



MEMORANDUM

DATE	January 2, 2025
TO	Veterinary Medical Board (Board)
FROM	Justin Sotelo, Policy Specialist
SUBJECT	Agenda Item 19. Update and Discussion on Pending Regulations

The Board currently has seven rulemaking packages pending in various stages of the initial and final phases of the rulemaking process, as described below.

Updates or changes in the status of the regular rulemaking packages since October 2024 are provided below:

Drug Compounding—California Code of Regulations (CCR), Title 16, Sections 2036.5, 2090, 2091, 2092, 2093, & 2094: IN PROCESS

Update: This regulatory package is being prepared by staff for the initial phase of the rulemaking process.

Summary of Proposed Changes: This regulatory proposal would: (1) make technical revisions regarding animal health care tasks performed by permit holders and veterinary assistants (CCR, tit. 16, § 2036.5); (2) make technical revisions regarding Registered Veterinary Technician (RVT) drug compounding under the supervision of a veterinarian in a registered veterinary premises (CCR, tit. 16, §§ 2090, subs. (a), (b), 2091, subs. (b), (c)); (3) add a definition for “immediate use” (CCR, tit. 16, § 2090, subs. (e)); (4) clarify the definition of “office stock” regarding administration and dispensing of the office stock (CCR, tit. 16, § 2090, subs. (f)); (5) clarify the policy and procedure and master formula document requirements and documentation requirements for animal patient specific compounded drug preparations (CCR, tit. 16, § 2092, subs. (a)-(d)); (6) establish documentation requirements for immediate use compounded drug preparations (CCR, tit. 16, § 2092, subs. (e)); (7) clarify compounded drug preparation documentation requirements in animal patient medical records (CCR, tit. 16, § 2092, subs. (f)); (8) make technical corrections regarding drug compounding training requirements (CCR, tit. 16, § 2092, subs. (g)); (9) establish expiration of non-immediate use intravenous (IV) or subcutaneous (SQ) compounded drug preparations (CCR, tit. 16, § 2093, subs. (c)); and (10) clarify drug compounding labeling requirements for office stock, establish labeling requirements for IV, intramuscular, and SQ drug preparations, and establishing labeling requirements for compounded drugs requiring refrigeration (CCR, tit. 16, § 2094).

Minimum Standards for Alternate Veterinary Premises—CCR, Title 16, Sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3: IN PROCESS

Update: Staff is continuing to work with Regulations Counsel to finalize the package for initial Department of Consumer Affairs (DCA) Director review and approval.

Summary of Proposed Changes: The regulatory proposal would standardize language utilized in modern veterinary practice and update the requirements for fixed veterinary premises, mobile veterinary premises, vaccination veterinary premises, and shelter premises. Additionally, the proposal would remove all apparent building standards, including any exemptions to those standards, from title 16. The proposed language also: (1) provides for the needs of large animal practitioners and limitations they have for equipment or movement of large animals; (2) provides for the various mobile veterinary premises types, including house calls and services for equines or food animals/livestock; (3) clarifies personnel authorized to provide vaccinations at a veterinary premises and the veterinarian's responsibilities; and (4) sets specified requirements for animal shelters.

Veterinary Facilities—CCR, Title 24, Section 1251: APPROVED; TAKES EFFECT JANUARY 2026

Update: The 45-day comment period for this regulatory proposal concluded on October 7. No public comments were received. As a result, staff proceeded with submitting the final regulatory package to DCA for final review and approval. On November 5, the package was approved by the DCA Director. Final documents were then submitted to the California Building Standards Commission (CBSC) for its consideration at its December 2024 meeting. On December 17, Executive Officer Jessica Siefertman presented the regulatory proposal to the CBSC; the proposal was approved by the CBSC. In early January, the approved rulemaking will be filed with the Office of the Secretary of State. The CBSC will soon be working with the International Code Council to publish all approved code changes into the 2025 California Building Code. As part of the CBSC's Triennial Code Adoption Cycle, the regulatory amendments will become effective January 2026.

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

Records—CCR, Title 16, Section 2032.3: IN PROCESS

Update: In July 2024, corresponding legislative amendments to Business and Professions Code (BPC) sections 4826.6 and 4855 were approved by the Board. In anticipation of those amendments being enacted, staff will proceed with the initial phase of the rulemaking process.

Summary of Proposed Changes: This regulatory proposal addresses the following: (1) changes the logical order of the required information that makes up an animal patient record to follow a SOAP (Subjective, Objective, Assessment, and

Plan) format for recording patient medical encounters and medical record documentation, which is taught in the majority of veterinary schools; (2) addresses animal patient record keeping requirements for single patient records and group records; (3) makes animal patient record keeping requirements less prescriptive; and (4) addresses when a copy or a summary of records must be provided to the client, or the client's authorized agent.

Updates or changes in the status of the Section 100 rulemaking packages since October 2024 are provided below. As a reminder, Section 100 rulemaking packages must not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision.

California Examinations, Temporary License, California Curriculum, and Appeals Process of Examination Results—CCR, Title 16, Sections 2009, 2010, 2014, 2014.1, 2015, 2015.1, 2015.2, 2016, 2020, 2021-2021.10, 2068.6, and 2086.4 (Section 100 Rulemaking): IN PROCESS

Update: On December 16, this Section 100 regulatory package was submitted to the DCA regulations unit for review. On December 27, the package was approved by the DCA regulations unit. On December 30, the package was submitted to the Office of Administrative Law (OAL) for review and approval. OAL has 30 working days to review regulatory packages.

Summary of Proposed Changes: This Section 100 regulatory package is intended to conform the regulations to changes in statute related to California state board and veterinary technician examinations, temporary licenses, California curriculum, appeals of examination results, and RVT continuing education credit.

