

DEPARTMENT OF CONSUMER AFFAIRS • VETERINARY MEDICAL BOARD1747 North Market Blvd., Suite 230, Sacramento, CA 95834-2978P (916) 515-5220Toll-Free (866) 229-0170Www.vmb.ca.gov



VETERINARY MEDICAL BOARD MEETING MINUTES JULY 24–25, 2024

In accordance with Government Code section 11122.5, the Veterinary Medical Board (Board) met via a teleconference/WebEx Event on **Wednesday**, **July 24**, **2024** and **Thursday**, **July 25**, **2024**, with the following location available for Board and public member participation:

Department of Consumer Affairs 1625 N. Market Blvd., Hearing Room Sacramento, CA 95834

Webcast Links:

- Agenda Items 1–7.B.1 (<u>https://youtu.be/VuhCWWhU8VQ</u>)
- Agenda Items 7.B.2–13 and 17 (excluding the Budget portion of Item 17.A.) (<u>https://youtu.be/av2461FhoTw</u>)
- Agenda Items 14–16, 17 (only the Budget portion of Item 17.A.), and 18–24 (<u>https://youtu.be/m_AjSpINoP8</u>)

<u>10:00 a.m., Wednesday, July 24, 2024</u>

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

Board President, Christina Bradbury, Doctor of Veterinary Medicine (DVM), called the meeting to order at 10:00 a.m. Executive Officer (EO), Jessica Sieferman, called roll; five members of the Board were present, and a quorum was established. Dianne Prado, Esq., was absent from the meeting. Dr. Bradbury welcomed new Board Member, Patrick Espinoza, Esq.

Dr. Bradbury made 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 the meeting was held, including the Nisenan, Southern Maidu, Valley and Plains Miwok, Patwin Wintun Peoples, and the Wilton Rancheria tribes. She noted the Board's continued commitment to working with the tribes on issues of mutual concern.

Members Present

Christina Bradbury, DVM, President

Maria Preciosa S. Solacito, DVM, Vice President (VP) Patrick Espinoza, Esq. Barrie Grant, DVM Kristi Pawlowski, Registered Veterinary Technician (RVT)

Student Liaisons Present

Anna Styles, Western University of Health Sciences (Western University)

Staff Present

Jessica Sieferman, EO Matt McKinney, Deputy EO Patty Rodriguez, Enforcement Manager Rob Stephanopoulos, Enforcement Manager Rachel Adversalo, Enforcement Technician Andrea Amaya-Torres, Lead Enforcement Analyst Keith Betchley, Enforcement Analyst Nellie Forget, Enforcement Analyst Kimberly Gorski, Enforcement Analyst Amber Kruse, Enforcement Analyst Anh-Thu Le, Enforcement Analyst Rachel McKowen, Enforcement Analyst Jeff Olguin, Administration Analyst Kim Phillips-Francis, Enforcement Analyst Robert Rouch, Enforcement Analyst Justin Sotelo, Policy Specialist Daniel Strike, Enforcement Analyst Elizabeth Dietzen-Olsen, Regulations Counsel, Attorney III, Department of Consumer Affairs (DCA), Legal Affairs Division Tara Welch, Board Counsel, Attorney IV, DCA, Legal Affairs Division

Guest Presenters

Melissa Gear, Deputy Director, DCA, Board and Bureau Relations
Edie Marshall, DVM, Branch Chief, California Department of Food and Agriculture (CDFA), Animal Health and Food Safety Services (AHFSS), Antimicrobial Use and Stewardship (AUS) Program
Richard Sullivan, DVM, Chair, Multidisciplinary Advisory Committee (MDC)
Marie Ussery, RVT, Vice Chair, MDC
Beth Venit, DVM, Chief Veterinary Officer, American Association of Veterinary State Boards (AAVSB)

Guests Present

Amy, Sacramento Society for the Prevention of Cruelty to Animals

Dan Baxter, Executive Director, California Veterinary Medical Association (CVMA) Brittany Benesi, Senior Director of State Legislation, American Society for the.

Prevention of Cruelty to Animals (ASPCA)

Kristen Calderon, Director of Member Services, CVMA

Nancy Ehrlich, RVT, California Registered Veterinary Technicians Association (CaRVTA)

Jeni Goedken, DVM, MDC Member

Brina Lopez, Veterinarian Specialist (General), CDFA, AHFSS, AUS

Michael Manno, DVM

Grant Miller, DVM, Director of Regulatory Affairs, CVMA

Katie Murray, DVM, CDFA, AHFSS

Matt Nishimine, Budget Analyst, DCA, Fiscal Office

Marissa Silva, DVM, CDFA, AHFSS

Trisha St. Clair, Moderator, DCA, Strategic Organizational Leadership and Individual Development (SOLID)

Kristy Underwood, EO, California Board of Barbering and Cosmetology Cesar Victoria, Television Specialist, DCA, Office of Public Affairs Valerie Wilson McCarthy

2. Public Comment on Items Not on the Agenda

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. The following public comment was made:

• <u>Grant Miller</u>, DVM, Director of Regulatory Affairs, CVMA, provided the following comment:

Request to Amend California Code of Regulations (CCR), Title 16, Section 2086.4

Dr. Miller stated CVMA, which represents 7,000 veterinary professionals in California, is requesting an amendment to <u>CCR, title 16, section 2086.4</u> to permit RVTs to qualify up to two units or hours of continuing education (CE) credit for providing pro bono services to public animal control agencies or shelters, rescue groups, and humane societies.

Increase Access to Veterinary Care

Dr. Miller stated the request is to meet <u>CVMA's 2024 Action Plan</u> to increase access to veterinary care by finding solutions to affordable spay and neuter services in the state. He noted CVMA has sponsored legislation in successive years to address that issue. He asked for the Board to collaborate in expanding this CE opportunity for RVTs. He stated in 2018, a statutory provision was enacted to allow veterinarians to earn CE credit for providing pro bono spay and neuter services [Business and Professions Code (BPC), § 4846.5, subd. (b)(2)(B)]. However, RVTs do not have the same opportunity to participate in

those programs. He noted the CE requirements for RVTs are housed in regulations rather than in statute, which is why CVMA was making the request.

Draft Letter and Request for Future Meeting Discussion

Dr. Miller stated CVMA has drafted a letter to the Board's EO, and he requested that the Board agendize the item for future meeting discussion.

3. Review and Approval of Board Meeting Minutes

A. <u>April 17–19, 2024</u>

The Board made minor changes to the April 17–19, 2024 Board meeting minutes.

