

Disciplinary Guidelines



Veterinary Medical Board



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Table of Contents

Introduction	1	4883(k); 4836.2(c)(1); 4837(a); 4842(c) Fraud, misrepresentation, deception in obtaining license, registration, or permit	10
Penalties by Business and Professions Code Section Number			
4883(a); 4836.2(c)(5); 4837(b); 4842(d); 480(a)(1); 490 Conviction of a crime substantially related to veterinary medicine	2	4883(l); 4842(e) Discipline of license in another state or territory	10
4883(b); 4837(d) Lending name to illegal practitioner	3	4883(m) Cruelty to animals or conviction on a charge of cruelty to animals, or both.....	10
4883(c); 4836.2(c)(4); 4836.5; 4837(e) Violation of the provisions of this chapter.....	3	4883(n); 141 Disciplinary action taken by other agencies that relate to the practice of veterinary medicine	11
4883(d), (e) Fraud or dishonesty regarding biological tests; Improper employment to demonstrate the use of biologics in animals.....	4	4883(o); 4837(e) Violation, or the assisting or abetting violation, of any Board regulations...	12
4883(f) False or misleading advertising	4	4855 Written records.....	12
4883(g); 4836.2(c)(2), (3); 4837(c) Unprofessional conduct-drugs	5	4856 Inspection of records or premises.....	13
4883(g) General unprofessional conduct.....	6	4857 Record Confidentiality.....	13
4883(h) Failure to keep premises and equipment clean and sanitary	7	4830.5 Duty to report staged animal fighting ...	14
4883(i) Negligence	7	4830.7 Duty to report animal abuse or cruelty..	14
4883(i) Incompetence	8	4836.5; 4837 Disciplinary proceedings against veterinarians and RVTs	14
4883(i); 480(a)(2) Fraud or deception	9	Standard Orders	15
4883(j); 4836.2(c)(4); 4836.5; 4842(b) Aiding or abetting in acts which are in violation of this chapter.....	9	Probation Terms and Conditions	
		Standard terms and conditions of probation....	16
		Optional terms and conditions of probation ...	19
		Definitions	25

Introduction

The Veterinary Medical Board (Board) developed the Disciplinary Guidelines outlined in this manual for its Executive Officer, staff, legal counsel, administrative law judges, and other persons involved in the Board's enforcement process to be used for the purpose of creating judgment orders in formal disciplinary actions. These guidelines are published in regulations for the public and the profession so that the processes used by the Board to impose discipline are readily available and transparent.

The Board recognizes that each case is unique and that mitigating or aggravating circumstances in a particular case may necessitate variations. Therefore, the Board has developed minimum and maximum penalties to assist in determining the appropriate level of discipline. If an administrative law judge finds that a violation occurred but assesses less than the minimum penalty for that violation, the Board requests that the administrative law judge fully explain the reasons and the circumstances for the deviation. In addition, probationary conditions are divided into two categories, 1) standard terms and conditions that are used for all cases, and 2) optional terms and conditions that are used for specific violations and circumstances unique to a specific case.

The Board grants licenses to veterinarians, grants registrations to veterinary premises and veterinary technicians, and issues veterinary assistant controlled substance permits. If there is action taken against both the individual licensee and the premises

registration, then the disciplinary order should reflect actions against each. However, in some cases, minimum standard violations are so severe that it is necessary to take immediate action and suspend the license of a facility. In these instances, the veterinary license and the premises registration may be disciplined separately, and the disciplinary order should reflect the separate action.

Because of the severity of cases resulting in actions taken by the Office of the Attorney General, the Board has established that the minimum penalty shall always include revocation or suspension with the revocation or suspension stayed and terms and conditions of probation imposed. The threat of the revocation or suspension being reinstated helps to ensure compliance with the probationary terms and conditions. The Board recommends that for alcohol or drug abuse related violations, the minimum term of probation should be five years, and in addition, the mandatory terms and conditions listed specifically for this type of case shall be imposed.

A respondent may be represented by private counsel during enforcement proceedings, up to entry of a final disciplinary order. Following entry of the final order, including, but not limited to, while the respondent is on probation, the respondent may receive the assistance of private counsel, but the respondent shall communicate directly with Board staff. Written communications from the Board will only be sent to the respondent.

Penalties by Business and Professions Code Section Number

Section	4883(a); 4836.2(c)(5); 4837(b); 4842(d); 480(a)(1); 490
Violation	Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, surgery, or dentistry, in which case the record of the conviction shall be conclusive evidence.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty (as appropriate)	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • \$2,000 fine • Standard terms and conditions • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » Suspension » Limitations on practice » Supervised practice » No ownership of a veterinary hospital or clinic » No management of a veterinary hospital/no supervision of interns or residents » Continuing education » Psychological evaluation and/or treatment » Medical evaluation and/or treatment » Rehabilitation program » Submit to drug testing » Abstain from controlled substances/alcohol » Community service » Restitution » Ethics training

Maximum penalties should be considered if the criminal act caused or threatened harm to an animal or the public, if there have been limited or no efforts at rehabilitation, or if there were no mitigating circumstances at the time of the commission of the offense(s).

Minimum penalties may be considered if there is evidence of an attempt(s) at self-initiated rehabilitation. Evidence of self-initiated rehabilitation includes, but is not limited to, pro bono services to nonprofit organizations or public agencies that improve the care and treatment of animals or improve generally society's interactions with animals. Self-initiated rehabilitation measures also include, but are not limited to, specific training in areas of weakness, full restitution to persons harmed by the licensee or registrant, completion of treatment or other conditions of probation ordered by the court, or compliance with all laws since the date of the occurrence of the crime.

