



Veterinary Medical Board

SUNSET REVIEW REPORT 2019

Presented to the Joint Sunset
Review Committee: Senate
Committee on Business,
Professions and Economic
Development and Assembly
Committee on Business and
Professions



VETERINARY MEDICAL BOARD

Sunset Review Report 2019

BOARD MEMBERS

Jaymie Noland, DVM, President

Cheryl Waterhouse, DVM, Vice President

Kathy Bowler

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VETERINARY MEDICAL BOARD

Sunset Review Report 2019

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VETERINARY MEDICAL BOARD

Background Information and Overview of the Current Regulatory Program

Section 1 – Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/profession that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

Created in 1893, the Veterinary Medical Board (Board) regulates the largest population of veterinarians, veterinary hospitals, registered veterinary technicians (RVT), and veterinary assistant controlled substance permit holders in the nation. Its mission is to protect consumers and animals by regulating licensees, promoting professional standards, and diligently enforcing the Veterinary Medicine Practice Act (Act). Public protection is the Board's highest priority in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public is paramount.

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

Diversion and Evaluation Committee (DEC)

The Board's DEC was statutorily authorized in 1982 to assist the Board in seeking ways and means to identify and rehabilitate veterinarians and registered veterinary technicians with impairment due to abuse of dangerous drugs or alcohol affecting competency so that veterinarians and registered veterinary technicians so afflicted may be treated and returned to the practice of veterinary medicine in a manner that will not endanger the public health and safety (BPC § 4860). The DEC consists of five members comprised of three veterinarians and two public members. Each DEC member is required to have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse (BPC § 4861).

Multidisciplinary Advisory Committee (MDC)

In 2009, the Legislature established the Board's MDC to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of the Act and to assist the Board in its examination, licensure, and registration programs. The MDC consists of nine members comprised of five licensed veterinarians, three registered veterinary technicians, and one public member. One veterinarian and one RVT must be Board members. (BPC § 4809.8.)

Board/MDC Created Committees

In addition to the two statutorily mandated committees, the Board and the MDC often create committees to focus on specific issues. The two-member committees conduct research, lead discussions and make recommendations to the MDC and the Board on how to adequately address current issues. There are currently five standing committees:

- Executive Committee;
- Uniform Standards for Substance Abusing Licensees Committee;
- Corporate Practice Subcommittee;
- Cannabis Discussion Guidelines Subcommittee; and,
- Complaint Process Audit Subcommittee.

¹The term "board" in this document refers to a board, bureau, commission, committee, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

Veterinary Medical Board (VMB) Member Roster and Attendance - Fiscal Years 2014/2015 - 2019/2020

	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5	Meeting 6	Meeting 7	Meeting 8	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5	Meeting 1	Meeting 2	Meeting 3	Meeting 4	Meeting 5																
	Sacramento	Orange	Sacramento	Sacramento	Teleconference	Sacto Strategic	Sacramento	Teleconference	Oakland	San Diego	Sacramento	San Diego	Sacramento	Sacramento	Riverside	Sacramento	Oakland	Teleconference	Sacramento	Fresno	Teleconference	Sacramento	Teleconference	Sacramento															
	07/22-23/2014	21/01-22/2014	11/20/2014	01/20-21/2015	03/19/2015	04/1-2/2015	04/28-29/2015	06/17/2015	07/21-22/2015	10/20-21/2015	01/20-21/2016	04/20-21/2016	07/20-21/2016	10/19-20/2016	01/18-19/2017	04/19-20/2017	06/19/2017	07/26-27/2017	10/18-19/2017	12/11/2017	02/21-22-2018	03/08/2018	05/23-24/2018	08/29-30/2018	09/04/2018	11/14-16/2018	01/23-24/2019	04/17-18-2019	07/17-18/2019	10/09-11/2019									
Name of Board Member (Appointed by)	FY 14/15								FY 15/16				FY 16/17				FY 17/18				FY 18/19				FY 19/20														
Tom Kendall, DVM (Governor) Appointed 02/01/2008; Re-appointed 6/11/2012, Term expired 06/01/2015																																							
Kim Williams, RVT (Governor) Appointed 12/18/2010; Term Expired 06/01/2014																																							
Judie Mancuso (Assembly) Appointed 08/02/2010; Re-appointed 05/13/14; Term Expired 06/01/2018 Resigned 01/01/2019																																							
Patti Aguiar (Governor) Appointed 12/23/2010; Term Expired 06/01/2014																																							
Cheryl Waterhouse, DVM (Governor) Appointed 06/11/2012; Re-appointed 7/07/2016 Term Expires 06/01/2020																																							
Richard J Sullivan, DVM (Governor) Appointed 06/14/2012; Re-appointed 07/14/2014; Term Expired 06/01/2018																																							
Mark T Nunez, DVM (Governor) Appointed 06/30/2013; Re-appointed; 02/27/2018; Term Expires 06/01/2021																																							
Elsa Florez , (Senate) Appointed 07/10/2013; Term Expired 06/01/2016; Resigned 01/10/2016																																							
Kathleen Bowler , (Governor) Appointed 08/04/2014; Re-appointed 10/12/2018; Term Expires 06/01/2022																																							
Jennifer Loreda, RVT (Governor) Appointed 09/04/2014; Re-appointed 10/12/2018 Term Expires 06/01/22																																							
Jaymie Noland, DVM (Governor) Appointed 09/22/2015; Term Expires 06/01/2019 Grace Period																																							
Lee Heller , (Senate) Appointed 03/02/2016; Re-appointed 05/18/2016; Resigned 05/09/2017																																							
Alana D Yanez , (Senate) Appointed 07/12/2017; Term Expires 06/01/2020																																							
Christina Bradbury, DVM (Governor) Appointed 10/12/2018; Term Expires 06/01/2022																																							
Dianne Prado (Public Member / Assembly) Appointed 06/10/2019; Term Expires 06/01/2023																																							

■ Attended
 ■ Not in Attendance/Excused Absence
 ■ Not Applicable

Multidisciplinary Advisory Committee (MDC) Member Roster and Attendance - Fiscal Years 2014/2015 - 2019/2020

	Meeting 1 10/20/2014 Orangee	Meeting 2 02/19/2015 Sacramento	Meeting 1 07/20/2015 Oakland	Meeting 2 10/22/2015 Canceled	Meeting 3 01/19/2016 Sacramento	Meeting 4 04/19/2016 San Diego	Meeting 1 07/19/2016 Sacramento	Meeting 2 10/18/2016 Riverside	Meeting 3 01/17/2017 Sacramento	Meeting 4 04/18/2017 Oakland	Meeting 1 07/25/2017 Sacramento	Meeting 2 10/17/2017 Fresno	Meeting 3 02/20/2018 Sacramento	Meeting 4 05/22/2018 Sacramento	Meeting 1 08/28/2018 Sacramento	Meeting 2 11/13/2018 Sacramento	Meeting 3 01/22/2019 Davis	Meeting 4 04/16/2019 Riverside	Meeting 1 07/16/2019 Sacramento	Meeting 2 10/08/2019 Sacramento	Meeting 3	Meeting 4	Meeting 5	
Name of Board Member (Member type / Appointed by)	FY 14/15		FY 15/16		FY 16/17		FY 17/18		FY 18/19		FY 19/20													
William A Grant II, DVM (Professional / VMB) Appointed 05/13/2009; Re-appointed 02/14/2012; Re-appointed 07/20/2015; Term Expired 06/30/2018																								
Diana Woodward Hagle (Public / VMB) Appointed 05/13/2009; Re-appointed 03/14/2012; Re-appointed 07/20/2015; Term Expired 06/30/2018																								
Jon A Klingborg, DVM (Professional / VMB) Appointed 08/25/2009; Re-appointed 03/14/2012; Re-appointed 07/20/2015; Term Expired 06/30/2018																								
Jennifer E Boyle, RVT (Professional / VMB) Appointed 08/25/2009; Re-appointed 03/14/2012; Term Expired 06/30/2015																								
David F Johnson, RVT (Professional / VMB) Appointed 03/15/2011; Re-appointed 10/24/2014; Term Expired 06/30/2017 Grace period ended 06/30/2018																								
Allan C Drusys, DVM (Professional / VMB) Appointed 03/12/2013; Re-appointed 07/01/2014; Re-appointed 07/20/2016; Term Expired 06/30/2019																								
D Jeff Pollard, DVM (Professional / VMB) Appointed 10/20/2014; Re-appointed 07/25/2017; Term Expires 06/30/2020																								
Kristi M Pawlowski, RVT (Professional / VMB) Appointed 06/08/2015; Re-appointed 05/23/2018; Term Expires 06/30/2021																								
Stuart Eckmann (Public / VMB) Appointed 05/23/2018; Term Expires 06/30/2021																								
Kevin Lazarcheff, DVM (Professional / VMB) Appointed 05/23/2018; Term Expires 06/30/2021																								
Leah Shufelt, RVT (Professional / VMB) Appointed 05/23/2018; Term Expires 06/30/2021																								
Margaret Warner, DVM (Professional / VMB) Appointed 05/23/2018; Term Expires 06/30/2021																								
Richard J. Sullivan, DVM (Professional / VMB) Appointed 07/15/2019; Term Expires 06/30/2022																								
Richard J Sullivan, DVM (Professional / Governor)																								
Jennifer Loredo, RVT (Professional / Governor)																								
Cheryl Waterhouse, DVM (Professional / Governor)																								

■ Attended
 ■ Not in Attendance/Excused Absence
 ■ Not Applicable

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

In the past four years, no meetings were unable to be held due to a lack of quorum. However, one three-day meeting was condensed into two days due to a lack of quorum on the third day. This caused two petition hearings to be rescheduled for future meetings. While this was a minor increase in workload, the rescheduled hearings were closer to the petitioners' residence, saving the petitioners travel costs.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

- **Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)**

75% of the Board's current workforce was hired since the last Sunset Review, including two managers and the Board's Executive Officer. After hiring a new Executive Officer and management team in FY 2018/19, the Board began restructuring units to better address operational needs and the increased workload, as discussed in more detail later in this report.

