in statute and clearly identifying the experience-only pathway for RVT applicants licensed in another state.

Legislative Request: Amend BPC section 4841.5 to establish out-of-state reciprocity requirements for California RVT registration. (Included in the legislative proposal from New Issue 6).

8. Remove Authority to Approve CE [Strat Plan Goal 4.11]

Discussion: BPC section 4846.5 provides an extensive list of statutorily approved CE providers. Under BPC section 4846.5, subdivision (b)(3), the Board is also provided authority to approve other continuing veterinary medical education providers not otherwise specified. In 2002, multiple regulations became effective that specified the process for approving CE providers. However, the Board is not aware of any CE providers that are not already listed under subdivision (b)(3).

Legislative Request: Since the list of authorized CE providers under the current statute is so extensive, the Board seeks a legislative amendment to remove the Board authority to approve CE providers. The Board believes it is unnecessary and fuels a narrative that the Board has too many statutes/regulations that overregulates the profession.

9. Telemedicine Terms [Strat Plan Goal 4.14]

Discussion: Effective January 1, 2024, AB 1399 (Friedman, Chapter 475, Statutes of 2023) established statutory requirements to practice veterinary medicine via telehealth. Under BPC section 4825.1, subdivision (g), "telehealth" is defined to mean "the mode of delivering veterinary medicine via electronic communication technologies to facilitate the diagnosis, consultation, care management, or treatment of an animal patient, and includes, but is not limited to, synchronous video and audio communication; synchronous, two-way audio communication; and electronic transmission of images, diagnostics, data, and medical information."

Notably, the Medical Practice Act provides that "telehealth" includes "telemedicine" as the term is referenced in the Code of Federal Regulations, title 42, sections 482.12, 482.22, and 485.616. (BPC, § 2290.5, subd. (i)(3).) Those federal regulations apply to conditions of participation for hospitals, critical access hospitals, and medical staff providing human health care services through Medicare and Medicaid, which do not apply to veterinary health care. There is no other definition of "telemedicine" in the BPC, and the regulations supporting the Medical Practice Act do not further clarify this term.

Before AB 1399 was enacted, CCR, title 16, section 2032.1, subsection (f), authorized telemedicine to be practiced within an existing VCPR, with the exception for advice given in an emergency until the animal patient(s) can be seen by or transported to a veterinarian. That subsection, which relied on the telehealth authority established in BPC sections 686 and 2290.5, defined "telemedicine" to mean the mode of delivering animal health care services via communication technologies to facilitate consultation, treatment, and care management of the patient.

To properly accommodate electronic veterinary health services for animal patients, the

~~attached legislative proposal would define~~ Board recommends incorporating into BPC section 4825.1 definitions of telehealth, telemedicine, teletriage, and teleconsultation and specifying in BPC section 4826.6 the authority of veterinary professionals to provide such services. These definitions and authorities were approved by the Board in July 2021 and are intended to be integrated into the new telehealth provisions enacted by AB 1399. In addition, this legislative ~~proposal~~ recommendation seeks to address stakeholder concerns raised during the Board's January 2021 meeting, described in further detail in the Board's [Meeting Minutes](#), regarding the racial and economic inequities resulting in a lack of access to veterinary care facilities and difficulty for consumers to travel with their pets to veterinary premises. These legislative changes are designed to protect public interests and consumer safety and are intended to address social and economic disadvantages in rural and low income communities by expanding the use of electronic technology and media to increase access to veterinary health care services for the benefit of consumers and their animals.

Legislative Request: After in-depth consideration, the Board believes it is in the best interest of improving veterinary care for consumers, animals, and veterinary professionals to include the legislative proposal to define telehealth, teletriage, teleconsultation, and telemedicine the Board's Sunset bill.

10. Copies of Animal Patient Records [Strat Plan Goal 4.15]

Discussion: BPC sections 4826.6, subdivision (h)(4), and 4855 only require veterinarians to provide a summary of the animal patient record to animal owners when requested. However, the Board receives complaints from consumers that they are unable to obtain copies of the records upon request. The Board believes consumers should have a right to the complete record of their animals. As such, the Board seeks legislation to require veterinarians provide a copy of the record within five days of receiving a request, with specific exceptions when an animal is in critical condition or direct transfer to another premises is recommended. In addition, to assist consumers who need to provide proof of payment of veterinary services to their pet insurer for reimbursement or when the Board seeks to include restitution in an enforcement action, a statute is necessary to require the veterinary premises to provide a record of client payments made to the veterinary premises related to services and treatment provided.

Legislative Request: Amend BPC sections 4826.6 and 4855 to allow consumers to obtain copies of animal patient records, and add new BPC section 4855.1 as follows:

4826.6.

[...]

(h) A veterinarian who practices veterinary medicine via telehealth shall do all of the following:

[...]

(4) Be familiar with available medical resources, including emergency resources near the animal patient's location, be able to provide the client with a list of nearby veterinarians who may be able to see the animal patient in person upon the request of

the client, and keep, maintain, and make available a copy or summary of the animal patient record, as specified in Section 4855.

[...]

4855. (a) A veterinarian subject to the provisions of this chapter shall, as required by regulation of the board, keep a written record of all animals receiving veterinary services, and provide a summary copy of that record to the owner of animals receiving veterinary services, when client or their authorized agent within five (5) days of receiving the client's or their authorized agent's verbal or written requested.

(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, upon release of the animal patient from the veterinarian's care, shall either:

(1) Provide a copy or a summary of the written record to the client or their authorized agent; or

(2) If a written record is not available upon release of the animal patient, communicate information to facilitate continuity of care of the animal patient either to:

(A) The receiving veterinarian or veterinary premises; or

(B) The client or their authorized agent if the receiving veterinary premises is unknown.