<u>Motion</u>: Dr. Bradbury requested a motion. Kristi Pawlowski, RVT, moved and Maria Preciosa S. Solacito, DVM, seconded a motion to approve the minutes as amended.

<u>Public Comment</u>: Dr. Bradbury requested public comment on the motion. There were no public comments made on the motion.

<u>Roll Call Vote</u>: Dr. Bradbury called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 4-0-1 with Mr. Espinoza abstaining.

Members	Vote			
	Yea	Nay	Abstain	Absent
Christina Bradbury, DVM, President	Х			
Maria Preciosa S. Solacito, DVM, VP	Х			
Patrick Espinoza, Esq.			Х	
Barrie Grant, DVM	Х			
Kristi Pawlowski, RVT	Х			
Dianne Prado				Х

4. <u>Report and Update from Department of Consumer Affairs (DCA)</u>

Melissa Gear, Deputy Director, DCA, Board and Bureau Relations, welcomed new Board Member Mr. Espinoza and presented the Board with the following updates from DCA:

• <u>Board and Bureau Relations</u>: Myriam Valdez-Singh was appointed Deputy Commissioner of Legislation for the California Department of Financial Protection and Innovation (CDFPI). Ms. Valdez-Singh was instrumental in assisting the California Business, Consumer Services, and Housing Agency (BCSHA), DCA, boards, and bureaus in appointing and reappointing Board and advisory committee members. Since Ms. Valdez-Singh's appointment to CDFPI, the Board was asked to work with DCA's Board and Bureau Relations on any of the Board's appointment needs.

- <u>Workplace Violence Prevention Policy and Training</u>: Starting January 1, 2024, <u>Senate Bill (SB) 553</u> requires California employers to develop and implement a workplace violence prevention plan training. As a result, DCA updated its workplace violence prevention policy and training, which is available through DCA's Learning Management System (LMS). The DCA-specific training is mandatory for DCA employees and Board Members, which must be completed by August 30, 2024.
- <u>2024–2025 State Budget</u>: Effective July 1, 2024, the approved new state budget addresses the state's budget deficit through a mix of broad-based solutions, including an 8% budget cut and permanent reduction of vacant positions for all departments. DCA boards and bureaus are directed to scrutinize expenditures, maximize cost savings, and only authorize expenditures that are mission critical and essential to operations and public services.
- <u>Expedited Licensure for Personnel in the U.S. Armed Forces</u>: Effective July 1, 2024, DCA boards and bureaus must <u>expedite licensure for active duty</u> <u>members of the U.S. Armed Forces</u> who are enrolled in the <u>Department of</u> <u>Defense (DOD) SkillBridge program</u> and provide substantiation to the DCA entity.
- <u>Board Leadership and Director's Quarterly Meeting</u>: On June 11, 2024, DCA, board presidents, board executive officers, bureau chiefs, and BCSHA Secretary Tomiquia Moss met to discuss:
 - The 2024–2025 State Budget
 - Information Security Initiatives
 - Diversity, Equity, and Inclusion Activities
 - <u>California's Plain Language Standard</u>
 - DCA's Inclusive Hiring Principles to screen, recruit, and select diverse and qualified candidates.
- <u>Diversity, Equity, and Inclusion (DEI)</u>: On July 26, 2024, DCA's DEI Steering Committee will meet to discuss expanding language access and workforce development. The Board was informed there were multiple training courses available through DCA's LMS.
- **Board Member Recruitment**: Board Member applicants are currently being screened and an appointment may be announced soon.

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

- 5. California Department of Food and Agriculture (CDFA), Animal Health Food Safety Services Division (AHFSS), Antimicrobial Use and Stewardship Program Presentation
 - A. <u>Review, Discussion, and Possible Action on Proposed Legislation to</u> <u>Amend Business and Professions Code (BPC) Section 4883 Regarding</u> <u>Authority to Discipline for Antimicrobial Drug Violations</u>

Edie Marshall, DVM, Branch Chief for the AUS Program, provided the Board with background information on the need for proposed legislation, provided a presentation from the <u>meeting materials</u>, and answered Board questions. The presentation focused on the following:

- CDFA lack of authority to regulate veterinarians and not receiving a response from veterinarians when the CDFA makes an inquiry even after it sends the inquiry via certified mail.
- CDFA lack of email addresses of veterinarians to contact them when issues arise.
- CDFA's Medically Important Antimicrobial Drugs (MIADs) regulations only apply to livestock and not companion animals.
- Veterinary feed directives (VFDs) errors from veterinarians and distributors.
- Veterinarians not utilizing the <u>VFD resources</u> available from the CDFA.

Ms. Sieferman added the Board was being asked to consider including in the Board's Sunset Review Report the legislative proposal to amend BPC section 4883 to clarify the Board's authority to enforce antimicrobial drug and VFD requirements under the Food and Agricultural Code (FAC) and federal law. Ms. Sieferman noted the Board could enter into a Memorandum of Understanding (MOU) between the Board and CDFA to share veterinarian contact information.

Discussion: The Board reviewed the meeting materials, presentation, and discussed the proposed language to amend <u>BPC section 4883(g)(3)</u>.

<u>Motion</u>: Dr. Bradbury requested a motion. Kristi Pawlowski, RVT, moved and Barrie Grant, DVM, seconded a motion to include in the Board's 2025 Sunset Review Report a recommendation to the California State Legislature for the legislative proposal to amend BPC section 4883 regarding disciplinary grounds for unprofessional conduct regarding antimicrobial drugs in animal feed.

Public Comment: Dr. Bradbury requested public comment on the motion. There were no public comments made on the motion. **<u>Roll Call Vote</u>**: Dr. Bradbury called for a vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 5-0.

Members	Vote				
	Yea	Nay	Abstain	Absent	
Christina Bradbury, DVM, President	X				
Maria Preciosa S. Solacito, DVM, VP	Х				
Patrick Espinoza, Esq.	Х				
Barrie Grant, DVM	Х				
Kristi Pawlowski, RVT	Х				
Dianne Prado				Х	

B. <u>Update and Discussion on CDFA's Efforts on the Veterinary Medicine</u> <u>Loan Repayment Program for Designated Veterinarian Shortage</u> <u>Situations</u>

Dr. Bradbury provided the Board with background information, and Dr. Marshall presented the <u>meeting materials</u> and answered Board questions. The presentation focused on the following:

- A limitation of eight nominations per year in areas where there are a shortage of veterinarians who focus on food animal practice.
- CDFA optimizing matching applicants, including assisting the applicants through the process, with successful nominations.
- Only allowed up to 3% of nominations of all national applicants.
- Reaching veterinary students earlier in their education about grant opportunities, including informing them about the 18-month cycle time.
- Grant funds are taxed; the human equivalent of the program is not taxed.