Section	4883(b); 4837(d)
Violation	Having professional connection with, or lending the licensee's or registrant's name to, any illegal practitioner of veterinary medicine and the various branches thereof.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed Two-year probation • Standard terms and conditions • \$2,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension for each offense » No ownership of a veterinary hospital or clinic » No management of a veterinary hospital/no supervision of interns or residents » Ethics training
<p>Maximum penalties should be considered if the acts or omissions caused or threatened harm to an animal or client, or if there are prior violations of the same type of offense.</p> <p>Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to an animal or cause detriment to a client.</p>	

Section	4883(c); 4836.2(c)(4); 4836.5; 4837(e)
Violation	Violation or attempt to violate, directly or indirectly, any of the provisions of the chapter.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » Restitution » Ethics training
<p>Maximum penalties should be considered if the actions were intended to subvert investigations by the Board or in any way hide or alter evidence that would or could be used in any criminal, civil, or administrative actions.</p> <p>Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to an animal or cause detriment to a client.</p>	

Section	4883(d), (e)
Violation	Fraud or dishonesty in applying, treating, or reporting on tuberculin or other biological tests. Employment of anyone but a veterinarian licensed in the State to demonstrate the use of biologics in the treatment of animals.
Maximum Penalty	Revocation or suspension and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$5,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension of license and/or premises registration » Medical records review » Continuing education » Community service
<p>Maximum penalties should be considered if the acts or omissions caused public exposure of reportable diseases (rabies, brucellosis or tuberculosis) or other hazardous diseases of zoonotic potential.</p> <p>Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to an animal or cause detriment to a client.</p>	

Section	4883(f)
Violation	False or misleading advertising.
Maximum Penalty	Revocation and/or suspension and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • 30-day suspension • Standard terms and conditions • \$2,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » Restitution » Ethics training
<p>Maximum penalties should be considered if the advertising was deceptive, caused or threatened harm to an animal, or caused a client to be misled and suffer monetary damages. In that case, one of the probationary terms should be restitution to any client damaged as a result of the violation. The more severe penalty should be considered when there are prior violations of the same type of offense.</p> <p>Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to an animal or cause detriment to a client.</p>	

Section	4883(g); 4836.2(c)(2), (3); 4837(c)
<p>Violation</p>	<p>Unprofessional conduct that includes, but is not limited to, the following:</p> <p>(1) Conviction of a charge of violating any federal statutes or rules or any statute or rule of this state regulating dangerous drugs or controlled substances.</p> <p>(2) (A) The use of, or prescribing for, or administering to oneself, any controlled substance.</p> <p>(B) The use of any of the dangerous drugs specified in Section 4022, or of alcoholic beverages to the extent, or in any manner as to be dangerous or injurious to a person licensed or registered under this chapter, or to any other person or to the public, or to the extent that the use impairs the ability of the person so licensed or registered to conduct with safety the practice authorized by the license or registration.</p> <p>(C) The conviction of more than one misdemeanor or any felony involving the use, consumption, or self-administration of any of the substances referred to in this section. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section.</p> <p>(3) A violation of any federal statute, rule, or regulation or any of the statutes, rules, or regulations of this state regulating dangerous drugs or controlled substances.</p>
<p>Maximum Penalty</p>	<p>Revocation and a \$5,000 fine</p>
<p>Minimum Penalty</p>	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$5,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Supervised practice » Psychological evaluation and/or treatment » Medical evaluation and/or treatment » Surrender DEA license/send proof of surrender to Board within 10 days of the effective date of the Decision » No ownership of a veterinary hospital or clinic » No management of a veterinary hospital/no supervision of interns or residents » Rehabilitation program » Submit to drug testing » Abstain from use of alcohol and drugs » Ethics training

Section	4883(g); 4836.2(c)(2), (3); 4837(c) (continued)
<p>Maximum penalties should be considered if acts or omissions caused or threatened harm to an animal or a client or if there are prior violations of the same type of offense.</p> <p>Minimum penalties may be considered if acts or omissions did not cause harm to an animal, there are no prior violations of the same type of offense, and there is evidence of self-initiated rehabilitation.</p> <p>When considering minimum penalties, the terms of probation should include a requirement that the licensee submit the appropriate medical reports (including psychological treatment and therapy), submit to random drug testing, submit to a limitation of practice, or practice under the supervision of a California licensed veterinarian as applicable on the facts of the case, and submit quarterly reports to the Board (in writing or in person as the Board directs). The Board requires a minimum of five-years' probation for any violation related to alcohol or drug abuse.</p> <p>Business and Professions Code section 4836.2(d) prohibits issuance of a VACSP to any applicant with a state or federal felony controlled substance conviction.</p>	

Section	4883(g)
Violation	General unprofessional conduct.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty (as appropriate)	<ul style="list-style-type: none"> • Written Public Reproval • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Limitations on practice » Supervised practice » No ownership of a veterinary hospital or clinic » No management of a veterinary hospital/no supervision of interns or residents » Continuing education » Psychological evaluation and/or treatment » Medical evaluation and/or treatment » Rehabilitation program » Submit to drug testing » Abstain from controlled substances/alcohol » Community service » Restitution » Ethics training

Maximum penalties should be considered if the acts or omissions caused substantial harm to an animal or a client, or if there are prior violations of the same type of offense.

Minimum penalties may be considered if there are no prior violations, if there are mitigating circumstances such as the length of time since the offense(s) occurred, if the acts or omissions did not cause substantial harm to an animal or a client, or if there is evidence of a self-initiated rehabilitation.