The Board met in October of 2019 to develop a new Strategic Plan for 2020-2024. The Board anticipates approving the new plan in January 2020.

- **All legislation sponsored by the board and affecting the board since the last Sunset Review.**

Legislative Activity

The following legislative actions were introduced and/or enacted since the last Sunset Review. For each bill, only the affected sections contained within the Veterinary Medicine Practice Act [commencing with Business and Professions Code (BPC) section 4800], general provisions of the BPC, or sections of other codes pertaining to the Board are listed.

1. Bill Number: AB 316 (Maienschein, Chapter 556, Statutes of 2015)

Subject Matter: Veterinarians: cruelty incidents

Sections Affected: BPC § 4830

Effective Date: January 1, 2016

Summary: This bill specifies that a regularly licensed veterinarian in good standing who is called from another state by a law enforcement agency or animal control agency to attend to cases that are a part of an investigation of an alleged violation of federal or state animal fighting or animal cruelty laws within a single geographic location is exempt from specified licensing requirements if the agency determines that it is necessary to call the veterinarian in order to conduct the investigation, as specified. The bill requires an agency, department, or officer that calls a veterinarian pursuant to these provisions to notify the Board of the investigation and authorizes a veterinarian who is called from another state to care for animals that are affected by an investigation with a temporary shelter facility established only for the purpose of the investigation, which would be exempt from specified registration requirements if it meets specified conditions.

2. Bill Number: SB 27 (Hill, Chapter 758, Statutes of 2015)

Subject Matter: Livestock: use of antimicrobial drugs

Sections Affected: Add Chapter 4.5 to Division 7 of the Food and Agricultural Code

Effective Date: January 1, 2016

Summary: This bill prohibits the administration of medically important antimicrobial drugs, as defined, to livestock unless ordered by a licensed veterinarian through a prescription or veterinary feed directive pursuant to a veterinarian-client-patient relationship, as specified, and prohibits the administration of a medically important antimicrobial drug to livestock solely for purposes of promoting weight gain or improving feed efficiency. The bill requires the Department of Food and Agriculture (CDFA), in consultation with the Board, the State Department of Public Health, universities, and cooperative extensions, to develop antimicrobial stewardship guidelines and best management practices on the proper use of medically important antimicrobial drugs and requires the CDFA to gather information on medically important antimicrobial drug sales and usage, antimicrobial resistant bacteria, and livestock management practice data. The bill requires information provided pursuant to those provisions to be held confidential, as specified, and authorizes the CDFA to request and receive copies of veterinary feed directives from certain persons to implement the bill's provisions. The bill makes a first violation of the bill's provisions subject to a civil penalty of up to \$250 for each day a violation occurs and would make second and subsequent violations subject to an administrative fine of \$500 for each day a violation occurs, except as specified.

3. Bill Number: SB 361 (Hill, Chapter 764, Statutes of 2015)

Subject Matter: Antimicrobial stewardship: education and policies

Sections Affected: BPC § 4846.5 and add Health and Safety Code § 1275.4

Effective Date: October 10, 2015

Summary: This bill, among other things, requires a veterinarian who renews his or her license on or after January 1, 2018, to complete a minimum of one credit hour of continuing education on the judicious use of medically important antimicrobial drugs, as defined, every four years as part of the continuing education requirement.

4. Bill Number: SB 800 (Committee on Business, Professions and Economic Development, Chapter 426, Statutes of 2015)

Subject Matter: Healing arts.

Sections Affected: BPC § 800, 4836.2, and 4887

Effective Date: January 1, 2016

Summary: This bill authorizes the Board to suspend or revoke the controlled substance permit of a veterinary assistant, after notice and hearing, for any of specified causes, and to deny, revoke, or suspend a permit for the same.

5. Bill Number: AB 2505 (Quirk, Chapter 105, Statutes of 2016)

Subject Matter: Animals: euthanasia.

Sections Affected: Penal Code § 597u

Effective Date: January 1, 2017

Summary: This bill prohibits a person from using carbon dioxide gas to kill a dog or cat.

6. Bill Number: SB 1039 (Hill, Chapter 799, Statutes of 2016)

Subject Matter: Professions and vocations.

Sections Affected: BPC § 4830

Effective Date: January 1, 2017

Summary: This bill provides an exception from California licensure for veterinarians holding a current, valid license in good standing in another state or country who provide assistance to a California licensed veterinarian and attend on a specific case, subject to specified conditions, and an exception for veterinarians called into the state by a law enforcement agency or animal control agency.

7. Bill Number: SB 1193 (Hill, Chapter 484, Statutes of 2016)

Subject Matter: Healing arts

Sections Affected: BPC § 4800, 4804.5, 4826.5, 4830, 4846.5, 4841.1, 4853.7, 4904, and 4905.

Effective Date: January 1, 2017

Summary: This is the Board's last sunset bill, which authorizes extension of the Board until January 1, 2021. This bill authorizes veterinarian drug compounding, as specified, and establishes the university veterinarian license. The bill prohibits a premises registration that is expired for five years from being renewed, restored, reissued, or reinstated, as specified. The bill provides that the Veterinary Medical Board Contingent Fund is available for expenditure only upon an appropriation by the Legislature.

8. Bill Number: SB 1348 (Cannella, Chapter 174, Statutes of 2016)

Subject Matter: Licensure applications: military experience.

Sections Affected: BPC § 114.5

Effective Date: January 1, 2017

Summary: The bill requires each board, with a governing law authorizing veterans to apply military experience and training toward licensure requirements, to post information on the board's Internet website about the ability of veteran applicants to apply their military experience and training towards licensure requirements.

9. Bill Number: AB 208 (Eggman, Chapter 778, Statutes of 2017)

Subject Matter: Deferred entry of judgment: pretrial diversion.

Sections Affected: Penal Code § 1000, 1000.1, 1000.2, 1000.3, 1000.4, 1000.5, 1000.6, and 1000.65.

Effective Date: January 1, 2018

Summary: This bill makes the deferred entry of judgment program of a criminal conviction a pretrial diversion program. The bill, among other things, authorizes licensing boards to discipline or deny a license for professional misconduct, notwithstanding that evidence of that misconduct may be contained in an arrest record leading to successful completion of a pretrial diversion program.

10. Bill Number: SB 547 (Hill, Chapter 429, Statutes of 2017)

Subject Matter: Professions and vocations: weights and measures.

Sections Affected: BPC § 4840.5 and 4887

Effective Date: January 1, 2018

Summary: Among other things, this bill authorizes an individual to petition the Board for reinstatement or modification of penalty after at least three years for reinstatement of a surrendered or revoked license, at least two years for early termination or modification of probation of three years or more, or at least one year for modification of a condition or termination of probation of less than three years. The bill authorizes the Board, upon a showing of good cause, to specify in an order imposing probation of more than three years that the person may petition for reinstatement, modification, or termination of probation after one year. For purposes of rendering of lifesaving aid and treatment by a registered veterinary technician, the bill revises the definition of “emergency” to mean the animal has been placed in a life-threatening condition and immediate treatment is necessary. This bill also requires the Board to provide information regarding the status of every license issued by it on the Internet.

11. Bill Number: AB 710 (Wood, Chapter 62, Statutes of 2018)

Subject Matter: Cannabidiol.

Sections Affected: BPC § 26002 and Health and Safety Code § 11150.2

Effective Date: July 9, 2018

Summary: This bill, if one of specified changes in federal law regarding the controlled substance cannabidiol occurs, would deem a physician, pharmacist, or other authorized healing arts licensee who prescribes, furnishes, or dispenses a product composed of cannabidiol, in accordance with federal law, to be in compliance with state law governing those acts. The bill would also provide that upon the effective date of one of those changes in federal law regarding cannabidiol, the prescription, furnishing, dispensing, transfer, transportation, possession, or use of that product in accordance with federal law is for a legitimate medical purpose and is authorized pursuant to state law.