Discussion: The Board reviewed the presentation and discussed:

- The increased costs of going to a veterinary school and emphasizing earlier outreach to students for scholarship opportunities.
- Ways for new licensees to pay back their student loans via scholarships by providing services to the communities, such as livestock or large animal practice.
- Noting the loan repayment assistance is only for public education loans.
- Collaborating the loan information, sending out email notifications, and posting those on the Board's website.

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

6. <u>American Association of Veterinary State Boards (AAVSB) Veterinary Team</u> <u>Survey Presentation</u>—*Dr. Beth Venit, DVM, Chief Veterinary Officer, AAVSB*

Beth Venit, DVM, provided the Board with background information, a presentation from the <u>meeting materials</u>, and answered Board questions. The presentation focused on the results of the AAVSB Veterinary Team Survey, including:

- Surveying and determining if an advanced animal healthcare provider, which is a mid-level veterinary practitioner above an RVT but below a veterinarian, was necessary to address the veterinary shortage throughout the country.
- The results indicated that a mid-level veterinary practitioner was not necessary at this time. However, the results also indicated possibly expanding the scope of practice for RVTs.

Discussion: The Board reviewed the presentation and discussed:

- If the AAVSB distinguished between veterinarian and RVT responses. The Board was informed that the AAVSB did not distinguish between the two, but it may be separated in the future.
- Updates to the <u>AAVSB's Practice Act Model (PAM)</u> in the future, including expanding the scope of practice for RVTs.

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

 <u>Nancy Ehrlich</u>, RVT, CaRVTA, inquired if the AAVSB had considered looking specifically at the job tasks of California RVTs because California RVTs can already perform quite a few of the procedures that are listed in the meeting materials. She was surprised at some of the responses where it was indicated that RVTs should not be able to perform those tasks since RVTs have been able to do those tasks for 50 years. She stated it might be helpful for the AAVSB to look at the history and the types of complaints the Board has filed against RVTs for the last 50 years.

Dr. Venit stated that when the AAVSB built the task list, it included some of the tasks that were in the regulations of member boards.

7. <u>Review, Discussion, and Possible Action on Multidisciplinary Advisory</u> <u>Committee (MDC) Report</u>—*Richard Sullivan, DVM, Chair, MDC*

A. Overview of July 23, 2024 MDC Meeting

Dr. Sullivan provided the Board with an overview of the <u>July 2024 MDC meeting</u> and expanded upon the action items in the subsequent agenda items.

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

B. <u>Recommendations Regarding Records</u>

1. Proposed Legislation to Amend BPC Sections 4826.6 and 4855

Dr. Sullivan and Marie Ussery, RVT, Vice Chair, MDC, provided the Board with background information, a presentation from the <u>meeting materials</u>, including <u>changes to the proposed legislation text</u> approved by the MDC, and answered Board questions.

Discussion: The Board reviewed the meeting materials and discussed the following:

BPC Section 4855

- Concerns raised by the MDC's public member, Kathy Bowler, during the MDC meeting's discussion of <u>BPC section 4855(b)(2)(B)</u>, including instances where the client could not accurately relay the information from the originating veterinarian to the receiving veterinarian.
- Concerns about instances where there is not a designated receiving veterinarian or the receiving veterinary premises is unknown.
- Concerns over incomplete medical records when there is only a written summary on a sheet of paper, only relayed in a speech-to-text document/message, or taking a picture of the note/message and placing it in the medical record. It was noted that for off-site visits, typically the veterinarian is only able to provide diagnosis, assess abnormalities, or provide drugs/medications, and they are not able to provide full diagnostic tests.
- Concerns over the continuity of care between the originating veterinarian and the receiving veterinarian.
- Concerns over instances when multiple animals, including racetrack horses, require emergency services while the animals are mid-transit.

- Restricting the statute to ambulatory situations where the animal is in critical condition.
- Noting that the inclusion of "delegated veterinary personnel" referred to employees overseen by the veterinarian and not individuals, including ranch managers or horse racing staff, who are not part of the veterinarian's team.

<u>Changes to the Text</u>: The following includes the changes to the legislative proposal to amend BPC section 4855 that were discussed and approved by the Board (proposed additions are in <u>double underline blue text</u>; proposed deletions are in <u>double red strikethrough text</u>):

4855. <u>(a)</u> 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 <u>summary copy</u> of that record to the <u>owner of animals receiving veterinary services</u>, when <u>client or their</u> <u>authorized agent within five (5) days of receiving the client's or their</u> <u>authorized agent's verbal or written</u> 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 or their delegated veterinary personnel, 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 because the veterinarian is practicing from a mobile unit, 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 <u>licensed registered veterinary</u> premises shall retain the written record or a complete copy of the written record shall be determined by the board.

<u>Motion</u>: Dr. Bradbury requested a motion. Kristi Pawlowski, RVT, moved and Barrie Grant, DVM, seconded a motion to submit to the California State

Legislature the legislative proposal to amend BPC sections 4826.6 and 4855 regarding records as amended at this meeting.

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

<u>Roll Call Vote</u>: Dr. Bradbury called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 5-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Christina Bradbury, DVM, President	Х			
Maria Preciosa S. Solacito, DVM, VP	Х			
Patrick Espinoza, Esq.	Х			
Barrie Grant, DVM	Х			
Kristi Pawlowski, RVT	Х			
Dianne Prado				Х

Webcast Link:

- Agenda Items 7.B.2–13 and 17 (excluding the Budget portion of Item 17.A.) (<u>https://youtu.be/av2461FhoTw</u>)
 - 2. Initiate a Rulemaking to Amend CCR, Title 16, Section 2032.3

Dr. Sullivan provided the Board with background information and a presentation of the <u>meeting materials</u>.

<u>Motion</u>: Dr. Bradbury requested a motion. Kristi Pawlowski, RVT, moved and Barrie Grant, DVM, seconded a motion to take the following actions:

- 1. Approve the proposed regulatory text to amend California Code of Regulations, title 16, section 2032.3.
- 2. If legislative amendments to Business and Professions Code sections 4826.6 and 4855 are enacted to remove the summary requirement, direct staff to submit the regulatory text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested.
- 3. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the

proposed regulations as noticed for California Code of Regulations, title 16, section 2032.3.