Section	4883(h)
Violation	Failure to keep the licensee's or registrant's premises and all equipment therein in clean and sanitary condition. (Requirements for sanitary conditions are also outlined in Sections 4853.5 and 4854 (practice sanitation standards).)
Maximum Penalty	Revocation or suspension of premises registration and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • Fine - not less than \$50 nor more than \$500 per day, not to exceed \$5,000 • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension or suspension until compliance with minimum standards of practice is achieved » Random hospital inspections
<p>Maximum penalties should be considered if the acts or omissions caused or threatened harm to animals or the public, if there are prior actions and/or no attempt to remedy the violations, for example, unsanitary or hazardous workplace, improper sterilization of instruments, or improper husbandry practices, or if there are prior violations of a similar nature.</p> <p>Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to animals or people, or remedial action has been taken to correct the deficiencies.</p> <p>Note - A veterinary license and a premises registration can be disciplined separately.</p>	

Section	4883(i)
Violation	Negligence in the practice of veterinary medicine.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Three-year probation • Standard terms and conditions • Fine - not less than \$50 nor more than \$500 per day, not to exceed \$5,000 • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension or suspension until compliance with minimum standards of practice is achieved » Random hospital inspections » Medical records review » Ethics training » Continuing education
<p>Maximum penalties should be considered if the acts or omissions caused or threatened harm to animals or the public, if there are prior actions and/or no attempt to remedy the violations.</p> <p>Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to animals or people, remedial action has been taken to correct the deficiencies and there is remorse for the negligent acts.</p>	

Section	4883(i)
Violation	Incompetence in the practice of veterinary medicine.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Three-year probation • Standard terms and conditions • \$2,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Supervised practice » Medical records review » Hospital inspections » Continuing education » Clinical written examination » Community service » Restitution » Ethics training

Maximum penalties should be considered based on the following factors: if the acts or omissions caused harm to an animal or an animal has died, there are limited or no efforts at rehabilitation, or there are no mitigating circumstances at the time of the commission of the offense(s).

Minimum penalties may be considered if the acts or omissions did not cause substantial harm to an animal, there is evidence of rehabilitation, and there are mitigating circumstances such as no prior discipline, remorse for the harm that occurred, cooperation with the Board’s investigation, etc.

Section	4883(i); 480(a)(2)
Violation	Fraud and/or deception in the practice of veterinary medicine.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Three-year probation • Standard terms and conditions • \$2,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Hospital inspections » Supervised practice » Clinical written examination » Community service » Restitution » Ethics training

Maximum penalties should be considered based on the following factors: if the acts or omissions caused harm to an animal or an animal has died, there is limited or no evidence of rehabilitation or no mitigating circumstances at the time of the commission of the offense(s).

Minimum penalties may be considered if the acts or omissions did not cause substantial harm to an animal, there is evidence of rehabilitation and there are mitigating circumstances such as no prior discipline, remorse for the harm that occurred, cooperation with the Board's investigation, etc.

Section	4883(j); 4836.2(c)(4); 4836.5; 4842(b)
Violation	Aiding or abetting in acts which are in violation of any of the provisions of this chapter.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Ethics training

Maximum penalties should be considered if the acts or omissions caused or threatened harm to an animal or client and the acts were repeated after a prior violation of the same type of offense.

Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to an animal or cause detriment to a client, there were no prior actions, and there is evidence of remorse and an acknowledgement of the violation.

Section	4883(k); 4836.2(c)(1); 4837(a); 4842(c)
Violation	Fraud, misrepresentation, or deception in obtaining a license, registration, or permit.
Maximum and Minimum Penalty	Revocation and a \$5,000 fine
<p>Note - In this instance, the gravity of the offense warrants revocation in all cases since there was no legal basis for licensure in the first place.</p>	

Section	4883(l); 4842(e)
Violation	The revocation, suspension, or other discipline by another state or territory of a license, certificate, or registration to practice veterinary medicine or as a veterinary technician in that state or territory.
Maximum Penalty	Revocation
Minimum Penalty	The penalty that would have been applicable to the violation if it had occurred in the State of California

Section	4883(m)
Violation	Cruelty to animals or conviction on a charge of cruelty to animals, or both.
Maximum Penalty	Revocation and a \$5,000 fine.
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$5,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 60-day suspension » Psychological evaluation and/or treatment » Medical evaluation and/or treatment » Continuing education » Ethics training

Note - While the Board believes this violation is so severe that revocation is the only appropriate penalty, it recognizes that a lesser penalty may be appropriate where there are mitigating circumstances of a significant nature.

Section	4883(n); 141
Violation	Disciplinary actions taken by any federal, state, or territory public agency or by another country for any act substantially related to the practice of veterinary medicine or the practice of a veterinary technician.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$2,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Continuing education

Maximum penalties should be considered if the acts or omissions caused or threatened harm to an animal or the public, there is limited or no evidence of rehabilitation, and there were no mitigating circumstances at the time of the commission of the offense(s).

Minimum penalties may be considered if there is evidence of attempts at self-initiated rehabilitation taken prior to the filing of the accusation. Self-initiated rehabilitation measures include pro bono services to nonprofit organizations or public agencies that improve the care and treatment of animals or improve generally society's interactions with animals. Self-initiated rehabilitation measures also include specific training in areas of weakness, full restitution to persons harmed by the licensee or registrant, completion of treatment or other conditions of probation ordered by the court, and compliance with all laws since the date of the occurrence of the violation.

Section	4883(o); 4837(e)
Violation	Violation, or the assisting or abetting violation, of any regulations adopted by the Board pursuant to this chapter.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • 30-day suspension • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » Continuing education » Restitution » Ethics training
<p>Maximum penalties should be considered if the acts or omissions caused or threatened harm to the animal or the public, there was more than one offense, there is limited or no evidence of rehabilitation, and there were no mitigating circumstances at the time of the offense(s).</p> <p>Minimum penalties may be considered if there is evidence of attempts at self-initiated rehabilitation. Self-initiated rehabilitation measures include pro bono services to nonprofit organizations or public agencies that improve the care and treatment of animals or improve generally society's interactions with animals. Self-initiated rehabilitation measures also include specific training in areas of weakness, full restitution to persons harmed by the licensee or registrant, completion of treatment or other conditions of probation ordered by the court, and compliance with all laws since the date of the occurrence of the violation.</p>	

Section	4855
Violation	Written records.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • 30-day suspension • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » Medical records review » Continuing education
<p>Maximum penalties should be considered when there is a lack of records or omissions and/or alterations that constitute negligence.</p> <p>Minimum penalties may be considered when there is evidence of carelessness and corrective measures have been implemented to correct the process whereby the records were created.</p>	