12. Bill Number: AB 1753 (Low, Chapter 479, Statutes of 2018)

Subject Matter: Controlled substances: CURES database.

Sections Affected: Health and Safety Code § 11161.5, 11162.1, and 11165

Effective Date: January 1, 2019

Summary: This bill, among other things, requires prescription forms for controlled substance prescriptions to have a uniquely serialized number, in a manner prescribed by the

Department of Justice (DOJ) and requires the information submitted by a dispensing pharmacy, clinic, or other dispenser to the DOJ to include the serial number for the corresponding prescription form, if applicable. Pursuant to AB 149, this requirement is delayed until a date determined by the Department of Justice (no later than January 1, 2020).

13. Bill Number: AB 2138 (Chiu, Chapter 995, Statutes of 2018)

Subject Matter: Licensing boards: denial of application: revocation or suspension of licensure: criminal conviction.

Sections Affected: BPC § 7.5, 480, 480.2, 481, 482, 488, and 493

Effective Date: January 1, 2019

Summary: This bill, among other things, authorizes a board to deny, revoke, or suspend a license on the grounds that the applicant or licensee has been subject to formal discipline, as specified, or convicted of a crime only if the applicant or licensee has been convicted of a crime within the preceding seven years from the date of application that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, regardless of whether the applicant was incarcerated for that crime, or if the applicant has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made and for which the applicant is presently incarcerated or for which the applicant was released from incarceration within the preceding seven years, except as specified. The bill prohibits a board from denying a person a license based on the conviction of a crime, or on the basis of acts underlying a conviction, as defined, for a crime, if the conviction has been dismissed or expunged, if the person has provided evidence of rehabilitation, if the person has been granted clemency or a pardon, or if an arrest resulted in a disposition other than a conviction. The bill requires a board to develop criteria for determining whether a crime is substantially related to the qualifications, functions, or duties of the business or profession, and requires a board to consider whether a person has made a showing of rehabilitation if certain conditions are met. The bill requires a board to follow certain procedures when requesting or acting on an applicant’s or licensee’s criminal history information and requires a board to annually submit a report to the Legislature and post the report on its Internet Web site containing specified deidentified information regarding actions taken by a board based on an applicant or licensee’s criminal history information. The bill prohibits a board from denying a license based solely on an applicant’s failure to disclose a fact that would not have been cause for denial of the license had the fact been disclosed.

14. Bill Number: AB 2215 (Kalra, Chapter 819, Statutes of 2018)

Subject Matter: Veterinarians: cannabis: animals.

Sections Affected: BPC § 4883 and 4884

Effective Date: January 1, 2019

Summary: This bill authorizes the Board to revoke or suspend a veterinarian license, or to assess a fine, for accepting, soliciting, or offering any form of remuneration from or to a Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) licensee if the veterinarian or his or her immediate family has a financial interest, as defined, with the MAUCRSA licensee. The bill authorizes the Board to revoke or suspend a veterinarian license, or to assess a fine, for discussing medicinal cannabis with a client while the veterinarian is employed by, or has an agreement with, a MAUCRSA licensee. The bill authorizes the board to revoke or suspend a license, or to assess a fine, for distributing any form of advertising for cannabis in California. The bill prohibits a licensed veterinarian from dispensing or administering cannabis or cannabis products to an animal patient. The bill prohibits the Board from disciplining, or denying, revoking, or suspending the license of, a licensed veterinarian solely for discussing the use of cannabis on an animal for medicinal purposes, absent negligence or incompetence. The bill requires the Board to adopt guidelines for these discussions on or before January 1, 2020, and requires the Board to post the guidelines on its Internet Web site. The Board adopted the guidelines during its October 2019 Board meeting.

15. Bill Number: AB 2300 (Maienschein, Chapter 236, Statutes of 2018)

Subject Matter: Continuing education: veterinarians.

Sections Affected: BPC § 4846.5

Effective Date: January 1, 2019

Summary: This bill authorizes an applicant for Board license renewal to earn a total of six hours or less of the required 36 hours of continuing education by either taking up to six hours of self-study courses or providing up to four hours of pro bono spaying or neutering services to a household with a demonstrated financial need for reduced-cost services, or a combination thereof. The pro bono spaying or neutering services must be under the supervision of a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group. The services shall be administered at a facility that is appropriately equipped and staffed to provide those services.

16. Bill Number: AB 2589 (Bigelow, Chapter 81, Statutes of 2018)

Subject Matter: Controlled substances: human chorionic gonadotropin.

Sections Affected: Health and Safety Code § 11056

Effective Date: January 1, 2019

Summary: This bill exempts HCG from being subject to the reagent regulations of the California Uniform Controlled Substances Act when possessed by, sold to, purchased by, transferred to, or administered by a licensed veterinarian, or a licensed veterinarian's designated agent, exclusively for veterinary use.

17. Bill Number: AB 2958 (Quirk, Chapter 881, Statutes of 2018)

Subject Matter: State bodies: meetings: teleconference.

Sections Affected: Government Code § 11123.5

Effective Date: January 1, 2019

Summary: This bill authorizes Board committee members to hold teleconference meetings provided the committee complies with all other applicable requirements of the Bagley-Keene Open Meeting Act.

18. Bill Number: SB 1305 (Glazer, Chapter 900, Statutes of 2018)

Subject Matter: Emergency medical services providers: dogs and cats.

Sections Affected: Health and Safety Code § 1799.109

Effective Date: January 1, 2019

Summary: This bill authorizes an emergency responder, as defined, to provide basic first aid to dogs and cats to the extent that the provision of that care is not prohibited by the responder's employer and makes the provision of that basic first aid exempt from the Veterinary Medicine Practice Act. The bill limits civil liability for specified individuals who provide care to a pet or other domesticated animal during an emergency by applying existing provisions of state law. The definition of "basic first aid to dogs and cats" for purposes of these provisions would specifically include, among other acts, administering oxygen and bandaging for the purpose of stopping bleeding.

19. Bill Number: SB 1480 (Hill, Chapter 571, Statutes of 2018)

Subject Matter: Professions and vocations.

Sections Affected: BPC § 4809.7, 4826.4, 4829.5, 4830, 4836.2, and 4841.2.

Effective Date: January 1, 2019

Summary: The bill requires the Board to inspect at least 20% of veterinary premises on an annual basis. This bill authorizes a California-licensed veterinarian at a registered premises located within a 25-mile radius of any declared condition of emergency, in good faith, to provide veterinary services without establishing a veterinarian-client-patient relationship and dispense or prescribe a dangerous drug or device where failure to provide services or medications may result in loss of life or intense suffering. The bill provides immunity from liability for a veterinarian providing those services. The bill requires, each time a veterinarian initially prescribes, dispenses, or furnishes a dangerous drug, as defined, to an animal patient in an outpatient setting, the veterinarian to offer to provide, in person or through electronic means, to the client responsible for the animal, or his or her agent, a drug consultation, as specified. The bill exempts from the Veterinary Medicine Practice Act students from any veterinary medical program accredited by the American Veterinary Medical Association Council on Education who participate in diagnosis or treatment with direct supervision, or surgery with immediate supervision, subject to specified conditions. The bill authorizes veterinary assistant controlled substance permit (VACSP) denial, revocation, or suspension for conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, veterinary surgery, or veterinary dentistry, and authorizes the Board to issue a probationary VACSP. The bill prohibits a graduate of a veterinary college from performing animal health care tasks otherwise performed by a registered veterinary technician, except as specified.

20. Bill Number: SB 1491 (Committee on Business, Professions and Economic Development, Chapter 703, Statutes of 2018)

Subject Matter: Healing Arts

Sections Affected: BPC § 4848

Effective Date: January 1, 2019

Summary: This bill authorizes administration of the veterinarian law exam by regular mail, email, or by both regular mail and email.

21. Bill Number: AB 496 (Low, Chapter 351, Statutes of 2019)

Subject Matter: Business and professions.

Sections Affected: BPC § 115.6, 130, and 144

Effective Date: January 1, 2020

Summary: This bill provides that the appointing authority, instead of the Governor, has the power to remove a board member from office for specified reasons. This bill makes other conforming and non-substantive changes, including replacing gendered terms with nongendered terms, updating cross-references, and deleting obsolete provisions.

22. Bill Number: AB 613 (Low, 2019)

Subject Matter: Professions and vocations: regulatory fees.

Sections Affected: BPC § 101.1

Effective Date: Pending

Summary: This bill would authorize each board within the Department of Consumer Affairs (DCA) to increase every four years any fee authorized to be imposed by that board by an amount not to exceed the increase in the California Consumer Price Index for the preceding four years, subject to specified conditions. The bill would require the DCA Director to approve any fee increase proposed by a board except under specified circumstances. By authorizing an increase in the amount of fees deposited into a continuously appropriated fund, this bill would make an appropriation.

23. Bill Number: SB 53 (Wilk, 2019)

Subject Matter: Open meetings.

