

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. VETERINARY MEDICAL BOARD

STATEMENT OF EXPLANATION FOR SECTION 100 FILING

Updated Fees

Assembly Bill (AB) 1535 (Chapter 631, Statutes of 2021) was approved by the Governor on October 7, 2021, and became effective January 1, 2022 (copy attached). Among other things, it repealed Business and Professions Code (BPC) sections 4842.5 and 4848 and amended BPC sections 4836.2 and 4905. Fees were amended and certain examinations were repealed.

Pursuant to Title 1, Division 1, Chapter 1, Article 2, Section 100(b)(3), of the California Code of Regulations (CCR), the Veterinary Medical Board (Board) submits this written statement explaining why the proposed amendments to Sections 2070, 2071, and 2071.1 of Article 7 of Division 20 of Title 16 of the CCR do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision.

Subject to the approval of the Office of Administrative Law, the Board proposes the amendments to Sections 2070, 2071, and 2071.1 of Article 7 of Division 20 of Title 16 of the CCR.

§ Amendment of Section 2070

- Prior BPC section 4848 (repealed by AB 1535) established examinations in subdivision (a), reciprocity waivers in subdivision (b), and temporary licenses in subdivision (c). BPC section 4905, prior to amendment, provided for examination fees in subdivisions (a), (b), and (c). The amendment of section 4905 and repeal of section 4848, effective January 1, 2022, obviates state board examinations and temporary licenses and thus the fees charged for them in subdivisions (b) and (f) of this section (1 CCR 100(a)(6)). Subdivision (m) was moved to subdivision (h) to mirror the listing of fees under BPC section 4905.
- Due to the deletion of (b), the subdivisions following were renumbered. Further, former subdivision (m) was moved up to become new subdivision (h). Renumbering does not alter any rights or requirements of the affected public.
- Revising the dollar amounts of former subdivisions (j) and (k) is necessary to match the amounts specified in BPC section 4905, which establishes the fees the Board shall assess for its services, and which was amended effective January 1, 2022. The Board has no discretion regarding these fees. Prior BPC section 4905 (n) stated:
 - (n) The initial and annual renewal fees for registration of veterinary premises shall be set by the board in an amount not to exceed four hundred dollars (\$400) annually.

The revised BPC section 4905 now states:

- (l) The initial veterinary premises registration fee shall be five hundred dollars (\$500) annually.
- (m) The annual veterinary premises registration renewal fee shall be five hundred twenty-five dollars (\$525).

§ Amendment of Section 2071

- Updating the reference in the first sentence from BPC section 4842.5 to BPC section 4905 is necessary as BPC section 4842.5, which established the fee schedule for California registered veterinary technician services, was repealed, and BPC section 4905, which establishes the fees the Board shall assess for its services, was amended effective January 1, 2022.
- Repealing subdivision (b) is necessary as BPC section 4848, which established examination requirements, waivers, temporary licenses, and extensions of temporary licenses, was repealed.
- Revising the dollar amounts in former subdivisions (a), (c), (d), and adding “.00” to the number in former subdivision (f) is necessary to match the amounts specified in BPC section 4905, which establishes the fees the Board shall assess for its services, effective January 1, 2022.
- Due to the deletion of (b), the following subdivisions were renumbered. Renumbering does not alter any rights or requirements of the affected public.
- Revising the Note is necessary to remove the reference citations to BPC sections 4841.5 and 4842.5, which were, effective January 1, 2022, amended and repealed, respectively, and to add as a reference citation BPC section 4905, which establishes the fees the Board shall assess for its services.

§ Amendment of Section 2071.1

- Updating the language referenced in the first sentence is necessary to remove BPC section 4836.2, which was amended effective January 1, 2022 and to add BPC section 4905 which establishes the fees the Board may assess for its services.
- Adding the abbreviation “VACSP” to subdivision (a) is a non-substantive clarifying addition as convenience to the reader and does not alter any rights or obligations.
- Revising the dollar amounts in former subdivisions (a), (b), and (c) is necessary to match the amounts specified in BPC section 4905, which establishes the fees the Board shall assess for its services.
- Revising the Note is necessary to remove the authority citations to BPC sections 4836.2 and 4836.3, which were, effective January 1, 2022, amended and repealed, respectively, and to add as an authority citation BPC section 4808, which authorizes the Board to adopt, amend, or repeal regulations.
- Further revising the Note is necessary to remove the reference citations to repealed BPC section 4836.3 and to add as a reference citation BPC section 4905, which establishes the fees the Board may assess for its services.