Section	4856
Violation	Failure to permit the inspection of records or premises by the Board.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Medical records review » Ethics training
<p>Maximum penalties should be considered if there is a deliberate attempt to prevent access to the Board, prior discipline of the managing licensee or the premises, or no mitigating circumstances at the time of the refusal.</p> <p>Minimum penalties may be considered when there are mitigating circumstances at the time of the request for records, where there is no deliberate attempt to prevent the Board from having access to the records, or when there are no prior violations of a similar nature.</p>	

Section	4857
Violation	Impermissible disclosure of information about animals and/or about clients.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Ethics training
<p>Maximum penalties should be considered when there is a breach of confidentiality.</p> <p>Minimum penalties may be considered when the breach is inadvertent or when there is no prior action against the licensee.</p> <p>Note - The severity of violations may determine whether action taken is citation and fine or formal discipline.</p>	

Section	4830.5
Violation	Duty to report staged animal fighting.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Continuing education » Ethics training
<p>Maximum penalties should be considered when an animal or animals have been killed or severely harmed. Minimum penalties may be considered on a case-by-case basis.</p>	

Section	4830.7
Violation	Duty to report animal abuse or cruelty.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	Considered on a case-by-case basis

Section	4836.5; 4837
Violation	Disciplinary proceedings against veterinarians and registered veterinary technicians.
Maximum Penalty	Revocation and a \$5,000 fine
Minimum Penalty	<ul style="list-style-type: none"> • Revocation and/or suspension stayed • Two-year probation • Standard terms and conditions • \$1,000 fine • Optional terms and conditions including but not limited to: <ul style="list-style-type: none"> » 30-day suspension » Continuing education » Ethics training

Maximum penalties should be considered if the acts or omissions caused or threatened harm to an animal or client, or the acts were repeated after a prior violation of the same type of offense.

Minimum penalties may be considered if the acts or omissions did not cause or threaten harm to an animal or client, or if there are no prior violations.

Standard Orders

The following text may be used as the introductory paragraph in the disciplinary Order:

1. License Revoked

Respondent's license [registration or permit] is revoked.

2. Revocation, Stayed, Probation

However, the revocation is stayed, and Respondent is placed on probation for [insert number of years] years upon the following terms and conditions.

3. License Suspension

Respondent's license shall be suspended for [insert specific number of days, months]. [See specific violation for recommended time of suspension.]

4. Application denied

Respondent's license [registration or permit] application is denied.

5. Application approved, license issued

Respondent's license [registration or permit] application is approved, and upon completion of all prerequisites for licensure, the license [registration or permit] shall be issued to Respondent.

6. Application granted, license issued, revoked, stayed, probation

Respondent's license [registration or permit] application is approved, and upon completion of all prerequisites for licensure, the license [registration or permit] shall be issued to Respondent, and immediately revoked. However, the revocation is stayed, and Respondent shall be placed on probation for [insert number of years] years upon the following conditions.

7. Application denied, probationary registration [or VACSP] issued [RVT or VACSP holders only]

Respondent's registration [or VACSP] application is denied; however, the denial is stayed, and a probationary registration [or permit] shall be issued to Respondent for a term of [insert number of years] years [for RVT only, no more than 3 years per BPC section 4845] on the following conditions. Upon completion of all terms and conditions of probation, and upon completion of all prerequisites for licensure, Respondent may be issued a permanent registration [VACSP].

8. Application for temporary veterinarian license granted, license issued, revoked, stayed, probation (veterinarian only)

Respondent's application for a temporary veterinarian license is approved, and upon completion of all statutory and regulatory requirements for licensure, and all conditions precedent to licensure, a temporary veterinarian license shall be issued to Respondent. Failure to successfully complete all statutory and regulatory requirements within two (2) years from the effective date shall void this decision and it will have no effect. Upon issuance of a temporary veterinarian license, said license will be immediately revoked. The revocation will be stayed, and Respondent placed on [insert number of years] years' probation (Probationary Term) on the following terms conditions. Any and all additional licenses or permits subsequently issued to Respondent during the Probationary Term shall be subject to any and all statutory and regulatory prerequisites and the specific terms and conditions specified below. The Probationary Term is cumulative and does not restart with the issuance of any additional license or permit.

Standard Terms and Conditions of Probation (1–15)

The Board recommends one- to five-year probation, as appropriate, in cases where probation is part of a disciplinary order.

1. Obey All Laws

Respondent shall obey all federal and state laws and regulations substantially related to the practice of veterinary medicine. Within thirty (30) days of any arrest, Respondent shall notify the Board. Within thirty (30) days of any conviction, Respondent shall report to the Board and provide proof of compliance with the terms and conditions of the court order including, but not limited to, probation and restitution requirements. Obey all laws shall not be tolled.

2. Quarterly Reports

Respondent shall report quarterly to the Board or its designee, under penalty of perjury, on forms provided by the Board, stating whether there has been compliance with all terms and conditions of probation. Omission or falsification in any manner of any information on these reports shall constitute a violation of probation and shall result in the filing of an accusation and/or a petition to revoke probation against Respondent's license, registration or permit. If the final written quarterly report is not made as directed, the period of probation shall be extended until the final report is received by the Board. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation.

3. Interview with the Board

Within 30 days of the effective date of the Decision, Respondent shall appear in person for an interview with the Board or its designee to review the terms and conditions of probation. Thereafter, Respondent shall, upon reasonable request, report or appear in person as directed. Interview with the Board shall not be tolled.

4. Cooperation with Board Staff

Respondent shall cooperate with the Board's inspection program and with the Board's monitoring and investigation of Respondent's compliance with the terms and conditions of Respondent's probation. Respondent may receive the assistance of private counsel, but Respondent shall communicate directly with the Board or its designee, and written communications from the Board will only be sent to the Respondent. Respondent shall make available all patient records, hospital records, books, logs, and other documents relating to the practice of veterinary medicine to the Board, upon request.

