



# MEMORANDUM

<b>DATE</b>	July 11, 2022
<b>TO</b>	Veterinary Medical Board (Board)
<b>FROM</b>	Jeffrey Olguin, Lead Administrative & Policy Analyst
<b>SUBJECT</b>	<b>Agenda Item 11A. Status Update on Pending Regulations</b>

The Board currently has eleven rulemaking packages that are pending in the rulemaking process. Four of those packages are in various stages of the pre-review or initial phase of the rulemaking process, as described below and identified in the attached document. The remaining seven packages are pending preparation by Board staff for submission to the Department of Consumer Affairs (DCA) for review and approval.

Updates or changes in the status of rulemaking packages since April 2022 are provided below:

## Updated Fees—CCR, Title 16, Sections 2070, 2071, and 2071.1

**Update:** This Section 100 regulatory package reflects non-substantive, cleanup amendments specific to the fee changes necessary to align with Assembly Bill (AB) 1535. This Section 100 fee package was approved by Office of Administrative Law on May 17, 2022.

**Summary of Proposed Changes:** This proposal aligns the Board’s fees with [Business and Professions Code section 4905](#).

## Civil Penalties for Citations—CCR, Title 16, Section 2043

**Update:** DCA’s initial review has been completed and the package has been approved by the Director and sent to Agency for review.

**Summary of Proposed Changes:** This proposal would permit the Board to issue citations and assess fine for violations that do not occur “while engaged in the practice of veterinary medicine.” Such violations include failing to complete continuing education, criminal convictions, and failing to respond to the Board’s request for medical records. This proposal enhances the Board’s ability to encourage compliance with the Veterinary Medicine Practice Act.

**Elimination of the California State Board Examination (CSBE), Temporary License, California Curriculum, and Appeals Process of Examination Results—CCR, Title 16, Sections 2010, 2014, 2014.1, 2015, 2015.1, 2015.2, 2016, 2020, Article 2.5 (2021–2021.10) and 2068.6**

**Update:** This Section 100 came back from DCA’s regulations unit raising concerns over the complete removal of CCR section 2010(b) and section 2015 in relations to the sixty-month time limit. Section 2010(b) deals with the application requirement for RVTs, including supporting documentation, for the Board to determine eligibility for an applicant to be authorized to test. Legal raised a concern that some of the requirements go beyond non-substantive changes and cannot be included in a section 100 rulemaking. Staff is currently rereviewing this package to ensure it conforms to the requirements of a Section 100 package.

**Summary of Proposed Changes:** This Section 100 package is intended to reflect non-substantive, cleanup amendments necessary to align with Assembly Bill (AB) 1535. Specifically, it removes regulatory language related to the CSBE, temporary licenses, California curriculum, and appeals of examination results.

**RVT Job Tasks & Equivalent Experience and Education—CCR, Title 16, Sections 2036.1 and 2068.5**

**Update:** DCA has completed their initial review and the package has been sent to DCA Budgets for their review. Once they have approved the language and budget calculations, it is expected to go back to DCA for submission to the Director and Agency for review and approval.

**Summary of Proposed Changes:** This proposal would set conditions for RVT students to be exempt from certain requirements as long as the student is in their final year of study and under the supervision of an RVT or veterinarian. In addition, the change removes a barrier to licensure by: (1) removing the requirement that an applicant for an RVT license have completed all the education requirements within five years prior to the date of the examination for registration, and (2) removing the timeframe for when RVT students to complete the required 4,416 hours of direct clinical practice.

Since the larger RVT Education package is still in the staff review process, references to the proposed new regulation “section 2065.1” was removed from this regulation package section 2036.1(b) ending with “or subsection (b) of section 2065.1” and all of section 2068.5(i). These two sections will be added into a larger education package which will include anew section 2065.1.

**Uniform Standards for Substance-Abusing Licensees—CCR, Title 16, Sections 2006, 2006.5–2006.56**

**Update:** DCA has completed their initial review and the package has been sent to DCA Budgets for their review. Once they have approved the language and budget calculations, it is expected to go back to DCA for submission to the Director and Agency for review and approval.

**Summary of Proposed Changes:** This proposal would establish standards adopted by DCA's Substance Abuse Coordination Committee (SACC). The SACC was established to develop consistent and uniform standards for dealing with substance-abusing licensees. The Board has adopted standards to be in alignment with other DCA healing arts entities and to implement [Business and Professions Code Article 3.6 \(315–315.4\) Uniform Standards Regarding Substance-Abusing Healing Arts Licensees](#).


**Attachment:**


1. Status of Pending VMB Regulations – Updated July 1, 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	DCA Director FINAL Approval	Submitted to Agency/ FINAL Agency Approval	Submitted to DOF/ DOF Approval	Submitted to OAL/ OAL Approval	Effective Date
Updated Fees (Section 100)	Approved by OAL	-	01/28/2021	02/22/2022	03/30/2022			04/07/2022								05/17/2022	
Civil Penalties for Citations	Pending Budget input before submit to DCA & Agency	01/08/2020	01/30/2020	02/23/2022	03/25/2022 06/28/2022 Pending Budget input before submittal to DCA & Agency												
Elimination of CSBE and Temporary Licensee Requirements (Section 100)	Pending Staff re-review based on Legal's comments	-	01/28/2021	03/25/2022	03/25/2022 06/03/2022 Pending Staff Re-Review based on Legal's comments												
RVT Student Job Tasks & Equivalent Experience and Education	Pending Budgets input, before submit to DCA & Agency	07/26/2017	07/26/2017 8/20/2018 07/13/2020 (Revised Text)	-	03/26/2019	05/30/2020	06/05/2020 07/06/2020 06/29/2022 Pending Budget input, submit for DCA re-review, and re-submittal to Agency										
Uniform Standards for Substance-Abusing Licensees	Pending Budget input, Legal re-review, before submit to DCA & Agency	04/23/2014	10/09/2019 01/19/2022	04/01/2022 06/03/2022 Budget Review and Clarification 06/13/2022 06/23/2022	06/29/2022 Pending Budget input, Legal re-review, and submit to DCA & Agency												
Eligibility Evaluation - National Veterinarian Examination	Pending further development from staff	-	10/22/2020	Pending													
Minimum Standards for Alternate Veterinary Premises	Pending further development from staff	04/23/2014	11/14/2018	Pending													
RVT Education	Pending development from MDC discussion	10/20/2014	07/26/2017 08/29/2018 07/23/2020 (Revised Text)	-	03/26/2019	05/30/2020	06/05/2020 07/06/2020 Pending staff revisions for resubmittal to Budgets, Legal, Director, & Agency										

**Red Text** = Updates since last meeting

 = Completed

 = Current Status/ Pending

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Shelter Minimum Standards	Pending further development from staff	02/19/2015	04/17/2019	Pending												
Veterinary Student Exemption/RVT Examination Eligibility	Pending further development from staff	04/23/2014	04/2017 07/17/2019	Pending												
VCPR/Informed Client Consent	Will be pursued after VCPR (Telemedicine) Section 100 changes take effect	11/14/2018	01/23/2019 01/30/2020	Pending												