



MEMORANDUM

Date	April 11, 2024
To	Veterinary Medical Board (Board)
From	Multidisciplinary Advisory Committee (MDC) Richard Sullivan, DVM, MDC Chair
Subject	Agenda Item 7.E. Recommendation to Amend BPC Sections 4826.7, 4857, and 4886 to Change Instances of “Oral” to “Verbal” Regarding Client Communication, Authorization, and Examination

During the record keeping discussion at the January 2024 MDC meeting, the MDC considered the use of the word “verbal” instead of “oral” in the rulemaking package. The MDC discussed the need to differentiate the term “oral,” used in the veterinary profession to refer to administration of treatment to an animal patient, from the term “verbal,” which is the preferred term when referring to communication. For consistency between the regulations and statutes, the MDC approved a motion to change all instances of “oral” to “verbal” throughout the statutes in the Veterinary Medicine Practice Act.

Since the January 2024 Board meeting was cancelled and legislative deadlines were looming before the Board would in April, the Board’s Executive Committee submitted the following legislative proposal to the California State Senate Committee on Business, Professions and Economic Development (Senate BP&ED Committee) for consideration in the omnibus bill:

Amend sections 4826.7, 4857, and 4886 of the Business and Professions Code (BPC) as follows:

4826.7. [...]

(b) A veterinarian may authorize a registered veterinary technician to act as an agent of the veterinarian for the purpose of establishing the veterinarian-client-patient relationship to administer preventive or prophylactic vaccines or medications for the control or eradication of apparent or anticipated internal or external parasites if all of the following conditions are met:

[...]

(6) (A) Before the registered veterinary technician examines or administers any preventive or prophylactic vaccines or medications for the control or eradication of apparent or anticipated internal or external parasites to the animal patient, the registered veterinary technician informs the client ~~orally~~verbally or in writing that the registered veterinary technician is acting as an agent of the veterinarian for purposes of administering to the animal patient preventive or prophylactic

vaccines or medications, as applicable, and provides the veterinarian's name and license number to the client.

(B) After providing the disclosure specified in subparagraph (A), the registered veterinary technician records in the animal patient's medical record the ~~oral~~verbal or written authorization of the client to proceed with the registered veterinary technician's examination of the animal patient and administration of the specified vaccine or medication.

[...]

4857. (a) A veterinarian licensed under this chapter shall not disclose any information concerning an animal patient receiving veterinary services, the client responsible for the animal patient receiving veterinary services, or the veterinary care provided to an animal patient, except under any one of the following circumstances:

(1) Upon written or witnessed ~~oral~~verbal authorization by knowing and informed consent of the client.

[...]

4886. In reinstating a license or registration that has been revoked or suspended under Section 4883, the board may impose terms and conditions to be followed by the licensee or registrant after the license or registration has been reinstated. The authority of the board to impose terms and conditions includes, but is not limited to, the following:

[...]

(b) Requiring the licensee or registrant to pass ~~an oral-a verbal~~, written, practical, or clinical examination, or any combination thereof to determine his or her present fitness to engage in the practice of veterinary medicine or to practice as a veterinary technician.

[...]

The Senate BP&ED Committee agreed to include the amendments in its omnibus bill,¹ which was introduced on March 18, 2024, as Senate Bill [1526](#) (Committee on Business, Professions and Economic Development, 2024).

Action Requested

If the Board agrees with the legislative proposal, please entertain a motion to ratify the MDC recommendation to the California State Legislature to amend BPC sections 4826.7, 4857, and 4886.

¹ Amendments to BPC section 4826.7 will be included in the next version of the bill.