Respondent shall claim all certified mail issued by the Board, respond in a timely manner to all notices and requests for information, and submit Reports, Identification Update reports or other reports similar in nature, as requested and directed by the Board or its designee. Respondent is encouraged to contact the Board's probation monitoring program representative at any time Respondent has a question or concern regarding the terms and conditions of Respondent's probation.

5. Probation Monitoring Costs

Probation monitoring costs are set at a rate of \$100 per month for the duration of the probation. These costs shall be payable to the Board on a schedule as directed by the Board or its designee.

6. Changes of Employment or Address

Respondent shall notify the Board, and appointed probation monitor in writing, of any and all changes of employment, location, and address within fourteen (14) calendar days of such change. This includes, but is not limited to, termination or resignation from employment, change in employment status, and change in supervisors, administrators or directors. Respondent shall also notify Respondent's probation monitor AND the Board IN WRITING of any changes of residence or mailing address within fourteen (14) calendar days. P.O. Boxes are accepted for mailing purposes; however, Respondent must also provide Respondent's physical residence address as well.

7. No Supervision of Students, Interns, or Residents

Respondent shall not supervise students, interns, or residents.

8. Notice to Employers

During the period of probation, Respondent shall notify all present and prospective employers of this Decision and the terms, conditions, and restrictions imposed on Respondent by this Decision, as follows:

Within thirty (30) days of the effective date of this Decision and within fifteen (15) days of Respondent undertaking any new employment, Respondent shall cause Respondent's supervisor and/or managing licensee (licensee manager) to report to the Board in writing, acknowledging that the listed individual(s) has/have read this Decision, including the terms, conditions, and restrictions imposed. It shall be Respondent's responsibility to ensure that Respondent's supervisor and/or licensee manager submit timely acknowledgment(s) to the Board.

If Respondent provides veterinary services as a relief veterinarian, Respondent shall notify each individual or entity with whom Respondent is employed or contracted and require the supervisor and/or licensee manager to submit to the Board timely acknowledgement of receipt of the notice.

9. Notice to Employees

Throughout the probationary period, and in a manner that is visible to all licensed, registered, or permitted veterinary employees at the veterinary premises, Respondent shall post a notice, provided or approved by the Board, that recites the violations for which Respondent has been disciplined and the terms and conditions of probation.

10. Tolling of Probation

Respondent shall notify the Board or its designee in writing within fifteen (15) calendar days of any periods of non-practice lasting more than thirty (30) calendar days and shall notify the Board or its designee within fifteen (15) calendar days of Respondent's return to practice. Any period of non-practice will result in the Respondent's probation being tolled.

Non-practice is defined as any period of time exceeding thirty (30) calendar days in which Respondent is not engaging in the practice of veterinary medicine in California.

It shall be considered a violation of probation if Respondent's periods of temporary or permanent residence or practice outside California total two years. However, it shall not be considered a violation of probation if Respondent is residing and practicing in another state of the United States and is on active probation with the licensing authority of that state, in which case the two-year tolling limitation period shall begin on the date probation is completed or terminated in that state.

The following terms and conditions, if required, shall not be tolled:

- Obey All Laws
- Interview with the Board
- Tolling of Probation
- Maintain a Current and Active License
- Cost Recovery
- Submit to Drug Testing
- Abstain From Controlled Substances
- Abstain From Alcohol Use

Non-practice is also defined as any period that Respondent fails to engage in the practice of veterinary medicine in California for a minimum of 24 hours per week for the duration of probation (except reasonable time away from work for vacations, illnesses, etc.) or as determined by the Board. While tolled for not meeting the hourly requirement, Respondent shall comply with all terms and conditions of this Decision.

Any period of tolling will not apply to the reduction of the probationary term.

11. Maintain a Current and Active License

At all times while on probation, Respondent shall maintain a current and active license with the Board. Maintain a current and active license shall not be tolled.

12. Violation of Probation

If Respondent violates probation in any respect, the Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is filed against Respondent during probation, or if the Attorney General's Office has been requested to prepare any disciplinary action against Respondent's license, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final. No petition for modification or termination of probation shall be considered while there is an accusation or petition to revoke probation pending against Respondent.

13. License Surrender While on Probation/Suspension

Following the effective date of this Decision, should Respondent cease to practice veterinary medicine due to retirement or health issues, or be otherwise unable to satisfy the terms and conditions of probation, Respondent may tender Respondent's license to practice veterinary medicine to the Board for surrender. The Board or its designee has the discretion to grant the request for surrender or to take any other action it deems appropriate and reasonable. Upon formal acceptance of the license surrender, Respondent will no longer be subject to the terms and conditions of probation. The surrender constitutes a record of discipline and shall become a part of the Respondent's license history with the Board.

Respondent must relinquish Respondent's license to the Board within ten (10) days of receiving notification from the Board that the surrender has been accepted.

14. Completion of Probation

All costs for probation monitoring and/or mandatory premises inspections shall be borne by Respondent. Failure to pay all costs due shall result in an extension of probation until the matter is resolved and costs paid or a petition to revoke probation is filed. Upon successful completion of probation and all payment of fees due, Respondent's license will be fully restored.

15. Cost Recovery

Pursuant to Section 125.3 of the California Business and Professions Code, within thirty (30) days of the effective date of this Decision, Respondent shall pay to the Board its enforcement costs including investigation and prosecution, in the amount of [insert dollar amount of costs], which may be paid over time in accordance with a Board-approved payment plan, within six (6) months before the end of the probation term. Cost recovery shall not be tolled.

Optional Terms and Conditions of Probation (1–24)

Note - In addition to the standard terms and conditions of probation, optional terms and conditions of probation are assigned based on violations and fact patterns specific to individual cases.