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

Roll Call Vote: Dr. Bradbury called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 5-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Christina Bradbury, DVM, President	Х			
Maria Preciosa S. Solacito, DVM, VP	Х			
Patrick Espinoza, Esq.	Х			
Barrie Grant, DVM	Х			
Kristi Pawlowski, RVT	Х			
Dianne Prado				Х

3. Proposed Legislation to Add BPC Section 4855.1

Dr. Sullivan provided the Board with background information from the <u>meeting materials</u>, including <u>changes to the text</u> suggested by CVMA and approved by the MDC at its July 23, 2024 meeting, and answered Board questions.

Discussion: The Board reviewed the meeting materials and discussed the following:

- Issues of providing payment records to the client so the client may get reimbursed from their pet insurer.
- Issues of consumers losing or requesting an additional copy of their receipt.
- The 30-day requirement to ensure veterinarians have sufficient time to provide the record of payment to the client.

<u>Changes to the Text</u>: The following includes the changes to the legislative proposal for BPC section 4855.1 in the meeting materials that were submitted by the MDC and approved by the Board (proposed additions are in <u>double underline blue text</u>; proposed deletions are in <u>double red</u> strikethrough text):

4855.1. Within thirty (30) days of receiving a written or verbal request by the client or their authorized agent, the licensee manager of the veterinary premises shall provide a record of client payments made to the veterinary premises related to services and treatment provided. A record of client payments made to the veterinary premises related to services and treatment provided to services and treatments provided must be maintained for a minimum of three (3) years after the animal's last visit.

<u>Motion</u>: Dr. Bradbury requested a motion. Patrick Espinoza, Esq., moved and Maria Preciosa S. Solacito, DVM, seconded a motion to submit to the California State Legislature the legislative proposal to add BPC section 4855.1 regarding client payment records.

<u>Public Comment</u>: Dr. Bradbury requested public comment on the motion. There were no public comments made on the motion.

<u>Roll Call Vote</u>: Dr. Bradbury called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 5-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Christina Bradbury, DVM, President	Х			
Maria Preciosa S. Solacito, DVM, VP	Х			
Patrick Espinoza, Esq.	Х			
Barrie Grant, DVM	Х			
Kristi Pawlowski, RVT	Х			
Dianne Prado				Х

C. <u>Recommendation on Legislative Proposal to Amend BPC Section 4809.7</u> <u>Regarding Inspection Authority</u>

Dr. Sullivan provided the Board with background information from the <u>meeting</u> <u>materials</u> and answered Board questions.

Discussion: The Board discussed the meeting materials. It was noted that the performance measures are set internally by the Board's EO and staff and regularly reported to DCA and in Board meeting materials. Board staff are looking at including inspection performance measures in those reports and meeting materials but not be statutorily mandated to annually perform inspections of 20% of the veterinary premises registered with the Board.

<u>Motion</u>: Dr. Bradbury requested a motion. Kristi Pawlowski, RVT, moved and Christina Bradbury, DVM, seconded a motion to submit to the California State Legislature the legislative proposal to amend BPC section 4809.7 regarding veterinary premises inspection authority.

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

<u>Roll Call Vote</u>: Dr. Bradbury called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 5-0.

Members	Vote				
	Yea	Nay	Abstain	Absent	
Christina Bradbury, DVM, President	Х				
Maria Preciosa S. Solacito, DVM, VP	Х				
Patrick Espinoza, Esq.	Х				
Barrie Grant, DVM	Х				
Kristi Pawlowski, RVT	Х				
Dianne Prado				Х	

8. Update and Discussion on Pending Regulations

Justin Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

9. Update and Discussion on 2023–2024 Legislation Impacting the Board, DCA, and/or the Veterinary Profession

- A. Priority Legislation for Board Consideration
 - 1. <u>Assembly Bill (AB) 814 (Lowenthal, 2023) Veterinary Medicine: Animal</u> <u>Physical Rehabilitation</u>

Board's Position at the Time of the Meeting: Oppose

Bill Status at the Time of the Meeting: Dead

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

2. <u>AB 2133 (Kalra, 2024) Veterinary Medicine: Registered Veterinary</u> <u>Technicians</u>

Board's Position at the Time of the Meeting: Oppose

Bill Status at the Time of the Meeting: Dead

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

3. AB 2265 (McCarty, 2024) Animals: Euthanasia

Board's Position at the Time of the Meeting: Watch

Bill Status at the Time of the Meeting: Dead

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

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

4. <u>AB 2269 (Flora, 2024) Board Membership Qualifications: Public</u> <u>Members</u>

Board's Position at the Time of the Meeting: None

Bill Status at the Time of the Meeting: Dead

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

Discussion: The Board discussed whether to take a position on the bill but did not do so.

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

5. <u>AB 2862 (Gipson, 2024) Department of Consumer Affairs: African</u> <u>American Applicants</u>

Board's Position at the Time of the Meeting: None

Bill Status at the Time of the Meeting: Dead

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>. Ms. Welch noted that it is highly likely the bill would be reintroduced in the 2025 legislative year, and she advised the Board to take a position so the Board can be part of the conversation with the author and stakeholders to resolve concerns noted in the meeting materials for this bill. However, since the bill would need to be reintroduced in the 2025 legislative year, Ms. Sieferman advised the Board to wait to take a position until the new legislative proposal was introduced.

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

6. AB 2954 (Carrillo, 2024) Cats: Declawing Procedures: Prohibition

Board's Position at the Time of the Meeting: Watch but grant the Board's Executive Committee authority to oppose any potential legislation during the 2024 legislative session that prohibits veterinarians from performing any cat declawing procedures.

Bill Status at the Time of the Meeting: Dead

Similar Bill(s) Proposed in Prior Legislative Years: <u>AB 1230</u> (Quirk, 2019) and <u>AB 2606</u> (Carrillo, 2022)

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

7. <u>Senate Bill (SB) 1478 (Nguyen, 2024) Veterinary Medicine: Registered</u> <u>Veterinary Technicians</u>

Board's Position at the Time of the Meeting: Support

Bill Status at the Time of the Meeting: Assembly Floor

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

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

B. Other Board-Monitored Legislation

1. AB 3029 (Bains, 2024) Controlled Substances

Board's Position at the Time of the Meeting: Support

Bill Status at the Time of the Meeting: Senate Appropriations Committee.

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

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

2. <u>SB 1233 (Wilk, 2024) University of California: Western University of</u> Health Sciences: Veterinary Medicine: Spay and Neuter Techniques

Board's Position at the Time of the Meeting: Support

Bill Status at the Time of the Meeting: Assembly Appropriations Committee

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

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

3. SB 1459 (Nguyen, 2024) Animal Shelters

Board's Position at the Time of the Meeting: Watch

Bill Status at the Time of the Meeting: Assembly Appropriations Committee.