Location of Office / Wellness Evaluation Committee Name Update—CCR, Title 16, Sections 2000, 2070, 2075, 2076, 2077, 2079, 2080, 2081, 2082, and 2085.4 (Section 100 Rulemaking): IN PROCESS

Update: On December 16, this Section 100 regulatory package was submitted to the DCA regulations unit for review. On December 27, the package was approved by the DCA regulations unit. On December 30, the package was submitted to OAL for review and approval. OAL has 30 working days to review regulatory packages.

Summary of Proposed Changes: This Section 100 regulatory package is intended to update the Board's physical address in regulation and update references of the Diversion Committee to refer to the retitled Wellness Evaluation Committee.

(ORIGINAL PROPOSAL) Veterinarian-Client-Patient Relationship (VCPR), Definitions, and RVT Tasks Updates (RVT Vaccine Administration)—CCR, Title 16, Sections 2032.1, 2034, and 2036

(UPDATED PROPOSAL) VCPR—CCR 2032.1, 2032.25, and 2038.5 (Section 100 Rulemaking): IN PROCESS

Update: Due to statutory changes that resulted from Senate Bill (SB) 669 (Cortese, Chapter 882, Statutes of 2023) and Assembly Bill (AB) 1399 (Friedman, Chapter 475, Statutes of 2023), it was determined by Board Counsel that the original regulatory proposal was no longer necessary. Additionally, it was determined that, as a result of the bills, CCR section 2032.1 could be repealed, as it now duplicates VCPR provisions found under statute. Amendments to CCR sections 2032.25 and 2038.5 would update references to the VCPR provisions under new BPC section 4826.6.

On December 16, this Section 100 regulatory package was submitted to the DCA regulations unit for review. On December 27, the package was approved by the DCA regulations unit. On December 30, the package was submitted to OAL for review and approval. OAL has 30 working days to review regulatory packages.

Summary of Original Proposed Changes: The original proposed regulatory text would have authorized RVTs to act as an agent of the supervising veterinarian to establish the VCPR for purposes of administering preventative or prophylactic vaccinations or medications for the control or eradication of apparent or anticipated internal or external parasites to animal patients. To establish the VCPR, the proposal would have required RVTs, under direct veterinarian supervision, to examine the animal patient and administer the vaccines/medications according to written protocols and procedures, as specified. The proposal would have also required the supervising veterinarian and RVT to sign and date a statement whereby the supervising veterinarian would remain responsible for the acts of the RVT, and authorizing the RVT to act as the veterinarian's agent only for administering the vaccines/ medications. Finally, the proposal would have required RVT disclosure to the client and required the supervising veterinarian to review the required documentation prior to prescribing or dispensing vaccines/medications.

Summary of New Proposed Changes: As noted above, due to the statutory changes that resulted from SB 669 and AB 1399, CCR section 2032.1 and the previous proposed regulatory text are no longer necessary. A Section 100 regulatory package (repealing CCR section 2032.1 and amending CCR sections 2032.25 and 2038.5) is now being pursued.

Attachment

1. Attachment No. 1: Status of Pending VMB Regulations – Updated December 30, 2024

Status of Pending VMB Regulations

Rulemaking Title	Current Status	INITIAL PHASE										FINAL PHASE					Effective Date
		Concept Date(s)	Board Approval	Submitted to DCA for PRE-Review	Submitted to DCA for INITIAL Review	DCA Director Approval	Submitted to Agency/Agency Approval	Notice Submitted to OAL & Notice Published by OAL	45-Day Comment Period	Public Hearing (Optional)	15-Day Comment Period (Modified Text), if applicable	Submitted to DCA for FINAL Review	DCA Director FINAL Approval	Submitted to Agency/ FINAL Agency Approval	Submitted to DOF/ DOF Approval	Submitted to OAL/ OAL Approval	
Drug Compounding	Staff preparing regulatory package for initial phase	4/19/2022 10/18/2023 01/16/2024	01/25/2023 Re-Approved on 04/17/2024														
Minimum Standards for Alternate Veterinary Premises	Regulatory package submitted to DCA for pre-review; Staff working with Counsel to move package forward for DCA initial phase review	2017-2024	11/14/2018 04/19/2023 10/18/2023 Combined with the Minimum Standards for Shelter Premises Package Re-Approved on 04/17/2024	7/11/2024 Re-Approved by Budget Office on 08/01/2024													
Veterinary Facilities	Approved by CBSC on 12/17/2024	12/08/2023	04/17/2024	07/08/2024	08/02/2024	08/02/2024	08/02/2024 Submitted to Agency/CBSC 08/21/2024 Approved	08/09/2024 Submitted 08/23/2024 Published	08/23/2024 through 10/07/2024	N/A	N/A	10/28/2024	11/05/2024	N/A	N/A	11/06/2024 Submitted to CBSC 12/17/2024 Approved by CBSC	01/01/2026
Records	Once legislative amendments are enacted, staff can proceed with initial phase of the rulemaking process	06/26/2023 08/29/2023	07/24/2024														
California Examinations, Temporary License, California Curriculum, and Appeals Process of Examination Results (Section 100)	Section 100 regulatory package submitted to DCA regulations unit for review	N/A	01/28/2021	N/A	12/16/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12/30/2024 Submitted
Location of Office/Wellness Evaluation Committee Name Update (Section 100)	Section 100 regulatory package submitted to DCA regulations unit for review	N/A	N/A	N/A	12/16/2024	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12/30/2024 Submitted

Red Text = Updates since last meeting

= Completed

= Current Status/ Pending