1. Suspension – Individual License

As part of probation, Respondent is suspended from the practice of veterinary medicine for _____, beginning the effective date of this Decision. During the suspension, Respondent shall not enter any veterinary hospital which is registered by the Board unless seeking treatment for one's own animal. Additionally, Respondent shall not manage, administer, or be a consultant to any veterinary hospital or veterinarian during the period of actual suspension and shall not engage in any veterinary-related service or activity.

2. Suspension – Premises

As part of probation, Premises License Number _____, issued to Respondent _____, is suspended for _____, beginning the effective date of this Decision. During the period of suspension, said premises may not be used by any party for any act constituting the practice of veterinary medicine, surgery, dentistry, and/or the various branches thereof.

3. Posted Notice of Suspension

If suspension is ordered, Respondent shall post a notice of the Board's Order of Suspension, in a place clearly visible to the public. The notice, provided by the Board, shall remain posted during the entire period of actual suspension.

4. Limitation on Practice

(A) During probation, Respondent is prohibited from practicing _____ (Type of practice) _____.

(B) Respondent is prohibited from practicing veterinary medicine from a location or mobile veterinary practice that does not have a current premises registration issued by the Board.

5. Inspections

If Respondent is the owner or managing licensee of a veterinary premises, the following probationary conditions apply:

(A) The location or mobile veterinary practice shall hold a current premises registration issued by the Board, and Respondent shall make the practice or location available for inspections by a Board representative to determine whether the location or veterinary practice meets minimum standards for a veterinary premises. The inspections will be conducted on an announced or unannounced basis and shall be held during normal business hours. The Board reserves the right to conduct these inspections on at least a quarterly basis during probation. Respondent shall pay the Board for the cost of each inspection, which is \$500.

(B) As a condition precedent to any premises registration issued to Respondent as owner or managing licensee, the location or mobile veterinary practice for which application is made shall be inspected by a Board representative to determine whether the location or mobile veterinary practice meets minimum standards for a veterinary premises. Respondent shall submit to the Board, along with any premises registration application, a \$500 inspection fee.

6. Supervised Practice

Respondent shall not practice veterinary medicine until a supervisor is approved by the Board or its designee. If the supervisor terminates or is otherwise no longer available, Respondent shall not practice until a new supervisor has been approved by the Board or its designee. Any potential costs associated with practice supervision shall be borne by Respondent.

Respondent shall submit to the Board or its designee, for its prior approval, the name and qualifications of one or more proposed supervisors of Respondent’s choice. Each supervisor shall have been licensed in California and have held a valid California license for at least five (5) years and not have ever been subject to any disciplinary action by the Board.

Upon approval by the Board or its designee and within thirty (30) days of the effective date of the Decision, Respondent shall have Respondent’s supervisor submit a report to the Board in writing stating the supervisor has read the Decision in case number [insert case number]. Should Respondent change employment, Respondent shall have the new supervisor, within fifteen (15) days after employment commences, submit a report to the Board in writing stating the supervisor has read the Decision in case number [insert case number].

Respondent’s supervisor shall file quarterly reports with the Board. These reports shall be in a form designated by the Board and shall include a narrative section where the supervisor provides the supervisor’s conclusions and opinions concerning the veterinary services performed by Respondent and the basis for those conclusions and opinions.

Respondent’s supervisor shall submit the reports directly to the Board’s Probation Monitor within seven (7) calendar days after the end of the preceding quarter. The quarterly reporting periods and due dates are as follows:

Reporting Time Period	Due No Later Than
January 1 to March 31 (Quarter I)	April 7
April 1 to June 30 (Quarter II)	July 7
July 1 to September 30 (Quarter III)	October 7
October 1 to December 31 (Quarter IV)	January 7

The supervisor shall notify the Board of the dates and location where Respondent rendered services during each month covered by the supervisor’s report.

The supervisor shall have full and random access to all animal patient records of Respondent. The supervisor may evaluate all aspects of Respondent’s practice regardless of Respondent’s areas of deficiencies.

The supervisor shall be physically present and quickly and easily available at the location. The supervision shall require an occasional random observation of the work performed by Respondent. The level of supervised practice shall be, as required by the Board or its designee:

- Levels of Supervised Practice:
- Full-Time – 100%
- Substantial – 75%
- Moderate – 50%
- Partial – 25%

The level of supervised practice may be modified as determined necessary by the Board or its designee. Respondent will not be eligible for a decrease in supervised practice until such time as: 1) Respondent has successfully completed at least 25% of the probationary term; 2) Respondent is deemed to be in full compliance with all terms and conditions of the probationary order; 3) Respondent has consistently received favorable quarterly supervised practice reports; and, 4) the Board has received a written recommendation by the supervisor.

7. Medical Records Review

Within 30 calendar days of the effective date of this Decision, Respondent shall provide to the Board or its designee the name and qualifications of one or more proposed reviewer of the medical records of animal patients created and maintained by Respondent. If Respondent’s terms of probation include Supervised Practice, that supervisor also may serve as the medical records reviewer. Each reviewer shall be a licensed veterinarian in California, have held a valid California license for at least five (5) years, and have never been subject to any disciplinary action by the Board.

The Board or its designee shall provide the approved reviewer with copies of this Decision. Within fifteen (15) calendar days of the reviewer’s receipt of this Decision, the reviewer shall sign an affirmation that they have reviewed the terms and conditions of this Decision and fully understands the role of the reviewer.

If Respondent fails to obtain the Board’s or its designee’s approval of a reviewer within sixty (60) calendar days of the effective date of this Decision, Respondent shall receive a notification from the Board or its designee to cease practicing veterinary medicine within three (3) calendar days after being notified. Respondent shall cease practice until a reviewer is approved to provide medical records review services.