Sections Affected: Government Code § 11121

Effective Date: Pending

Summary: This bill would specify in the Bagley-Keene Open Meeting Act that the definition of "state body" includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of three or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in their official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

24. Bill Number: SB 202 (Wilk, 2019) Enrolled

Subject Matter: Animal blood donors.

Sections Affected: Food and Agricultural Code § 9204.5, 9205, 9205.5, 9205.7, 9212, 9213, 9221, 9231, 9253, and 9254

Effective Date: January 1, 2020

Summary: This bill would modify the definition of a commercial blood bank for animals to include establishments that collect blood not only from “captive closed-colony” animals that are kept, housed, or maintained for the purpose of collecting blood, but also “community-sourced” animals, as defined, that are brought by their owners to the commercial blood bank for animals to have their blood collected. The bill would require a commercial blood bank for animals to include, in its written protocol, bloodborne pathogen testing for all canine and feline blood donors, as provided. The bill would prohibit a commercial blood bank for animals from providing payment to a person who brings a community-sourced animal to the commercial blood bank for the purpose of donating that animal’s blood or blood component products and would impose specified requirements on a commercial blood bank for animals that accepts a donation from a community-sourced animal. The bill would make exempt from public disclosure under the California Public Records Act identifying personal information of owners of community-sourced animal donors, as provided.

25. Bill Number: SB 627 (Galgiani, 2019)

Subject Matter: Medicinal cannabis and medicinal cannabis products: veterinary medicine.

Sections Affected: BPC § 4825.1, 4826.3, 26000, 26001, 26003, 26030, 26050, 26104, 26140, and 26162.5; HSC § 11156

Effective Date: Pending

Summary: This bill, on or before January 1, 2022, would require the Board to issue guidelines for veterinarians to follow when recommending cannabis within the veterinary-client-patient relationship subject to specified requirements, including that the recommendation include, at a minimum, the condition for which the recommendation is issued and the name of the client and animal patient. The bill would prohibit a licensed veterinarian from recommending medicinal cannabis or medicinal cannabis products on an animal patient without an appropriate examination and a medical indication. The bill also would prohibit a licensed veterinarian from recommending medicinal cannabis or medicinal cannabis products on an animal patient while the veterinarian is employed by, or has an agreement with, a person or entity dispensing medicinal cannabis or medicinal cannabis products. The bill would prohibit a veterinarian who makes a recommendation under these provisions from being punished, or denied any right or privilege, for having recommended medicinal cannabis or medicinal cannabis products for an animal patient for medical

purposes, except as provided a veterinarian who makes a recommendation pursuant to these provisions is entitled to the same protections as a physician and surgeon under the Compassionate Use Act of 1996. The bill would prohibit a veterinarian from advertising that the veterinarian offers recommendations for medicinal cannabis.

This bill would expand the purpose and intent of MAUCRSA to control and regulate those above-mentioned activities for patients with a valid veterinarian’s recommendation, as defined, and would make conforming changes, including revising the definitions of “medicinal cannabis” and “medicinal cannabis product” to include cannabis and a cannabis product, respectively, intended to be sold for use on an animal patient pursuant to a veterinarian’s recommendation for purposes of MAUCRSA. The bill would authorize a primary caregiver on a veterinarian’s recommendation to purchase medicinal cannabis or medicinal cannabis products for use on an animal patient that the primary caregiver owns. The bill would require medicinal cannabis or medicinal cannabis products for use on an animal patient to have cannabis as the primary active ingredient. The bill would provide that information on a veterinarian’s recommendation and received by a licensee is deemed medical information for purposes of the Confidentiality of Medical Information Act, and would prohibit a licensee from disclosing that information, except as specified. The bill would make related findings and declarations.

- **All regulation changes approved by the Board since the last Sunset Review. Include the status of each regulatory change approved by the Board.**

Regulation Activity

The following regulatory changes were enacted by the Board since the last Sunset Review and/or are currently in progress:

1. Subject Matter: Uniform Standards

Sections Affected: California Code of Regulations § 2027, 2027.5

Effective Date or Status: The Board first approved this regulatory proposal in October of 2014. However, due to the length of time lapsed, the Board agreed it is best to review the language. The Board approved language at its October 9-10, 2019 meeting and is preparing the rulemaking file.

Summary: The proposed regulation would establish uniform standards when the Board has determined that a licensee is a substance abuser.

2. Subject Matter: Veterinarian Assistant Controlled Substance Permit (VACSP)

Sections Affected: California Code of Regulations § 2034, 2035, 2036.5, 2071.1, 2087, 2087.1, 2087.2, and 2087.3

Effective Date or Status: This regulation was approved by the Office of Administrative Law (OAL) and became effective 08/01/2016.

Summary: The purpose of this regulation is to create a new license type (the VACSP) which would authorize veterinary assistants to apply for a VACSP to handle controlled substances for animal patients.

3. Subject Matter: Animal Control Officer Training

Sections Affected: California Code of Regulations § 2039.5

Effective Date or Status: This regulation was approved by the Office of Administrative Law (OAL) and became effective 12/20/2017.

Summary: The purpose of this regulation was to provide licensed veterinarians with specific training requirements to train and educate animal control and humane officers on the administration of tranquilizers containing a controlled substance. Completion of such training would grant independent authority to animal control and humane officers to administer controlled substances in emergency situations.

4. Subject Matter: Fees

Sections Affected: California Code of Regulations § 2070 and 2071

Effective Date or Status: The certificate of completion was approved by OAL and became effective 04/17/19.

Summary: The purpose of this regulation was to increase licensing fees to help resolve the financial instability of the Board as a result of increasing complaints and costs.

5. Subject Matter: Consumer Protection Enforcement Initiative (CPEI)

Sections Affected: California Code of Regulations § 2003, 2017, and 2042

Effective Date or Status: This proposal is currently in the final phase of OAL review (submitted 06/24/2019).

Summary: The proposal would implement the DCA's CPEI to overhaul the enforcement process at the healing arts boards and reduce the average enforcement completion timeline. DCA encouraged healing arts boards to pursue regulatory action to assist the boards with investigating and prosecuting complaints in a timely manner, and to provide the boards with tools to improve the enforcement process and ensure patient safety.

The proposal would provide the Board with the means to expedite the licensure and enforcement process by: (1) delegating to the Board's executive officer settlement agreement authority, applicant investigation and evaluation, and license issuance; (2) permitting the Board to require

the examination of an applicant who may be impaired by a physical or mental illness affecting competency; and (3) further defining grounds for discipline. These changes would provide the Board with greater ability to protect the public by receiving more timely information from licensees and quicker disciplinary resolution. These changes also would provide quicker applicant investigations and subsequent license, registration, and permit issuance.

6. Subject Matter: Telemedicine

Sections Affected: California Code of Regulations (CCR) § 2032.1

Effective Date or Status: The final rulemaking package has been submitted to DCA for their review effective 08/05/2019.

Summary: This proposal would add subsections (e) and (f) to CCR section 2032.1 to clarify unprofessional conduct in terms of the requirement to establish a VCPR when telemedicine services are provided. This proposal would better define the VCPR and how that relationship must be established through in-person examination before telephone or video services can be rendered to the patient. By adding subsection (f) to section 2032.1, the Board seeks to clarify that telemedicine cannot be provided until a VCPR has been established, apart from emergency situations.

7. Subject Matter: Substantially Related Criteria Regarding Criminal Convictions

Sections Affected: California Code of Regulations § 2040 and 2041

Effective Date or Status: This proposal is currently in the final phase of OAL review.

Summary: This proposal is mandated by AB 2138 (Chiu, Chapter 995, Statutes of 2018) and must be implemented by July 1, 2020. As specified in the legislative analyses of AB 2138, this proposal seeks to reduce barriers to licensure for individuals with prior criminal convictions, which may reduce recidivism and provide economic opportunity to California's residents. In addition, the proposal seeks to improve clarity, transparency, and consistency for applicants and licensees in the Board's use of their criminal histories.

8. Subject Matter: Disciplinary Guidelines

Sections Affected: California Code of Regulations § 2006

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 03/26/2019) and is pending comments from DCA.

Summary: The proposal would make amendments to the Board's Disciplinary Guidelines and CCR section 2006 to update the Guidelines to statutory and probationary changes, clarify the minimum and maximum penalties for a disciplinary decision, and clearly define the terms of supervision for a respondent on probation. The proposal also adopted new supervision requirements and other optional terms for probationers. Further, this proposal also replaces ambiguous terms in the Disciplinary Guidelines with language pre-defined in the Act.

9. Subject Matter: Veterinary Technician Education

Sections Affected: California Code of Regulations § 2036.1, 2064, 2065.1, 2065.2, 2065.6, 2065.7, 2065.8, 2066, and 2068.5

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 03/27/2019) and is pending comments from DCA.

