

MEMORANDUM

DATE	October 1, 2025
TO	Multidisciplinary Advisory Committee (MDC)
FROM	<u>Enforcement Subcommittee (Subcommittee)</u> Jeni Goedken, DVM Cheryl Waterhouse, DVM
SUBJECT	Agenda Item 8. Update and Discussion from the Enforcement Subcommittee

A. Consultant and Subject Matter Expert (SME) Roundtables

Background: The California Veterinary Medical Board (Board) utilizes Consultant Veterinarians (Consultants) to perform an initial evaluation of a case file to determine whether there exists a potential departure from the standard of care; if this is the case, it is then forwarded to a Subject Matter Expert (Expert) to perform a full written review. Round Table meetings are held to give Consultants and Experts an opportunity to address any questions/issues discovered during the review process as well as to go over Standard of Care scenarios.

The Board currently has five Consultants and 50 Experts – comprised of 35 general practitioners and 15 specialists (30 of the Board's Experts are actively reviewing cases). Due to recruiting efforts, the Board was able to add six new Experts to its pool, four of which are general practitioners and two of which are specialists.

Case Reviews

As indicated in Attachment 1, from January 2025 through September 2025, Consultants reviewed 593 cases, of which 315 were determined to be no violation; 17 were found to be educational opportunities; 16 had insufficient evidence; and 245 of those Consultant case reviews were determined to need a full Expert review. The last point is important, as it shows that 41% of cases reviewed by a Consultant are then forwarded to an Expert – meaning our Consultants can filter the majority cases and get them closed more quickly.

From January 2025 through September 2025, Experts reviewed 286 cases, with 102 of those being closed as no violation; 121 were closed with an educational letter; 22 had to be closed due to insufficient evidence/other; 13 of the cases were related to citations (for six respondents); and 28 cases were related to disciplinary action (for 11

Respondents). This demonstrates that 86% of cases closed involving an Expert review did not result in a citation or discipline.

It should be noted that the average number of cases reviewed monthly by Experts is around 32 cases and the average number of cases reviewed by Consultants is 66. The number of cases reviewed dropped a bit in September due to availability issues with some Consultants, as well as large case groups assigned to multiple Experts in August, which were not finalized. The number of cases pending Consultant and Expert review has increased since the last Board meeting (913 and 706 cases respectively), as Board staff is proactively requesting records for all cases; note – this number will continue to rise, as many of our pending complaints haven't had their records requested yet, but will.

Round Tables were held on August 27, 2025 for Consultants and August 28, 2025 for Experts. The Consultant Round Table had five attendees and the Expert Round Table had eleven. During these Round Tables, a variety of report writing topics were covered, including:

- Avoiding: references to other unrelated cases when writing reports, jargon, artificial intelligence, making assumptions on behalf of the respondent, providing personal opinions of the respondent, opining on non-medical issues.
- Reminders that: Experts are required to have 5 out of the prior 7 years of clinical (hands on) experience in the area in which they are opining, each Standard of Care finding should exist on its own, failure to perform is different from failure to document, all medical issues present in the record should be identified

In addition, there were discussions on:

- Condition specific language
- Veterinarians working with a specialist and the application of the Veterinarian-Client-Patient-Relationship
- Overtreatment
- Antibiotic stewardship
- Responsibilities of a vet when firing a client
- Use of waivers
- Inappropriate administration of drugs

B. Post-Discipline SME Reviews and Feedback

The Subcommittee reviewed six finalized cases to identify praise and opportunities for improvement to relay to the Expert who opined on the related case.

Of note, was the comment from the Subcommittee noting that the Expert had “done an amazing job.”

The Subcommittee also identified a few opportunities, such as:

- Taking note of autocorrect and spelling mistakes
- Listing out medical record departures in a more organized way
- Standard of care concerns vs. medical record omissions
- Calling out a failure to discuss diagnostics
- Noting findings from a medical record vs. complaint allegations
- “Improper Treatment” vs. “Improper Diagnosis”
- Concern over the use of PenG
- Dosages of Metronidazole

Quarterly case reviews will continue, provided there are finalized cases from active Experts for the Subcommittee to review.

Enforcement Subcommittee Meeting September 4, 2025

The Subcommittee met on September 4, 2025, to discuss the MDC memo contents and were provided with an update on the following:

- **Strategic Plan Objective 3.4.** – this objective is aimed at increasing the number of Experts and Consultants to decrease investigation processing times. One task to help meet this objective is to create a video to recruit additional Experts to join the team. Board staff met with DCA’s Public Affairs team in September and is in the process of crafting video scripts; however, due to staffing issues, the Public Affairs team noted that videos will likely not be able to be completed until Q1 of 2026.
- **Strategic Plan Objective 5.4.** – this objective is tied to the above, as its goal is to create videos demonstrating how to file a complaint and apply for a license or permit. During the Board’s meeting with DCA’s Public Affairs team, these additional videos were discussed, and a plan is being laid out to create them.
- **Inspector Recruitment** – the Subcommittee discussed the possibility of employing veterinary assistants to conduct premises inspections given the reimbursements rates for inspections.
- It was also determined that any complaints submitted by a licensed veterinarian would automatically be shifted into the Expert queue, rather than having them filtered by a Consultant.

C. Inspection Checklist

Pursuant to Strategic Plan Objective 3.7, the Subcommittee finalized updates to the Hospital Standards Self-Evaluation Checklists (Checklists) to help licensees remain in compliance with regulations. Since the MDC's July 2025 meeting, the Checklists were finalized and sent to DCA Legal for review and approval. Upon approval from Legal, staff will work with the Publications Design and Editing team to develop the checklists for posting on the Board's website and dissemination to stakeholders

The Subcommittee and staff are also creating Checklists to coincide with the Minimum Standards for Alternate Veterinary Premises regulatory package that is anticipated to go into effect January 1, 2026. By starting to update the Checklists before the regulations go into effect, the Subcommittee strives to have those Checklists ready for dissemination upon the regulations' effective date.

Attachment

1. Reviews and Inspections Performed

Reviews Performed

Consultant Reviews Completed 2025										
Month	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Total
Reviews	48	41	63	52	98	92	93	72	34	593
No Violation	23	15	28	25	61	50	55	39	19	315
Insufficient	2	2	1	2	3	0	0	3	3	16
Educational	0	2	0	0	3	2	1	6	3	17
Referred to Expert	23	22	34	25	31	40	37	24	9	245
Pending	-	920 (694)	-	-	898 (724)	-	-	798 (663)	913 (763)	913 (763)
Cases Closed via Expert Reviews 2025										
Month	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Total
Reviews	20	24	29	57	32	36	41	31	16	286
No Violation	12	15	8	26	8	7	11	7	8	102
Insufficient/ Other	1	3	2	2	2	7	3	0	2	22
Educational	6	3	11	27	17	15	20	20	2	121
Citation	1	2(1)	8(3)	2(1)	0	0	0	0	0	13(6)
Discipline	0	1	0	0	5(1)	7(1)	7(3)	4(2)	4(3)	28(11)
Pending	-	671 (458)	-	-	656 (440)	-	-	633 (429)	706 (503)	706 (503)

*Numbers in parenthesis represents the number of Respondents

Inspections Performed

Inspections 2025										
Month	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sep.	Total
Inspections	13	7	13	20	20	14	16	27	15	145