The reviewer shall review a minimum of ten percent (10%) of Respondent’s animal patient medical records or fifteen (15) records (whichever is greater), a minimum of twelve (12) times per year. The reviewer shall determine the method of random selection of medical records to review and shall access the medical records directly from where the medical records are being kept. Review of Respondent’s medical records shall not be delegated to Respondent or Respondent’s staff. The reviewer’s random selection of medical records shall include medical records that correlate to the animal patient care issues or other issues identified in the disciplinary action that resulted in this Decision. Respondent is required to make all animal patient medical records available for immediate inspection and copying by the reviewer at all times during business hours. The reviewer shall immediately notify the Board’s Probation Monitor if Respondent fails or refuses to make the medical records available for inspection and/or copying.

Any potential costs associated with conducting the medical records review shall be borne by Respondent.

The reviewer shall evaluate the medical records to assess: 1) The medical necessity and appropriateness of Respondent’s treatment; 2) Respondent’s compliance with minimum standards of practice in the diagnosis and treatment of animal patients; 3) Respondent’s maintenance of necessary and appropriate treatment; 4) Respondent’s maintenance of necessary and appropriate records and chart entries; and, 5) Respondent’s compliance with existing statutes and regulations governing the practice of veterinary medicine.

The reviewer shall submit quarterly reports to the Board on a form designated by the Board. The reports shall be submitted by the reviewer directly to the Board’s Probation Monitor within seven (7) calendar days after the end of the preceding quarter. The quarterly reporting periods and due dates are as follows:

Reporting Time Period	Due No Later Than
January 1 to March 31 (Quarter I)	April 7
April 1 to June 30 (Quarter II)	July 7
July 1 to September 30 (Quarter III)	October 7
October 1 to December 31 (Quarter IV)	January 7

8. No New Ownership

Respondent shall not have any new legal or beneficial interest in any veterinary business, firm, partnership, or corporation for the duration of Respondent’s probation.

9. No Management

Respondent shall not manage or function as the responsible licensee manager for any veterinary hospital for the duration of Respondent’s probation. For purposes of this term, “responsible licensee manager” means the individual set forth in Business and Professions Code section 4853, subdivision (c).

10. Continuing Education

Within sixty (60) days of the effective date of this Decision, and on an annual basis thereafter, Respondent shall submit to the Board for its prior approval, an educational program or course related to Respondent's specific area(s) of weakness which shall not be less than [insert hours per year], for each year of probation. Upon successful completion of the course, Respondent shall provide proof to the Board. This program shall be in addition to the Continuing Education required of all licensees for licensure renewal. All costs shall be borne by Respondent.

11. Clinical Training

Within sixty (60) days of the effective date of this Decision, Respondent shall submit an outline of an intensive clinical training program to the Board for its prior approval. The exact number of hours and the specific content of the program shall be determined by the Board or its designee. Respondent shall successfully complete the training program and may be required to pass an examination related to the program's contents administered by the Board or its designee. All costs shall be borne by Respondent.

12. Clinical or Written Examination

Within sixty (60) days of the effective date of this Decision, or upon completion of the clinical training program, Respondent shall take and pass a species-specific practice (clinical/written) examination to be administered by the Board or its designee. If Respondent fails this examination, Respondent must wait three (3) months between reexaminations, except that after three (3) failures, Respondent must wait one (1) year to take each necessary reexamination thereafter. All costs shall be borne by Respondent. If Respondent fails to take and pass this examination by the end of the first year of probation, Respondent shall cease the practice of veterinary medicine until this examination has been successfully passed and Respondent has been so notified by the Board in writing.

13. Psychological Evaluation

Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the Board, for its prior approval, the name and qualifications of one or more psychotherapists of Respondent's choice. Upon approval, and within sixty (60) days of the effective date of this Decision, and on a periodic basis as may be required by the Board or its designee, Respondent shall undergo a psychiatric evaluation by a Board-approved psychotherapist (psychiatrist or psychologist), to determine Respondent's ability to practice veterinary medicine safely. The psychotherapist shall furnish a psychological report to the Board or its designee. All costs shall be borne by Respondent.

If the psychotherapist (psychiatrist or psychologist) recommends and the Board or its designee directs psychotherapeutic treatment, Respondent shall, within thirty (30) days of written notice of the need for psychotherapy, submit the name and qualification of one or more psychotherapists of Respondent's choice to the Board for its prior approval. Upon approval of the treating psychotherapist by the Board, Respondent shall undergo and continue psychotherapy until further notice from the Board. Respondent shall have the treating psychotherapist submit quarterly written reports to the Board. All costs shall be borne by Respondent.

ALTERNATIVE: PSYCHIATRIC EVALUATION AS A CONDITION PRECEDENT TO PRACTICE.

As of the effective date of the Decision, Respondent shall not engage in the practice of veterinary medicine until notified in writing by the Board of this determination that Respondent is mentally fit to practice safely. If recommended by the psychotherapist (psychiatrist or psychologist) and approved by the Board or its designee, Respondent shall be barred from practicing veterinary medicine until the treating psychotherapist recommends, in writing, and stating the basis therefore, that Respondent can safely practice veterinary medicine, and the Board approves the recommendation. All costs shall be borne by Respondent.

14. Psychotherapy

Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the Board, for its prior approval, the name and qualifications of one or more psychotherapists of Respondent's choice. Upon approval, Respondent shall undergo and continue treatment until the Board deems that no further psychotherapy is necessary. Respondent shall have the treating psychotherapist submit quarterly status reports to the Board. The Board may require Respondent to undergo psychiatric evaluations by a Board-appointed psychiatrist. All costs shall be borne by Respondent.

If the treating psychotherapist finds that Respondent cannot practice safely or independently, the psychotherapist shall notify the Board within three (3) working days. Upon notification by the Board, Respondent shall immediately cease practice and shall not resume practice until notified by the Board or its designee that Respondent may do so. Respondent shall not thereafter engage in any practice for which a license issued by the Board is required until the Board or its designee has notified Respondent that they may resume practice. Respondent shall document compliance with this condition in the manner required by the Board.