Summary: The purpose of this regulation is to revise the educational pathways for veterinary technicians. This proposal would clarify the level of supervision required over a registered veterinary technician (RVT) student in their final year of a Board-approved veterinary technology program and make minor clarifications to the existing process of Board approval of RVT schools and degree programs. In addition, the proposal would clarify the requirement of RVT schools and programs to provide to RVT students and prospective students the national veterinary technician exam and California veterinary technician exam pass rates of the school/program's students. Further, the proposal would clarify the Board's ability to conduct an audit and records review in addition to on-site inspection of a school or degree program. This proposal would sunset the current regulatory requirements for students of alternate route programs and, as of July 1, 2024, would require the alternate route programs to meet minimum requirements in education of the RVT students, provide an updated list of courses to be taught to RVT students relevant to the current practice of veterinary medicine, and require alternate route programs to provide minimum facilities, resources, and equipment to the RVT students.

10. Subject Matter: Drug Compounding

Sections Affected: California Code of Regulations § 2090 - 2096

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 03/27/2019) and is pending comments from DCA.

Summary: The regulatory proposal is intended to provide guidance and an enforcement mechanism for inspectors to determine whether veterinarians and RVTs are preparing drug compounds in accordance with their scope of practice, experience, and premises. The rulemaking is necessary to provide veterinarians with guidance on the proper procedures for storing, handling, and preparing compounded drugs.

11. Subject Matter: Animal Physical Rehabilitation (APR)

Sections Affected: California Code of Regulations § 2038.5

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 03/27/2019) and is pending comments from DCA.

Summary: The regulatory proposal is intended to address the growing practice of APR performed by individuals who are not licensed by the Board. Currently, licensed physical therapists and unlicensed individuals are practicing APR

on animals. However, licensed physical therapists are only licensed by the Physical Therapy Board of California to perform physical therapy on humans, not animals, and persons not licensed by the Board to perform veterinary medicine on animals are considered veterinary assistants, who are not licensed or registered with the Board. The proposal would establish a clear definition of APR in the Board's regulations, clarify who may perform APR, and clarify the circumstances under which a person may perform APR.

12. Subject Matter: RVT Emergency Animal Care

Sections Affected: California Code of Regulations § 2069

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 03/29/2019) and is pending comments from DCA.

Summary: The Board seeks to clarify BPC section 4840.5 and the conditions under which an RVT may provide emergency treatment, the emergency treatment that may be provided, and an RVT's authority to administer drugs or controlled substances.

13. Subject Matter: RVT Tasks Under Indirect Supervision

Sections Affected: California Code of Regulations § 2036

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 04/04/2019) and is pending comments from DCA.

Summary: The purpose of this proposal is to allow RVTs to perform additional animal health care tasks under indirect veterinarian supervision.

14. Subject Matter: Duties of a Supervising Veterinarian

Sections Affected: California Code of Regulations § 2035

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 04/04/2019) and is pending comments from DCA.

Summary: The proposed regulation would prohibit the supervising veterinarian from delegating any allowable animal health care task to an RVT, permit holder, or veterinary assistant who does not have the necessary extensive clinical skill, requisite training, and demonstrated competency.

15. Subject Matter: Veterinarian-Client-Patient Relationships (VCPRs)

Sections Affected: California Code of Regulations § 2032.15 and 2032.25

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 04/10/2019) and is pending comments from DCA.

Summary: The proposal would clarify that a VCPR established by an originating veterinarian can only continue to exist in the absence of client communication when the originating veterinarian designates to a second veterinarian (designated veterinarian) who is providing veterinary medical services to the animal patient at the same location where the animal patient's medical records are kept. This proposal would also clarify that that prescribing, dispensing, or furnishing dangerous drugs constitutes unprofessional conduct, unless a VCPR has been established and to clarify the emergency circumstance when a subsequent veterinarian can prescribe, dispense, or furnish drugs for use on an animal patient in the absence of the originating veterinarian who established the VCPR.

16. Subject Matter: Minimum Standards for Alternate Veterinary Premises

Sections Affected: California Code of Regulations § 2030, 2030.05, 2030.1, 2030.15, 2030.2, 2030.3, 2030.4, and 2030.5

Effective Date or Status: This rulemaking file is currently being developed by the policy analyst and legal counsel before being submitted to DCA for initial review.

Summary: The proposed regulation would provide minimum standards for alternate premises types to address the specific needs of various premises.

17. Subject Matter: Shelter Minimum Standards

Sections Affected: California Code of Regulations § 2035.5 and 2030.6

Effective Date or Status: This rulemaking file is currently being developed by the policy analyst and legal counsel before being submitted to DCA for initial review.

Summary: The proposed regulation would provide minimum standards for shelters providing veterinary medicine services.

18. Subject Matter: VCPR/Informed Client Consent

Sections Affected: California Code of Regulations § 2032.1

Effective Date or Status: This regulatory proposal is on hold pending the approval of the Telemedicine regulation.

Summary: The proposed regulation would require a veterinarian to communicate the medical, treatment, diagnostic, and/or therapeutic plan of an animal patient to a client.

19. Subject Matter: Veterinary Student Exemption

Sections Affected: California Code of Regulations § 2027, 2027.5

Effective Date or Status: This regulatory proposal is pending preparation of the rulemaking file and was Board approved on 07/17/2019.

Summary: As a result of SB 1480 (Hill, Chapter 571, Statutes of 2018, in new BPC section 4841.2, DVM graduates must be Board licensed or registered on or after January 1, 2020, in order to perform RVT health care tasks. The proposed regulation would make clarifying changing to CCR section 2027 for consistency purposes and adopt new CCR section 2027.5 to develop guidelines for DVM graduates seeking RVT registration.

20. Subject Matter: Fee Schedule

Sections Affected: California Code of Regulations § 2070, 2071

Effective Date or Status: This proposal is currently in the initial phase of DCA review (submitted 10/30/2019) and is pending comments from DCA.

Summary: The proposed regulation would increase fees to prevent insolvency and raise the Contingent Fund levels to the mandated months in reserves.

4. Describe any major studies conducted by the board (cf., Section 12, Attachment C).

In December 2016, the Board contracted with a third-party vendor to conduct an audit of the Board's functions to determine if the current fee structure was adequate to sustain the Board. The results of the audit are attached. The audit revealed a structural imbalance and recommended "appropriate steps to adjust fees to full cost plus the additional revenues to rebuild reserves or fund balances."

In addition, the audit provided a 10-year forward projection of fees based on an annual increase of 4.5% annual increase. It was recommended the Board work "with the State Legislature to set the cap at the 10-year projected maximum. Then adjusting fees annually or at least bi-annually to maintain alignment of revenues and expenditures. We would also recommend a formal audit of fees at the 5-year mark as processing and regulatory requirements can change dramatically within this time frame."

The fee audit did not account for the need for any future increase due to DCA-wide budget change proposals, increased enforcement expenditures outside the Board's control (e.g., Attorney General rate increases, Office of Administrative Law increases, etc.), or the need for additional staff due to increased workload in licensing, inspections, and enforcement.

5. List the status of all national associations to which the board belongs.

The Board is a current member of the American Association of Veterinary State Boards (AAVSB). AAVSB is an association of veterinary medicine regulatory boards whose membership includes licensing bodies in 62 jurisdictions, including all of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and nine Canadian provinces: Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario, Prince Edward Island, and Saskatchewan. AAVSB’s mission is to support and advance the regulatory process for veterinary medicine.

In addition, the Board has one representative (Kathy Bowler, Public Member) on the International Council for Veterinary Assessment (ICVA). The ICVA provides national veterinary assessments including the North American Veterinary Licensing Examination (NAVLE). The ICVA collaborates with stakeholders in academia, licensing boards, and practicing veterinarians to ensure their tools can effectively assess the knowledge and skills required for veterinary practice. The AAVSB has four elected representatives on the ICVA Board of Directors. Ms. Bowler is currently serving in her second term as an AAVSB Representative to the ICVA. Ms. Bowler was elected to an initial three-year term on the ICVA Board in September 2015 and reelected to a second term in September 2018.

The Board is also a member of the Council on Licensure, Enforcement and Regulation (CLEAR).

CLEAR is an association of individuals, agencies and organizations that comprise the international community of professional and occupational regulation, providing a forum for improving the quality and understanding of regulation to enhance public protection. The Board’s membership is part of a Department of Consumer Affairs (DCA) organizational membership and does come with voting privileges represented by a single organization vote.

- **Does the board’s membership include voting privileges?**

The Board’s AAVSB membership includes one voting delegate (and an alternate delegate). The ICVA Board representative also has voting privileges.