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

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

4. SB 1502 (Ashby, 2024) Controlled Substances: Xylazine

Board's Position at the Time of the Meeting: Support

Bill Status at the Time of the Meeting: Dead

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

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

5. <u>SB 1526 (Committee on Business, Professions and Economic</u> <u>Development, 2024) Consumer Affairs</u>

Board's Position at the Time of the Meeting: Support

Bill Status at the Time of the Meeting: Assembly Floor

<u>Staff Update</u>: Mr. Sotelo provided the Board with background information and a presentation from the <u>meeting materials</u>.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

C. Legislative Proposals for Consideration to Include in Board's 2025 Sunset Review Report

1. <u>Amend BPC Section 4845 Regarding Issuing Probationary Veterinary</u> <u>Technician Registrations and Veterinary Assistant Controlled</u> <u>Substance Permits</u>

Ms. Sieferman provided the Board with background information and a presentation from the <u>meeting materials</u>, including the <u>legislative proposal</u>.

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

2. <u>Add BPC Section 4882 to Authorize Stipulated Settlements Without</u> <u>Requiring Commencement of Formal Disciplinary Proceedings under</u> <u>Administrative Procedures Act</u>

Ms. Sieferman provided the Board with background information and a presentation from the <u>meeting materials</u>, including the <u>legislative proposal</u>. Ms. Sieferman noted that two other DCA boards and one bureau have similar authority to enter in stipulated settlements; this proposal could reduce Board enforcement cycle times and costs.

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

3. <u>Amend BPC Section 4887 Regarding Petitions for Reinstatement or</u> <u>Modification or Early Termination of Probation</u>

Ms. Sieferman provided the Board with background information and a presentation from the <u>meeting materials</u>, including the <u>legislative proposal</u>.

Ms. Welch noted that the amendment to subdivision (c) would remove the requirement that there be a vote of five Board Members to reinstate a revoked license. She noted the recent struggle with the Board's membership, also experienced by other boards. She further noted there does not seem to be any necessity for the requirement. Ms. Sieferman added the new requirement would be a majority of the quorum.

Public Comment: Dr. Bradbury requested public comment on this item. There were no public comments made on this item. Motion: Dr. Bradbury requested a motion. Kristi Pawlowski, RVT, moved and Patrick Espinoza, Esq., seconded a motion to include in the Board's 2025 Sunset Review Report a recommendation to the California State Legislature the legislative proposal to amend BPC sections 4845 and 4887 and add section 4882 as shown in <u>Attachment 7</u>.

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

<u>Roll Call Vote</u>: Dr. Bradbury called for the vote on the motion. Ms. Sieferman took a roll call vote on the motion. The motion carried 5-0.

Members	Vote			
	Yea	Nay	Abstain	Absent
Christina Bradbury, DVM, President	Х			
Maria Preciosa S. Solacito, DVM, VP	Х			
Patrick Espinoza, Esq.	Х			
Barrie Grant, DVM	Х			
Kristi Pawlowski, RVT	Х			
Dianne Prado				Х

10. Student Liaison Reports

A. <u>University of California, Davis, Liaison</u>—Holly Masterson

The University of California, Davis (UC Davis) student liaison report was not discussed.

B. <u>Western University of Health Sciences, Liaison</u>—Anna Styles

Ms. Styles presented the Board with the following updates from Western University:

- <u>New Hire</u>: Essam Abdelfattah, Ph.D., was hired as the new Assistant Professor of Food Animal Science.
- <u>Conducting a Study of Students</u>: In partnership with UC Davis, both universities are conducting a studying of students who are or are not deciding to go into large animal medicine.
- Open House Event: In April 2024, thousands of individuals visited the annual event that highlighted the various aspects of the veterinary profession and school curriculum.
- <u>Community Engagement at Mount San Antonio College</u>: Western University veterinary students met with college and high school students to discuss their journey into veterinary medicine profession.

- <u>New Graduates</u>: 109 students graduated, earning their DVM degree. At least 20 of the graduates are going into internship positions.
- Veterinary Summer Research Program: The veterinary summer research program has approximately 30 students of which half are participating in full-time grant-funded research projects. These students are working with faculty in the colleges of veterinary medicine, pharmacy, and dental medicine, and also the University of California, San Diego's Center for Veterinary Sciences and Comparative Medicine. Students are also working with mentors at the <u>City of Hope</u> for cancer research.
- <u>Faculty Appointments to Prestigious Institutions</u>: Maria Fahie, DVM, Professor of Small Animal Surgery, became the first faculty member to join the <u>Editorial Board for the Journal of Veterinary Medical Education</u>. Dr. Fahie was also elected as the <u>Secretary to the Academy of Veterinary</u> <u>Educators</u>.
- <u>Dean of the College of Veterinary Medicine</u>: John Tegzes, Veterinariae Medicinae Doctoris (VMD), was promoted from Interim Dean to official Dean of the College of Veterinary Medicine.

Discussion: The Board discussed and requested that Ms. Styles collaborate between the CDFA, Board, and both Western University and UC Davis to promote the financial incentives intended to reduce the burden of student loans on these future veterinarians. The Board also requested that she report on the progress of this collaboration at the next Board meeting.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

11. Board President Report—Christina Bradbury, DVM

Dr. Bradbury presented the Board with the following updates:

- <u>Animal Physical Rehabilitation</u>: Dr. Bradbury and Ms. Sieferman met with Senate Business, Professions and Economic Development Committee staff, the CVMA lobbyist, and the Physical Therapy Board of California Executive Officer to discuss AB 814, during which they reworked the bill and incorporated most of the changes into the California Physical Therapy Practice Act. Even though the bill died, a similar bill is expected for the next legislative year.
- <u>New Board Member</u>: Dr. Bradbury and Ms. Sieferman met with new Board Member Mr. Espinoza to welcome him to the Board and initiate the onboarding process.
- <u>CVMA's Board of Governors</u>: Dr. Bradbury and Ms. Sieferman met with CVMA's Board of Governors to discuss ongoing topics.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

12. <u>Registered Veterinary Technician Report</u>—Kristi Pawlowski, RVT

Ms. Pawlowski, RVT, presented the Board with the following updates:

<u>AAVSB's Veterinary Technician National Examination (VTNE)</u>: In June 2024, Ms. Pawlowski met with a non-AAVSB psychometrician and a non-AAVSB senior test developer in-person for item writing and exam development. She expressed her concerns over some of the test items that were outdated or never performed in practice. In addition, there were concerns raised, especially by educators, during the exam development that they were trying to protect the test from on-the-job training (practical experience) only RVTs.