15. Medical Evaluation

Within thirty (30) days of the effective date of this Decision, Respondent shall submit to the Board, for its prior approval, the name and qualifications of one or more physicians of Respondent's choice. Upon approval and on a periodic basis thereafter as may be required by the Board or its designee, Respondent shall undergo a medical evaluation by a Board-approved physician, to determine Respondent's ability to practice veterinary medicine safely. The physician shall furnish a medical report to the Board or its designee. If Respondent is required by the Board or its designee to undergo medical treatment, Respondent shall, within thirty (30) days of written notice from the Board, submit the name and qualifications of a physician of Respondent's choice to the Board for its prior approval. Upon approval of the treating physician by the Board, Respondent shall undergo and continue medical treatment until further notice from the Board. Respondent shall have the treating physician submit quarterly written reports to the Board. All costs shall be borne by Respondent.

If at any time an approved evaluating physician or Respondent's approved treating physician determines that Respondent is unable to practice safely or independently as a veterinarian, the evaluating or treating physician shall notify the Board immediately by telephone and follow up by written letter within three (3) working days. Upon notification from the Board or its designee of this determination, Respondent shall cease all practice and shall not resume practice until notified by the Board that practice may be resumed.

ALTERNATIVE: MEDICAL EVALUATION AS A CONDITION PRECEDENT TO PRACTICE.

As of the effective date of this Decision, Respondent shall not engage in the practice of veterinary medicine until notified in writing by the Board of its determination that Respondent is medically fit to practice safely. If recommended by the physician and approved by the Board or its designee, Respondent shall be barred from practicing veterinary medicine until the treating physician recommends, in writing and stating the basis therefore, that Respondent can safely practice veterinary medicine, and the Board approves said recommendation.

16. Rehabilitation Program Alcohol or Drug

Within thirty (30) days of the effective date of this Decision, Respondent shall submit in writing a(n) alcohol/drug rehabilitation program in which Respondent shall participate (for the duration of probation/for one/for two years) to the Board for its prior approval. Respondent shall provide documentary evidence in the quarterly written reports to the Board of continuing satisfactory participation in this program. All costs shall be borne by Respondent.

Components of the treatment contract shall be relevant to the violation and to the Respondent's current status in recovery or rehabilitation. The components may include, but are not limited to: restrictions on practice and work setting, random biological fluid testing, abstention from drugs and alcohol, use of worksite monitors, participation in chemical dependency rehabilitation programs or groups, psychotherapy, counseling, psychiatric evaluation, and other appropriate rehabilitation or monitoring programs. All costs of participating in the program(s) shall be borne by the Respondent.

17. Continuing Prevention and Support Groups

Within thirty (30) days of the effective date of this Decision, Respondent shall begin regular attendance at a recognized and established substance abuse recovery support group in California (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.) that has been approved by the Board or its designee. Respondent must attend at least one group meeting per week unless otherwise directed by the Board or its designee. Respondent shall continue regular attendance and submit signed and dated documentation confirming attendance with each quarterly report for the duration of probation. Failure to attend or submit documentation thereof shall be considered a violation of probation.

18. Submit to Drug Testing

Respondent shall immediately submit to drug testing, at Respondent's cost, upon request by the Board or its designee. There will be no confidentiality in test results; positive test results will be immediately reported to the Board and to Respondent's current employer.

Respondent shall make daily contact as directed by the Board or its designee to determine if Respondent must submit to drug testing. Respondent shall submit the drug test on the same day that Respondent is notified that a test is required.

Any confirmed positive test for alcohol or any drug not lawfully prescribed by a licensed practitioner as part of a documented medical treatment shall result in a cease practice order resulting in a period of nonpractice/suspension from work by Respondent and may be a cause for revocation of probation. Respondent may not resume the practice of veterinary medicine in any form until notified by the Board in writing. Submit to drug testing shall not be tolled.

19. Abstain from Controlled Substances

Respondent shall abstain from the personal use or possession of controlled substances, as defined in the California Uniform Controlled Substances Act (Health and Safety Code section 11000 et seq.), and dangerous drugs as defined in Business and Professions Code Section 4022, except for medication lawfully prescribed to Respondent by a licensed practitioner for a bona fide illness.

Upon request of the Board or its designee, Respondent shall provide documentation from the licensed practitioner that the prescription for the drug was legitimately issued and is a necessary part of Respondent's treatment. Abstain from controlled substances shall not be tolled.

20. Abstain from Alcohol Use

Respondent shall abstain from the use of products or beverages containing alcohol. Abstain from alcohol use shall not be tolled.

21. Community Service

Within sixty (60) days of the effective date of this Decision, Respondent shall submit a community service program to the Board for its prior approval. In this program, Respondent shall provide free services on a regular basis to a community or charitable facility or agency for at least [insert number of hours] per [insert increment of time] for the first [insert increment of time] of probation. All services shall be subject to prior Board approval.

22. Fine

Respondent shall pay to the Board a fine in the amount of [insert dollar amount] (not to exceed \$5,000) pursuant to Business and Professions Code sections 4875 and 4883. Respondent shall make the payments as follows: .

23. Restitution

Respondent shall make restitution to any injured party in the amount of [insert dollar amount]. Proof of compliance with this term shall be submitted to the Board within sixty (60) days of the effective date of this Decision.

24. Ethics Training

Respondent shall submit to the Board for its prior approval, an ethics training course for a minimum of [insert number of hours] during the probationary period. Respondent shall provide proof of successful completion of the course to the Board. All costs shall be borne by Respondent.

Definitions

Negligence - A departure from the standard of care or practice. It can be an act of omission or commission. Harm or injury is not a necessary component of administrative negligence because we do not seek monetary damages (redress).

Incompetence - A lack of knowledge or ability in discharging professional obligations.

Fraud - An intentional act or omission to deceive or mislead another person by misrepresentation, deceit, or concealment of a material fact.

Deception - Any act or omission that deceives or misleads another person.

Both fraud and deception can exist despite truthful statements if the statements made, whether written or oral, have a tendency to mislead or do in fact mislead.



Veterinary Medical Board

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