- **List committees, workshops, working groups, task forces, etc., on which board participates.**

The Board is currently involved in the following AAVSB and ICVA Committees:

ICVA Board of Directors (BD), September 2015-Present
Board Representative: Kathy Bowler

ICVA NAVLE Pool Review Committee (NPRC), 2015-Present
Board Representative: Kathy Bowler

ICVA Governance Working Group (GWG), 2016 – Present
Board Representative: Kathy Bowler

AAVSB Member Services Task Force (MSTF), 2017-Present
Board Representative: Kathy Bowler

ICVA Talent Management Committee (TMC), 2018 – Present
Board Representative: Kathy Bowler

Veterinary Technician Education Equivalence Subcommittee (VTEES), August 2018-Present
Board Representative: Jennifer Loredo, RVT

Regulatory Policy Task Force (RPTF), November 2018 - Present
Board Representative: Dr. Richard Sullivan, DVM

The RPTF finalizes policy statements and recommends changes to bylaws or any previous policy statements or issues in the Model Practice Act. The Regulatory Policy Task Force’s overall responsibility is to review, revise, and develop model language that serves as a tool for the AAVSB Member Boards to utilize when considering updates to jurisdiction statute and rules and regulations.

Executive Director Advisory Committee (EDAC), November 2018 - Present
Board Representative: Executive Officer

The EDAC serves as a think tank for existing and proposed programs and services that the AAVSB could improve or develop to assist all member boards to be more efficient and effective. The EDAC provides input for AAVSB programming that would be of benefit to member board executive directors and staff. In addition, the EDAC supplies veterinary board operational perspective to assist AAVSB staff and leadership.

AAVSB Member and Program Services Think Tank (MPSTT), 2019 – Present

Board Representative: Kathy Bowler

Program for the Assessment of Veterinary Education Equivalence (PAVE) for RVTs, June 2019 – Present

Board Representative: Jennifer Loredo, RVT

PAVE is the pathway for veterinarians who are graduates of international, non-accredited veterinary programs, to practice in the United States. Ms. Loredo recently joined PAVE to assist with their PAVE-equivalent program for RVTs.

• How many meetings did board representative(s) attend? When and where?

Over the past four years, Board representatives attended 49 national association meetings. The dates, locations and number of representatives are below. All travel expenses are completely funded by AAVSB and ICVA; participation in these meetings are at no additional cost to the Board.

- o ICVA-NPRC, Arizona, January 2016, one representative
- o ICVA-BD, Arizona, January 2016, one representative
- o ICVA-BD, Pennsylvania, April 2016, one representative
- o ICVA-BD, Oregon, June 2016, one representative
- o ICVA-GWG, Teleconference, February 2016, one representative
- o ICVA-GWG, Illinois, March 2016, one representative
- o ICVA-GWG, Illinois, April 2016, one representative
- o ICVA-BD, Teleconference, September 2016, one representative
- o AAVSB, Arizona, September 2016, four Board representatives
- o ICVA-BD, Teleconference, October 2016, one representative
- o ICVA-NPRC, Texas, January 2017, one representative
- o ICVA-BD, Texas, January 2017, one representative
- o ICVA-BD, Pennsylvania, April 2017, one representative
- o ICVA-BD, Arizona, June 2017, one representative
- o ICVA-BD, Illinois, October 2017, one representative
- o ICVA-BD, Illinois, November 2017, one representative
- o AAVSB-MSTF, Teleconference, December 2017, one representative
- o ICVA-NPRC, Florida, January 2018, one representative
- o ICVA-BD, Florida, January 2018, one representative
- o AAVSB-MSTF, Teleconference, February 2018, one representative
- o AAVSB-MSTF, Teleconference, March 2018, one representative
- o AAVSB-MSTF, Teleconference, April 2018, one representative
- o AAVSB-MSTF, Teleconference, May 2018, one representative
- o ICVA-TMC, Teleconference, June 2018, one representative
- o ICVA-BD, British Columbia, June 2018, one representative
- o ICVA-MSTF, Teleconference, August 2018, one representative
- o AAVSB-VTEES, August 2018, one representative
- o AAVSB-VTEES, September 2018, one representative
- o AAVSB, Washington DC, September 2018, three representatives
- o ICVA-NPRC, California, January 2019, one representative
- o ICVA-BD, California, January 2019, one representative
- o AAVSB-MSTF, Teleconference, January 2019, one representative
- o AAVSB – RPTF, Teleconference, January 2019, one representative

- o AAVSB – RPTF, Teleconference, February 2019, one representative
- o AAVSB-MPSTT, Teleconference, February 2019, one representative
- o AAVSB – RPTF, Teleconference, March 2019, one representative
- o AAVSB-MPSTT, Teleconference, February 2019, one representative
- o AAVSB – RPTF, Teleconference, April 2019, one representative
- o AAVSB – EDAC, Teleconference, April 2019, one representative
- o ICVA-BD, Pennsylvania, April 2019, one representative
- o AAVSB – RPTF, Teleconference, May 2019, one representative
- o AAVSB-MPSTT, Teleconference, May 2019, one representative
- o ICVA-TMC, Teleconference, May 2019, one representative
- o ICVA-BD, Virginia, June 2019, one representative
- o AAVSB-PAVE for RVT, June 2019, one representative
- o AAVSB – RPTF, Kansas City, August 2019, one representative
- o AAVSB-MPSTT, Teleconference, August 2019, one representative
- o AAVSB, St. Louis, Missouri, September 2019, four representatives
- o AAVSB-PAVE for RVT, September 2019, one representative

- **If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?**

As previously stated, the Board has representation on the ICVA. The NAVLE, administered by ICVA since 2000, is a requirement for licensure to practice veterinary medicine in all licensing jurisdictions in the U.S. and Canada. The NAVLE consists of 360 clinically relevant multiple-choice questions.

The Veterinary Technician National Exam (VTNE) is the national examination required for a registered veterinary technician license in California. It is owned and administered by AAVSB. While the Board is an active member in AAVSB, it has not been directly involved in its development, scoring, analysis or administration.

The Board utilizes the services of the Department of Consumer Affairs (DCA) Office of Professional Examination Services to conduct a review of the national examination every seven years. The purpose of the review is to determine whether the examination meets the professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (2014)) and the California Business and Professions Code (BPC) Section 139. The NAVLE conducts an occupational analysis every seven years. Its last occupational analysis was completed in 2017. OPES is scheduled to review the NAVLE in 2020.

Section 2 – Performance Measures and Customer Satisfaction Surveys

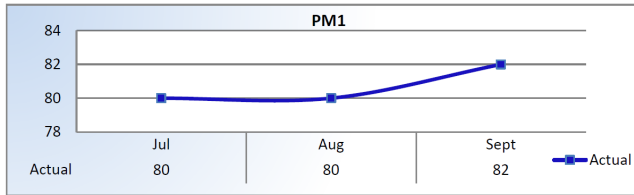
- 6. **Provide each quarterly and annual performance measure report for the board as published on the DCA website.**

The Board’s performance measure reports, as published on DCA’s website, are provided on the following pages. Performance measure reports have not been posted on DCA’s website since 2017.

Performance Measures Q1 Report (July-September 2015)

PM1 | Volume

Number of complaints and convictions received.

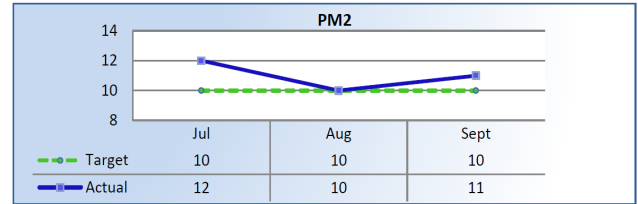


Total Received: 242 Monthly Average: 81

Complaints: 236 | Convictions: 4

PM2 | Intake

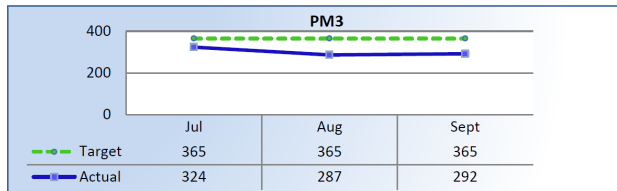
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 11 Days

PM3 | Intake & Investigation

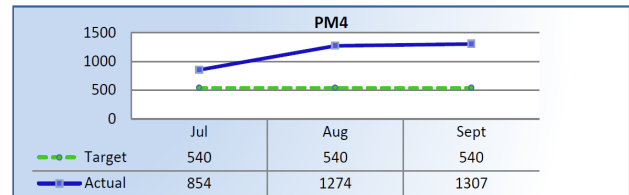
Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)



Target Average: 365 Days | Actual Average: 300 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome)

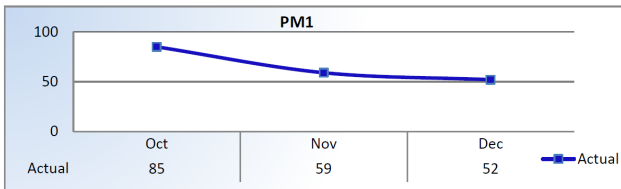


Target Average: 540 Days | Actual Average: 1,103 Days

Performance Measures Q2 Report (October -December 2015)

PM1 | Volume

Number of complaints and convictions received.

