

**Title 16. Professional and Vocational Regulations  
Division 20. Veterinary Medical Board**

**Notice of Proposed Changes**

**NOTICE IS HEREBY GIVEN** that the Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Rondoval Room at The San Diego Zoo, 2920 Zoo Drive, San Diego, California at 10 a.m. on Wednesday, October 19, 2011.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on Monday, October 10, 2011, or must be received by the Board at the hearing.

The Board upon its own motion or at the instance of any interested party may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 4808 and 4854 of the Business and Professions Code (BPC), and to implement, interpret or make specific sections 4826, 4853, 4854, 4855, 4856 and 4883 of said Code; the Board is considering changes to Division 20, Title 16 of the California Code of Regulations (CCR) as follows.:

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

BPC section 4808 authorizes the Board to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Veterinarian Medicine Practice Act. BPC section 4854 authorizes the Board to adopt rules requiring all veterinary premises be kept clean and sanitary at all times.

The general purpose of the proposed language is to update the minimum standards of veterinary practice to current practice standards as well as provide additional protection to consumers in areas that were not previously covered in the minimum standards of practice. Specifically, this proposal would:

Amend CCR section 2030

The proposed regulation outlines specific public notification requirements for when a veterinary hospital premise is closed. It also clarifies and provides detailed information on the separate surgical room layout, equipment that can be in the room, and procedural requirements.

Adopt CCR section 2030.05

The proposed regulation establishes the minimum standards for a California licensed veterinarian who is the managing licensee of a veterinary hospital premise. It establishes that the managing licensee is wholly responsible for insuring the minimum standards are followed regardless of the number of hospital premises managed by the managing licensee and it requires the manager to maintain whatever physical presence is necessary to ensure such requirements are met.

Amend CCR section 2030.1

Non substantive amendment to regulation language section heading.

Amend CCR section 2030.2

The proposed regulation specifies requirements for type of surgical surfaces in a small animal mobile clinic. It also specifies that a veterinarian shall retain the carcass of a deceased animal for 14 days prior to disposal when the client has not given authorization to dispose of their deceased animal.

Adopt CCR section 2030.3

The proposed regulation defines the minimum standards for a small animal vaccine clinic, the practice standards that such a clinic must maintain including staffing, disposal of waste, storage of drugs and biologicals, type and material of equipment, public notification of other emergency services, and record keeping requirements. It also specifies the veterinarian-client relationship and requirement for identification of the veterinarian managing the small animal vaccine clinic.

Adopt CCR section 2032.05

The proposed regulation language was amended out of section 2032.4 and a new section created under a separate section heading.

Amend CCR section 2032.1

The proposed regulation clarifies existing language and also defines the definition of the term “drug” for purposes of prescription by the veterinarian.

Adopt CCR section 2032.15

The proposed regulation provides for the continuance of the veterinary-client relationship with subsequent treating veterinarians where the original veterinary-client relationship initiating the relationship and treatment plan for the animal client is still valid.

Amend CCR section 2032.2

The proposed regulation provides that veterinarians must notify clients that they have a right to choose to receive written prescriptions at no cost.

Adopt CCR section 2032.25

The proposed regulation provides for the continuance of the prescription, dispensation, or furnishing of drugs where the original veterinarian is temporarily unavailable. It also limits the renewal of the prescription to one renewal.

Amend CCR section 2032.3

The proposed regulation clarifies and specifies existing language update the language for new digital technologies in radiography and specifies a time frame for responding to client requests for copies of medical records..

Adopt CCR section 2032.35

The proposed regulation specifies unprofessional conduct by a veterinarian includes the altering of medical records with fraudulent intent.

Amend CCR section 2032.4

The proposed regulation relocated language to section 2032.05 under a separate section heading. It also updates existing language to include medical equipment used in current

medical practice and specifies record keeping criteria for procedures involving general anesthesia.

Amend CCR section 2037

The proposed regulation updates and specifies existing language to include references to medical equipment used in current medical practice.

**FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17500-17630 Requires Reimbursement: None

Business Impact: The Board has determined that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

**EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulations would affect small businesses.

**CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

**INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

**TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2005 Evergreen Street, Suite 2250, Sacramento, California 95825.

**AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

**CONTACT PERSON**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Ethan Mathes  
Address: Veterinary Medical Board  
2005 Evergreen Street, Suite 2250  
Telephone No.: 916-263-1598  
Fax No.: 916-263-2621  
E-Mail Address: ethan.mathes@dca.ca.gov

The backup contact person is:

Name: Susan Geranen, Executive Officer  
Address: same as above  
Telephone No.: 916-263-2610  
Fax No.: 916-263-2621  
E-Mail Address: vmb@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [www.vmb.ca.gov](http://www.vmb.ca.gov).