Discussion: The Board discussed concerns that the VTNE was being developed only for individuals who graduate from a program accredited by the American Veterinary Medical Association (AVMA) Committee on Veterinary Technician Education and Activities (CVTEA).

Ms. Sieferman noted she has been told multiple times in past meetings that individuals who do not graduate from an AVMA CVTEA-accredited program are a danger to consumers and animal patients. However, there has been no data that supports this claim.

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

 <u>Nancy Ehrlich</u>, RVT, CaRVTA, stated she was unable to find the <u>VTNE pass</u> rates on the Board's website, and it was posted in the past. She thought it would be very useful and stated that applicants who went through the alternate route pathway did well and better than applicants who graduated from an AVMA CVTEA-accredited program. She thought the Board should consider posting on its website the VTNE pass rates.

Ms. Sieferman noted the Board has the authority to approve alternate route programs (<u>BPC section 4843</u>). In its history, the Board only approved one veterinary technician program (San Diego Mesa College), which was in 2012. She noted the Board never fully implemented its authority to approve the alternate route programs as the schools were regulated under various other entities. She noted that in the next Sunset Review Report, the Board will be requesting the Legislature remove this authority. She stated this caused confusion as it appeared the Board was monitoring and approving programs when it was not.

*Agenda items for this meeting were taken out of order, and the Board moved to <u>Agenda Item 17</u>. The order of business conducted herein follows the publicly noticed Board meeting Agenda.

13. Recess Open Session until July 25, 2024, at 9:00 a.m.

Dr. Bradbury recessed open session at 4:26 p.m.

9:00 a.m., Thursday, July, 25, 2024

Webcast Links:

- Agenda Items 14–16, 17 (only the Budget portion of Item 17.A.), and 18–24 (<u>https://youtu.be/m_AjSpINoP8</u>)
- Agenda Item 17 (excluding the Budget portion of Item 17.A.) (<u>https://youtu.be/av2461FhoTw?t=1h28m18s</u>)

14. <u>Reconvene Open Session – Establishment of a Quorum</u>

Board President, Christina Bradbury, DVM, called the meeting to order at 9:00 a.m. EO, Jessica Sieferman, called roll; five members of the Board were present, and a quorum was established. Dianne Prado, Esq., was absent from the meeting.

Members Present

Christina Bradbury, DVM, President Maria Preciosa S. Solacito, DVM, VP Patrick Espinoza, Esq. Barrie Grant, DVM Kristi Pawlowski, RVT

Student Liaison Present

Anna Styles, Western University

Staff Present

Jessica Sieferman, EO Matt McKinney, Deputy EO Patty Rodriguez, Enforcement Manager Rob Stephanopoulos, Enforcement Manager Nellie Forget, Enforcement Analyst Kimberly Gorski, Enforcement Analyst Brett Jarvis, Enforcement Analyst Amber Kruse, Enforcement Analyst Anh-Thu Le, Enforcement Analyst

Jeff Olguin, Administration Analyst

Robert Rouch, Enforcement Analyst

Justin Sotelo, Policy Specialist

Daniel Strike, Enforcement Analyst

Elizabeth Dietzen-Olsen, Regulations Counsel, Attorney III, DCA, Legal Affairs Division

Tara Welch, Board Counsel, Attorney IV, DCA, Legal Affairs Division

Guest Presenters

Harmony DeFilippo, Budget Manager, DCA, Fiscal Office Mark Nunez, DVM, Director, AAVSB Beth Venit, DVM, Chief Veterinary Officer, AAVSB

Guests Present

Kathy Bowler, MDC Member Elizabeth Coronel, Staff Services Manager, DCA, SOLID Nancy Ehrlich, RVT, CaRVTA Muhammed Emwazi Ann Fisher, Administrative Analyst, DCA, SOLID Melissa Gear, Deputy Director, DCA, Board and Bureau Relations Damien Soup Beth Venit, VMD, DACVPM, Chief Veterinary Officer, AAVSB Cesar Victoria, Television Specialist, DCA, Office of Public Affairs Brendan Vue, Office Technician, DCA, Fiscal Office

*Agenda items for this meeting were taken out of order, and the Board moved to <u>Agenda Item 17.A.</u> The order of business conducted herein follows the publicly noticed Board meeting Agenda.

15. Update, Discussion, and Possible Action Regarding AAVSB—*Mark Nunez, DVM, AAVSB, Board of Directors*

A. 2024 Annual Meeting and Conference

Dr. Nunez provided the Board with a presentation from the meeting materials.

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

B. Proposed Bylaws Amendments

Dr. Nunez provided the Board with a presentation from the <u>meeting materials</u>, and noted the AAVSB's proposed revisions to page 14 of the Bylaws, in Section 10. Regulatory Policy Committee, to change the appointment terms from two to three year terms.

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

C. <u>Leadership Nominees</u>

Dr. Nunez and Ms. Sieferman provided the Board with a presentation from the <u>meeting materials</u>. Ms. Sieferman noted that she received the Nominee Committee Report on the day of the Board meeting. She read the report into the record which included nominee, voting information, and eligible members to the nominating committee. She provided the Board with the ballot nominations, which included:

- **<u>President-Elect (One Open Position)</u>**: Tim Kolb, DVM, Ohio
- <u>Treasurer (One Open Position)</u>: Amy Hayward, Licensed Veterinary Technician (LVT), District of Columbia
- <u>Directors (Three Open Positions)</u>: Jared Granier, Executive Director of the Louisiana Board of Veterinary Medicine; Jennifer Pedigo, Executive Director of the Nevada Board of Veterinary Medical Examiners; and one open position.

Discussion: The Board reviewed the meeting materials and discussed the following:

- <u>Unable to Nominate their First Choice as a Director</u>: The Board discussed its desire to nominate Michelle Shane, Executive Director, Kentucky Board of Veterinary Examiners as one of the AAVSB's Directors, but it was notified that Ms. Shane was pressured not to accept nomination with the AAVSB.
- Importance of the Elections: The Board discussed the importance of the positions with the AAVSB, the implications of their actions, and how those changes impact California specifically.
- <u>Selecting a Nominee</u>: The Board noted that it had until the end of September to select its nominees.

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

D. Regional Mentorship Program

Ms. Sieferman presented the Board with the following updates:

- <u>Executive Director Advisory Committee (EDAC)</u>: The AAVSB created EDAC, which is broken down by regions, for the Executive Directors to help them with their roles, regional issues, and the AAVSB.
- <u>West Coast Region</u>: Ms. Sieferman is assigned to the West Coast Region, which includes: Alaska, California, Hawaii, Nevada, Oregon, and Washington.

