



# MEMORANDUM

<b>DATE</b>	January 13, 2022
<b>TO</b>	Veterinary Medical Board (Board)
<b>FROM</b>	Jeffrey Olguin, Lead Administrative & Policy Analyst
<b>SUBJECT</b>	<b>Agenda Item 10.A. Status Update on Pending Regulations</b>

December 1, 2021 was former Lead Administrative and Policy Analyst Justin Sotelo's last day with the Veterinary Medicine Board. Justin had been with the Board since January of 2020, and he will be missed. Last year, under the direction of Executive Officer Jessica Sieferman and with the assistance of Board Counsel Tara Welch and Regulations Counsel Karen Halbo, Justin completed the following rulemakings:

Title	Approved	Effective
<b>RVT Job Tasks</b>	February 9, 2021	February 9, 2021
<b>VCPR</b>	February 9, 2021	April 1, 2021
<b>RVT Emergency Animal Care</b>	March 2, 2021	July 1, 2021
<b>Fee Schedule Certificate of Compliance</b>	June 1, 2021	June 1, 2021
<b>Animal Physical Rehabilitation</b>	November 15, 2021	April 1, 2021
<b>Disciplinary Guidelines</b>	December 22, 2021	April 1, 2022
<b>Drug Compounding</b>	January 3, 2022	April 1, 2022
<b>Limited Term RVT Exam Eligibility<sup>1</sup></b>	November 2, 2021	November 2, 2021
<b>CAWA Name Change<sup>1</sup></b>	October 28, 2021	October 28, 2021
<b>Duties of a Supervising Veterinarian</b> —Decision Not to Proceed (Published March 16 ,2021)		
<b><sup>1</sup>Section 100 Regulation Changes</b>		

On January 1, 2022, Jeffrey Olguin was hired as the Veterinary Medicine Board's new Lead Administrative and Policy Analyst.

Since the last Board meeting, five rulemaking packages have completed the rulemaking process and been approved by the Office of Administrative Law. The remaining 11 packages, which includes one Section 100 package that was dependent on the Board's Sunset Bill passing and two that are being held until other legislative or regulatory changes take effect, are pending preparation by Board staff for submission to the Department of Consumer Affairs (DCA).

Updates or changes in the status of rulemaking packages since October 2021 are provided below:

**Animal Physical Rehabilitation (APR) – CCR, Title 16, Section 2038.5**

Approved and became effective January 1, 2022.

**Drug Compounding – CCR, Title 16, Sections 2090–2095**

Approved and becomes effective April 1, 2022.

**Disciplinary Guidelines – CCR, Title 16, Section [2006](#)**

Approved and becomes effective April 1, 2022.

**Uniform Standards for Substance-Abusing Licensees – CCR, Title 16, Sections 2006–2006.56**

**Update:** Although this rulemaking package is pending further development from staff following the Board’s approval on October 9, 2019, the Board’s Executive Officer and Board Counsel identified additional changes to be made to the regulatory proposal and planned on bringing those changes to the October 21, 2021 Board meeting. However, shortly before the meeting, DCA’s Regulation Unit raised additional concerns, so the item was postponed until the January 2022 meeting. The Board will be asked to review and approve revisions to the regulatory proposal (discussed further under Agenda Item 10.B.).

**Summary of Proposed Changes:** This proposal would establish in Board regulations the Uniform Standards Regarding Substance-Abusing Licensees required pursuant to Business and Professions Code section [315](#).

**Limited Term RVT Examination Eligibility Window – CCR, Title 16, Section [2068.7](#)**

This section 100 rulemaking was approved on November 2, 2021.

**Sodium Pentobarbital/Euthanasia Training – CCR, Title 16, Section [2039](#)**

This section 100 rulemaking was approved on October 28, 2021.

**Attachment:**

1. Status of Pending VMB Regulations – Updated January 7, 2022

**Status of Pending VMB Regulations**  
Updated 10/8/21

Rulemaking Title	Current Status	INITIAL PHASE										FINAL PHASE					
		Concept Date(s)	Board Approval	Submitted to DCA for PRE-Review	Submitted to DCA for INITIAL Review	DCA Director Approval	Submitted to Agency/ Agency Approval	Notice Submitted to OAL/ Notice Published by OAL	45-Day Comment Period	Public Hearing (Optional)	15-Day Comment Period (Modified Text), if applicable	Submitted to DCA for FINAL Review	FINAL DCA Director Approval	Submitted to Agency/ FINAL Agency Approval	Submitted to DOF/ DOF Approval	Submitted to OAL/ OAL Approval	Effective Date
Animal Physical Rehabilitation	Approved. Becomes effective January 1, 2022	Beginning in 2011	10/18/2017 10/22/20 (Modified Text)	-	3/27/2019	1/21/2020	1/23/20 3/2/20	3/3/20 3/13/20	3/13/20 - 4/27/20	8/13/2020	11/19/20 - 12/4/20 On 1/28/21, Board approved responses to 15-day comments	3/5/2021	4/17/2021	4/20/21 (Submitted) 5/13/21 (Approved)	N/A	6/9/21 (Submitted) 10/12/21 Board adopted final language. With Agency's contingent approval, submitted to OAL 11/12/21	
Drug Compounding	Approved. Becomes effective April 1, 2022	10/20/2014	10/18/17 10/10/19 1/30/20 10/22/20 (1st Modified Text) 7/22/21 (2nd Modified Text)	-	3/27/2019	3/22/2020	4/20/20 6/23/20	6/30/20 7/17/20	7/17/20 - 8/31/20	N/A	1st Modified Text - 11/19/20 - 12/4/20 On 1/28/21, Board approved responses to 15-day comments 2nd Modified Text - 7/28/21 - 8/12/21 On 10/21/21, Board to approve responses to 2nd 15-day comments	4/28/2021	9/11/2021	9/13/21 (Submitted) 9/29/21 (Approved)	N/A	10/12/21 Board approved responses to comments. With Agency's contingent approval, submitted to OAL 11/12/21	
Disciplinary Guidelines	Approved. Becomes effective April 1, 2022	1/20/2015	7/2015 10/2015 1/2017 4/2017 11/2018 1/28/21 (1st Modified Text) 7/22/21 (2nd Modified Text) 10/21/21 (3rd Modified Text)	-	3/26/2019	4/20/2020	4/27/20 6/30/20	7/6/20 7/17/20	7/17/20 - 8/31/20	N/A	1st Modified Text - 5/27/21 - 6/11/21 2nd Modified Text - 7/28/21 - 8/12/21 3rd Modified Text - 10/21/21 - 11/5/21	8/20/2021	10/7/2021	10/7/21 (Submitted)	N/A		
RVT Education	Board staff revising regulatory docs for Agency reapproval	10/20/2014	7/26/17 8/29/18 7/23/20 (Revised Text)	-	3/26/2019	5/30/2020	6/5/20 7/6/20 Pending staff revisions for resubmittal to Agency										

**Red Text** = Updates since last meeting  
 = Completed