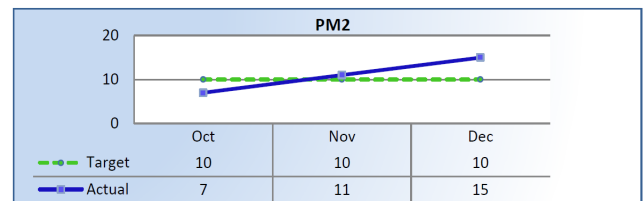


Total Received: 196 Monthly Average: 65

Complaints: 189 | Convictions: 7

PM2 | Intake

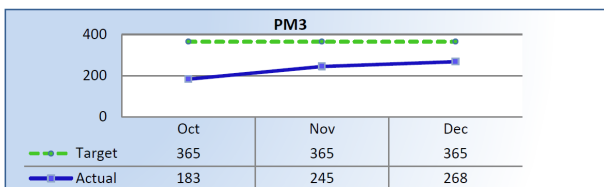
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 10 Days

PM3 | Intake & Investigation

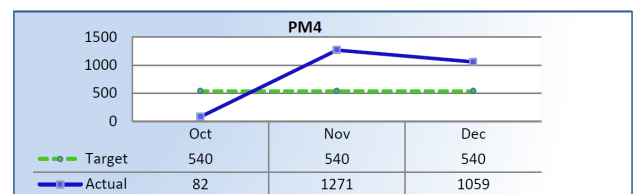
Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)



Target Average: 365 Days | Actual Average: 236 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome)

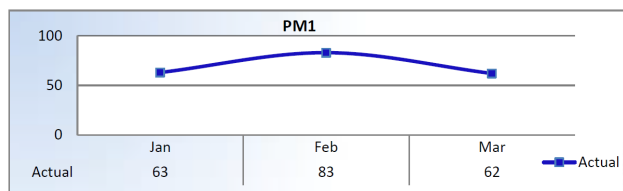


Target Average: 540 Days | Actual Average: 965 Days

Performance Measures Q3 Report (January – March 2016)

PM1 | Volume

Number of complaints and convictions received.

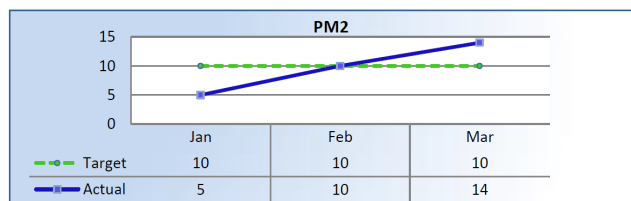


Total Received: 208 Monthly Average: 69

Complaints: 200 | Convictions: 8

PM2 | Intake

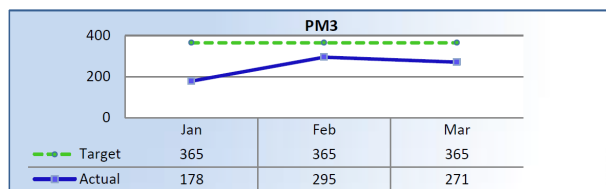
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 7 Days

PM3 | Intake & Investigation

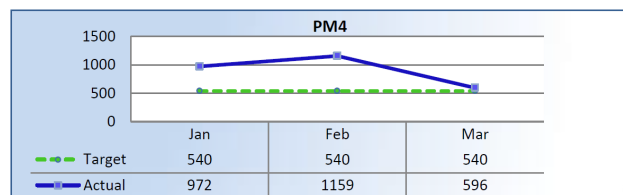
Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)



Target Average: 365 Days | Actual Average: 246 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome)

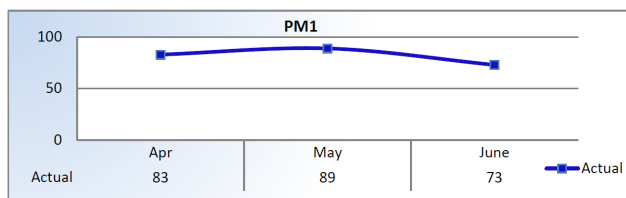


Target Average: 540 Days | Actual Average: 1,100 Days

Performance Measures Q4 Report (April - June 2016)

PM1 | Volume

Number of complaints and convictions received.

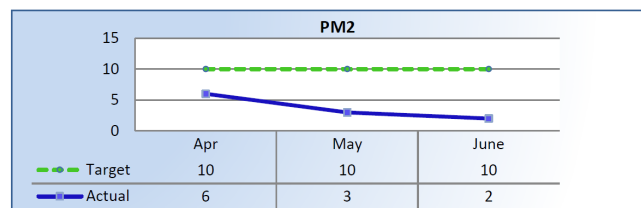


Total Received: 245 Monthly Average: 82

Complaints: 227 | Convictions: 18

PM2 | Intake

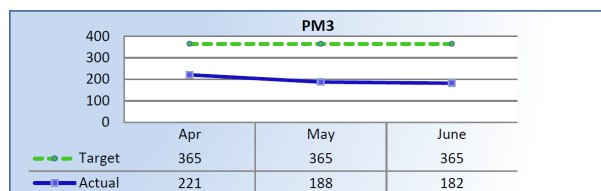
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 4 Days

PM3 | Intake & Investigation

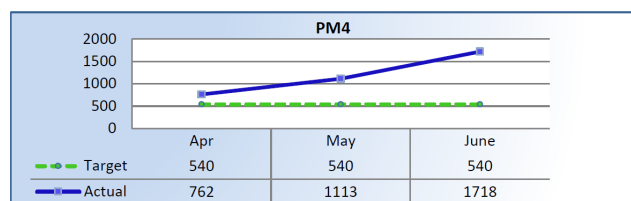
Average number of days to complete the entire enforcement process for cases not transmitted to the AG. (Includes intake and investigation)



Target Average: 365 Days | Actual Average: 198 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases transmitted to the AG for formal discipline. (Includes intake, investigation, and transmittal outcome)

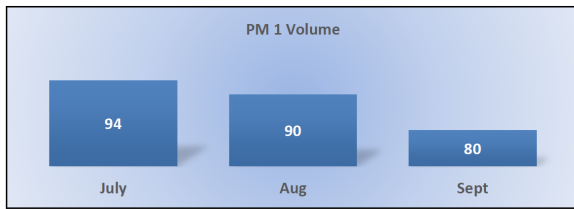


Target Average: 540 Days | Actual Average: 1,477 Days

Performance Measures Q1 Report (July -September 2016)

PM1 | Volume

Number of complaints and convictions received.

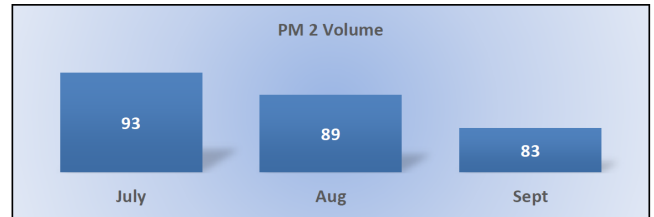


Total Received: 264 | Monthly Average: 88

Complaints: 250 | Convictions: 14

PM2 | Intake – Volume

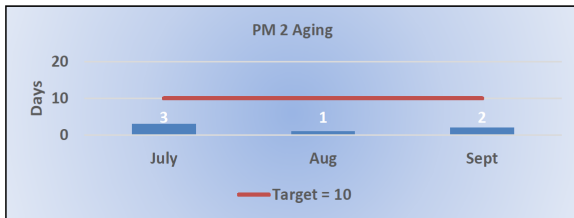
Number of complaints closed or assigned to an investigator.



Total: 265 | Monthly Average: 88

PM2 | Intake – Cycle Time

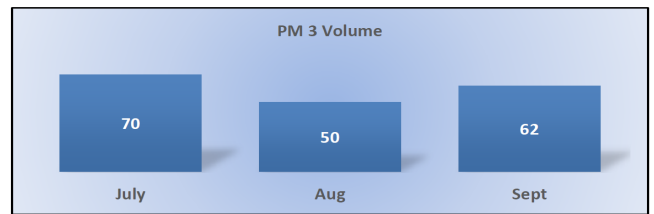
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



Target Average: 10 Days | Actual Average: 2 Days

PM3 | Investigations – Volume

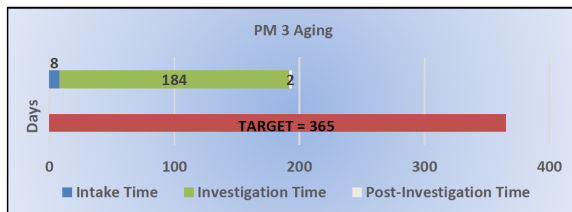
Number of investigations closed (not including cases transmitted to the Attorney General).