(c) The minimum amount of information which that shall be included in written records and summaries shall be established by the board.

(d) The minimum duration of time for which a licensed registered veterinary premises shall retain the written record or a complete copy of the written record shall be determined by the board.

4855.1. Within 30 days of receiving a written or verbal request by the client or their authorized agent, the veterinary premises shall provide a record of client payments made to the veterinary premises related to services and treatment provided.

11. Livestock Definition to Include Commercial Equines [Strat Plan Goal 4.16]

Discussion: BPC section 4825.1 specifically excludes equine from the definition of livestock. [need further discussion from Equine Subcommittee and/or Board on rationale/problem this causes and why change is necessary]

Legislative Request: Amend BPC Section 4825.1, subdivision (e), to revise the definition of "livestock" to include commercial equines.

12. Release of Animal Patient Records [Strat Plan Goal 4.17]

Discussion: During the Board's October 2023 Strategic Planning Session, a concern was raised regarding a veterinarian's ability to access records for prior animal patients once the veterinarian leaves employment at a veterinary premises. This makes it challenging for veterinarians to respond to complaint allegations during Board investigations.

Legislative Request: To remedy this issue, the Board recommends BPC section 4856 be amended as follows:

4856. (a) All records required by law to be kept by a veterinarian subject to this chapter, including, but not limited to, records pertaining to diagnosis and treatment of animals and records pertaining to drugs or devices for use on animals, shall be open to inspection by the board, or its authorized representatives, during an inspection as part of a regular inspection program by the board, or during an investigation initiated in response to a complaint that a licensee has violated any law or regulation that constitutes grounds for disciplinary action by the board. A copy of all those records shall be provided to the board immediately upon request.

(b) Equipment and drugs on the premises, or any other place, where veterinary medicine, veterinary dentistry, veterinary surgery, or the various branches thereof is being practiced, or otherwise in the possession of a veterinarian for purposes of that practice, shall be open to inspection by the board, or its authorized representatives, during an inspection as part of a regular inspection program by the board, or during an investigation initiated in response to a complaint that a licensee has violated any law or regulation that constitutes grounds for disciplinary action by the board.

(c) The licensee manager for the registered veterinary premises shall make records available for inspection by any veterinarian who provided veterinary services to the animal patient on behalf of the registered veterinary premises.

13. Require Fingerprints for Reinstatement Petitions [Strat Plan Goal 4.18]

Discussion: [Fingerprints are required for all applicants and license renewals, pursuant to BPC section 144 and CCR section 2020.5. Once a licensee is revoked or surrendered, the Board notifies the Department of Justice through a "No Longer Interested" notification that it no longer has authority to receive criminal information on that individual. If an individual with a revoked or surrendered license files a petition for reinstatement, the individual is considered an applicant and subject to fingerprints. However, BPC section 4887 does not specifically require fingerprints be submitted prior to their petition for reinstatement. This can cause delays in the Board receiving necessary criminal history information prior to deciding whether to grant the petition.](#)

Legislative Request: Amend BPC section 4887, subdivision (b), to require reinstatement petitioners to submit fingerprints with their petition for reinstatement, so the Board can obtain necessary criminal history records in a timely manner.

14. Tolling and Probation Terms [Strat Plan Goal 4.19]

Discussion: [BPC section 4887 specifies when an individual with a revoked license or registration can petition the board for reinstatement or modification of penalty, including modification or termination of probation. However, during periods of tolling, individuals on probation are not subject to the full terms and conditions of their disciplinary order. While any period of tolling](#)

does not apply to the reduction of the probationary term, BPC section 4887 does not take tolling periods into account. As such, probationers who may never been subject to their full disciplinary order are allowed to petition for modification or termination of probation. These petitions are unsuccessful and a waste of Board time and resources, since the Board is provided with insufficient evidence the petitioner has complied with Board ordered conditions or has been rehabilitated.

Legislative Request: Amend BPC section 4887 clarify that the amount of time that probation is tolled shall not count toward the number of years needed to petition for early termination or modification of probation.

15. **Registration and Permit Applications and Disciplinary Action**

Discussion: During the Board's last Sunset Review, the Board requested legislative amendments that removed unnecessary barriers to veterinary licensure and condensed requirements into one section. Since then, the Board has identified several sections in the Veterinary Medicine Practice Act related to registration and permit applications and disciplinary action it would like to improve. Specifically, the Board would like to remove unnecessary and/or redundant language, combine sections where appropriate, and better align the RVT application and disciplinary processes with that of the veterinarian license application and disciplinary processes. In addition, the Board would like to add "veterinary assistant controlled substance permits" (VACSPs) to various sections that appeared to have been missed when initially creating the VACSP.

Prior to January 1, 2020, graduates of veterinary colleges were performing animal health care tasks otherwise performed by an RVT without obtaining an RVT registration. In 2018, SB 1480 (Hill, Chapter 571, Statutes of 2018), prohibited veterinary colleges to perform animal health care tasks without obtaining a registration and provided a two-year transition phase. However, there is not a current pathway for veterinary students to obtain an RVT. To rectify this, the Board would like to create a pathway for veterinary college graduates and ECFVG or PAVE certificate holders to obtain an RVT registration.

Legislative Request: Amend Business and Professions Code Sections 4836.2, 4839, 4841.5, 4875, 4875.1, 4875.2, 4883, 4885, 4886, 4901.2, and 4902, Repeal Sections 4837, 4841.4, 4842, 4845.5, 4876, and 4881, and Add Section 4882 Regarding Registration and Permit Applications and Disciplinary Actions.

Section 11 Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).

D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).

DRAFT