Discussion: The Board discussed the presentation, including the regional directors issues, and Ms. Sieferman answered questions about the report.

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

E. Practice Act Model and Model Regulations

Dr. Nunez and Dr. Venit provided the Board with a presentation from the <u>meeting materials</u>, which included a focus on the following:

- Practice Act Model (PAM): The AAVSB's PAM is not intended to serve as the gold standard, but as a general model that member boards may, but are not required to, adopt.
- Scope of Practice for Veterinary Technicians: Animal health care tasks for RVTs, which includes proposed definitions for "immediate supervision," "direct supervision," and "indirect supervision."
- <u>Appropriate Use of Opioids</u>: The "<u>XX</u>" notations within the document is intended to provide jurisdictions the freedom to determine the time period that is appropriate for that task.
- Introductions of the PAM and Model Regulations: The introductions inform readers that the PAM and Model Regulations are for reference purposes only. Jurisdictions are not required to adopt the regulations.
- <u>PAM Sections for Review</u>: The AAVSB is requesting feedback as it is reviewing and creating new model regulations. It was noted that in the future, there will be model regulations for minimum standards for veterinary facilities.

Discussion: The Board reviewed the AAVSB's PAM Scope of Practice for Veterinary Technicians and Veterinary Technologist language of the meeting materials and discussed the following:

 Immediate Supervision for Veterinary Technicians: Under Section 1. Immediate Supervision, the Board discussed RVTs performing the animal health care tasks under paragraph (2), which states "placement of

abdominal, thoracic, or percutaneous endoscopic gastrostomy (PEG) tubes." The primary concern was this would be considered a surgical procedure, which is prohibited in California and may be prohibited in other jurisdictions.

- Placement of Tubes by Veterinary Technicians: Under Section 2. Direct Supervision, the Board discussed RVTs performing the animal health care tasks under paragraph (7), as it might indicate the RVT can perform surgical placement of tubing in an animal patient. The Board indicated a preference for non-surgical placement of the tubing to avoid a procedure that may end up life-threatening.
- Fluid Aspiration from a Body Cavity or Organ: In Section 2. Direct Supervision, paragraph (1), Dr. Bradbury was concerned over the supervision of RVTs performing fluid aspiration from any other body cavity or organ. She recommended moving the requirement under immediate supervision with the exception of cystocentesis, which could remain under direct supervision. However, the remaining Board Members felt that it was the veterinarian's responsibility over the animal health care tasks and recommended no changes to the language.
- Compounded Drug Preparations: Under Section 3. Indirect Supervision, Ms. Welch raised concerns over RVTs performing animal health care tasks under paragraph (1), as it might include compounded drug preparations. She noted the Board's regulations, <u>CCR</u>, <u>title 16</u>, <u>section 2036</u>, specify that drug compounding from bulk substances may only be performed under the direct supervision of a licensed veterinarian, and drug compounding from non-bulk substances may be performed by an RVT under the indirect supervision of a licensed veterinarian. She suggested the language may need some more clarification as it relates to drug compounding. The Board accepted her suggestion and recommended the AAVSB provide clarification under paragraph (1), as it relates to drug compounding; the Board's regulatory language is available for reference under <u>CCR</u>, <u>title 16</u>, <u>section 2036</u>.

Changes to the AAVSB's PAM Scope of Practice for Veterinary

Technicians and Veterinary Technologist Language: The following includes the changes to the AAVSB meeting materials that were proposed by the Board (proposed additions are in <u>double underline blue text</u>; proposed deletions are in <u>double red strikethrough text</u>):

Section 1. Immediate Supervision.

[...]

Line 13 (2) Placement of abdominal, thoracic, or percutaneous endoscopic gastrostomy (PEG) tubos.

[...]

Section 2. Direct Supervision.

[...]

Line 29 (7) <u>Non-surgical</u> <u>P</u>lacement of tubes, including but not limited to, gastric, nasogastric, and nasoesophageal.

[...]

Discussion: The Board continued review of the AAVSB's PAM General Provisions language included in the meeting materials and discussed the following:

- Integrative Therapies: Under Section 105(1), the Board suggested changing the reference of "Alternative Therapies" to "Integrative Therapies."
- <u>Euthanasia Personnel</u>: Under Section 108(g), the Board suggested that the term "volunteer" of an animal shelter be further clarified whether it meant a veterinarian, RVT volunteer, or individual certified to perform euthanasia. The Board recommends only licensed veterinary professionals or individuals certified to perform euthanasia provide these services.
- Anti-Cruelty: Under Section 108(i), the Board suggested the AAVSB review the Board's concerns over the exemption of any person or their employees in relation to animal cruelty laws in California and suggested narrowing this exemption. Board staff were instructed to provide the AAVSB with the Board's examples, including unlicensed owners or bona fide employees of the owner(s) performing surgeries on their animals causing death.
- <u>Bill of Rights</u>: Under Section 213(a)(5), the Board suggested the AAVSB consider that the Bill of Rights may be a large task for boards to undertake.
- Licensees of a Veterinary Premises: Under Section 309(a)(5) and (c)(3)(iv), the Board asked the AAVSB to reconsider this requirement as this this might be a large undertaking considering high staff turnover at each veterinary premises. If this is a requirement, then the burden should be placed on the licensee to identify their employer or affiliated veterinary premises. It was noted that the intent of Section 309 was to compliment the two model regulations in relation to telemedicine that were adopted in the prior year. It would also allow a veterinary facility to track practitioners within that same jurisdiction in an attempt to curb pill mills.

- Moral Turpitude or Immorality: Under Section 401(a)(6), the Board noted the language "moral turpitude or immorality" is subjective and may cause issues involving enforcement review of violations occurring in other jurisdictions. The Board considered this item duplicative of subsection (a).
- <u>Sexual Misconduct</u>: Under Section 401(b), the Board was concerned over the deferring action when an impaired licensee is providing treatment to an animal. The Board considered direct action be taken to protect consumers and their animals.

Changes to the AAVSB's PAM General Provisions Language: The following includes the changes to the AAVSB meeting materials that were proposed by the Board (proposed additions are in <u>double underline blue text</u>; proposed deletions are in <u>double red strikethrough text</u>):

[...]

Section 105. Practice of Veterinary Medicine.

[...]

Lines 33–37 (1) Directly or indirectly consults, diagnoses, prognoses, corrects, supervises, recommends, or performs medical, dental, or surgical treatment, including Complementary and <u>Alternative Integrative</u> Therapies, for the diagnosis, prevention, cure, or relief of a wound, defect, deformity, fracture, bodily injury, disease, physical, behavioral, or mental condition;

[...]

Section 309. Registration of Veterinary Facilities.

[...]

Line 344 (a)(5) Identities of Licensees employed by or affiliated with the Veterinary Facility; and

[...]

Lines 378–379 (c)(3)(iv) Changes in the identities of Licensees employed by or affiliated with the Veterinary Facility; and

[...]

Section 401. Grounds, Penalties, and Reinstatement.

[...]

Line 444 (a)(6) Any act involving moral turpitude or immorality;

[...]

<u>Public Comment</u>: Dr. Bradbury requested public comment on this item. There were no public comments made on this item.

16. <u>Update, Discussion, and Possible Action on 2025 Sunset Review Report</u>

Ms. Sieferman provided the Board with background information and a presentation from the <u>meeting materials</u>. Ms. Sieferman and Ms. Welch answered Board questions.

Discussion: The Board reviewed the meeting materials, made minor changes to the report, and requested the following:

- <u>Land Acknowledgement for Indigenous Peoples</u>: The Board seeks to include a land acknowledgement for the indigenous peoples of California.
- <u>Workforce Shortages (Item 62.a.)</u>: Add CDFA food animal work force shortages, include grant information and issues with taxation on grants, and include California and national specific data.
- <u>Explore a Practical Experience Only Pathway for RVTs</u>: The Board seeks to explore the possibility of a practical experience only pathway for RVTs since RVTs with only practical experience may earn a California RVT registration if they are licensed in another U.S. jurisdiction and have passed the VTNE.
- <u>Remove Board Authority to Approve CE Providers</u>: There are several dozen CE providers that are already statutorily approved, so the Board considered removing itself from approving additional CE providers.
- <u>Administrative Procedures Manual</u>: Review the Administrative Procedures Manual at the October 2024 Board meeting.

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

*Agenda items for this meeting were taken out of order, and the Board moved to <u>Agenda Item 18</u>. The order of business conducted herein follows the publicly noticed Board meeting Agenda.

Webcast Links:

 Agenda Item 17 (excluding the Budget portion of Item 17.A.) (<u>https://youtu.be/av2461FhoTw?t=1h28m18s</u>)

 Agenda Item 17 (only the Budget portion of Item 17.A.) (<u>https://youtu.be/m_AjSpINoP8?t=1m33s</u>)

17. *Executive Management Reports

A. *<u>Administration</u>

Matt McKinney provided the Board with a presentation from the <u>meeting</u> <u>materials</u>.

†Harmony DeFilippo, Budget Manager, DCA, Fiscal Office, provided the Board with <u>budget updates</u>.

Mr. McKinney, Ms. Sieferman, and Ms. DeFilippo answered Board questions about the report.

Public Comment: Dr. Bradbury requested public comment on this item. There were no public comments made on <u>July 24, 2024</u> or <u>July 25, 2024</u>.

†Only the Budget section of the Administration Report was presented on July 25, 2024. The remainder of Agenda Item 17.A. was presented on July 24, 2024. Agenda items for this meeting were taken out of order, and the Board moved to <u>Agenda Item 15</u>. The order of business conducted herein follows the publicly noticed Board meeting Agenda.

B. *<u>Examination/Licensing</u>

Mr. McKinney provided the Board with a presentation from the <u>meeting</u> <u>materials</u>. Mr. McKinney and Ms. Sieferman answered Board questions about the report. Ms. Sieferman noted that for some expedited class applicants, the application process was taking longer than regulation applications because of the documentation requirements to qualify for the expedited class process.

Public Comment: Dr. Bradbury requested public comment on this item. There were no public comments made on <u>July 24, 2024</u> or <u>July 25, 2024</u>.

C. *<u>Enforcement</u>

Patty Rodriguez and Rob Stephanopoulos provided the Board with a presentation from the <u>meeting materials</u>. Ms. Rodriguez, Mr. Stephanopoulos, and Mr. McKinney answered Board questions about the report.

Ms. Welch reminded the Board that the case of San Francisco Society for the Prevention of Cruelty to Animals, et al. v. Jessica Sieferman, United States District Court, Case No. 2:21-cv-00786-TLN-KJN was dismissed in January 2024.

Public Comment: Dr. Bradbury requested public comment on this item. There were no public comments made on <u>July 24, 2024</u> or <u>July 25, 2024</u>.

D. *<u>Outreach</u>

Jeff Olguin provided the Board with a presentation from the meeting materials.

Public Comment: Dr. Bradbury requested public comment on this item. There were no public comments made on <u>July 24, 2024</u> or <u>July 25, 2024</u>.

E. *Strategic Plan

Mr. McKinney provided the Board with a presentation from the <u>meeting</u> <u>materials</u>.

Public Comment: Dr. Bradbury requested public comment on this item. There were no public comments made on <u>July 24, 2024</u> or <u>July 25, 2024</u>.

*Agenda items for this meeting were taken out of order, and the Board moved to <u>Agenda Item 13</u>. The order of business conducted herein follows the publicly noticed Board meeting Agenda.

18. Future Agenda Items and Next Meeting Dates

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

- MDC tasks with priority to tasks requiring legislative changes.
- Workforce shortages.
- Review CE requirements for RVTs under CCR, title 16, section 2086.4 as requested by CVMA at the July 2024 MDC meeting.
- <u>Spectrum of Care Initiative</u>, including outreach and how to talk to consumers.
- Administrative Procedures Manual.

She provided the following proposed future meeting dates:

• October 16–17, 2024

• July 16–17, 2025

• January 15–16, 2025

• October 15–16, 2025

• April 16–17, 2025

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

19. Recess Open Session

The Board did not recess open session as there were no closed session items.

20. Convene Closed Session

The Board did not convene closed session as there were no closed session items.

21. Pursuant to Government Code Section 11226(c)(3), the Board Will Meet in Closed Session to Deliberate and Vote on Disciplinary Matters, Including Stipulated Settlements and Proposed Decisions

This item was not discussed as there were no disciplinary matters to discuss.

22. Adjourn Closed Session

The Board did not adjourn closed session as there were no closed session items.

23. Reconvene Open Session

The Board did not reconvene open session as there were no closed session items.

24. Adjournment—Meeting adjournment may not be webcast if it is the only item that occurs after Closed Session.

Dr. Bradbury adjourned the meeting at 12:34 p.m.

Hyperlinks to the webcast are controlled by a third-party and may be removed at any time. They are provided for convenience purposes only and are not considered part of the official record.