Total: 182 | Monthly Average: 61

PM3 | Investigations – Cycle Time¹

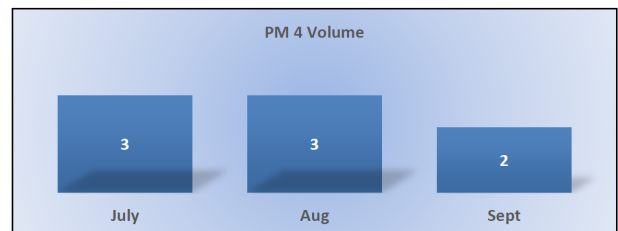
Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General. (Includes intake and investigation)



Target Average: 365 Days | Actual Average: 192 Days

PM4 | Formal Discipline – Volume

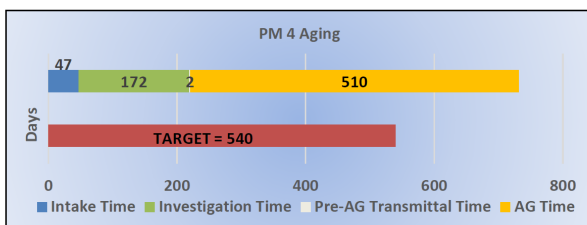
Cases closed after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



Total: 8

PM4 | Formal Discipline – Cycle Time²

Average number of days to close cases after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



Target Average: 540 Days | Actual Average: 727 Days

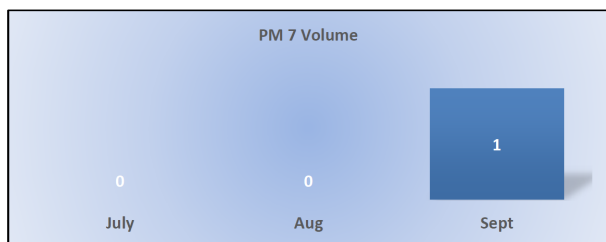
¹ Due to rounding, there might be small discrepancies between the PM3 "Actual Average," and the sum of the individual case stages (i.e., Intake time + Investigation time + Post-Investigation time).

² Due to rounding, there might be small discrepancies between the PM4 "Actual Average," and the sum of the individual case stages (i.e., Intake time + Investigation time + Pre-AG Transmittal time + AG time).

Performance Measures Q1 Report (July -September 2016 continued)

PM7 | Probation Intake – Volume

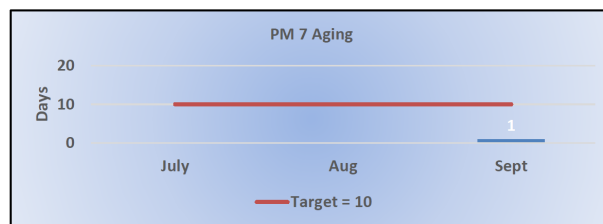
Number of new probation cases.



Total: 1

PM7 | Probation Intake – Cycle Time

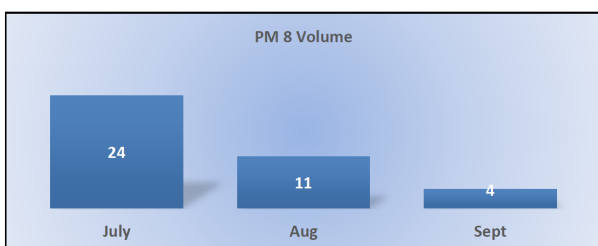
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days | Actual Average: 1 Day

PM8 | Probation Violation Response – Volume

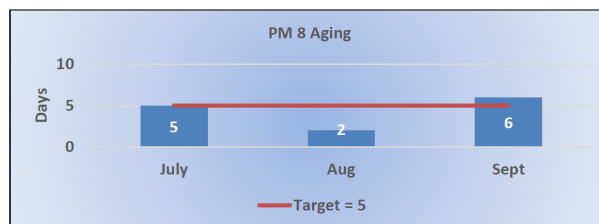
Number of probation violation cases.



Total: 39

PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

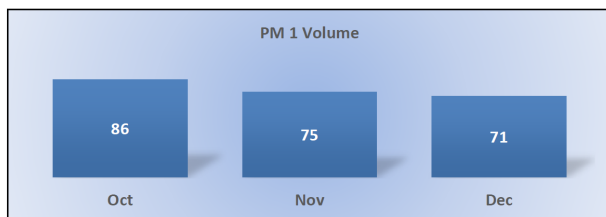


Target Average: 5 Days | Actual Average: 4 Days

Performance Measures Q2 Report (October -December 2016)

PM1 | Volume

Number of complaints and convictions received.

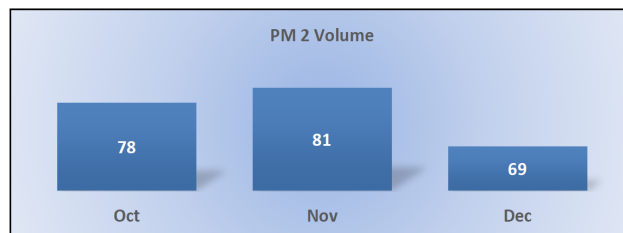


Total Received: 232 | Monthly Average: 77

Complaints: 226 | Convictions: 6

PM2 | Intake – Volume

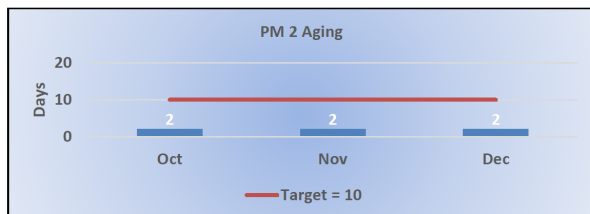
Number of complaints closed or assigned to an investigator.



Total: 228 | Monthly Average: 76

PM2 | Intake – Cycle Time

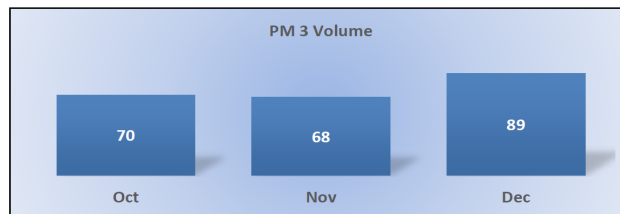
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



Target Average: 10 Days | Actual Average: 2 Days

PM3 | Investigations – Volume

Number of investigations closed (not including cases transmitted to the Attorney General).



Total: 227 | Monthly Average: 76

Performance Measures Q2 Report (October -December 2016 continued)

PM3 | Investigations – Cycle Time¹

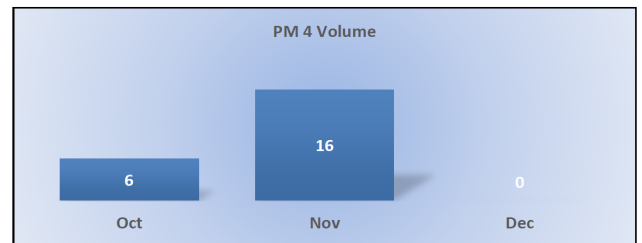
Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General. (Includes intake and investigation.)



Target Average: 365 Days | Actual Average: 216 Days

PM4 | Formal Discipline – Volume

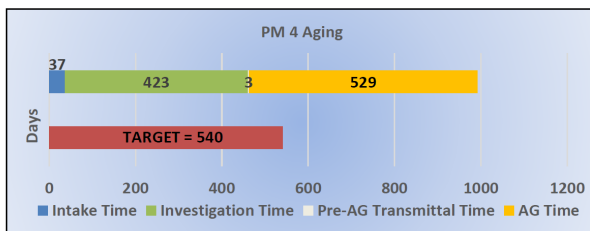
Cases closed after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



Total: 22 | Monthly Average: 7

PM4 | Formal Discipline – Cycle Time²

Average number of days to close cases after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



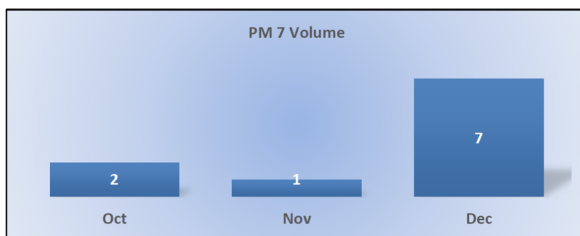
Target Average: 540 Days | Actual Average: 989 Days

¹Due to rounding, there might be small discrepancies between the PM3 “Actual Average,” and the sum of the individual case stages (i.e., Intake time + Investigation time + Post-Investigation time).

²Due to rounding, there might be small discrepancies between the PM4 “Actual Average,” and the sum of the individual case stages (i.e., Intake time + Investigation time + Pre-AG Transmittal time + AG time).

PM7 | Probation Intake – Volume

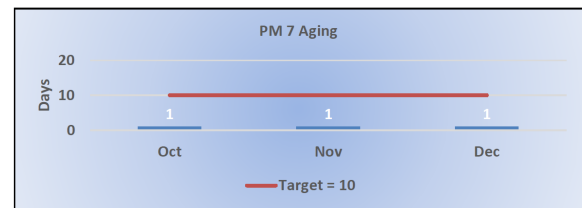
Number of new probation cases.



Total: 10

PM7 | Probation Intake – Cycle Time

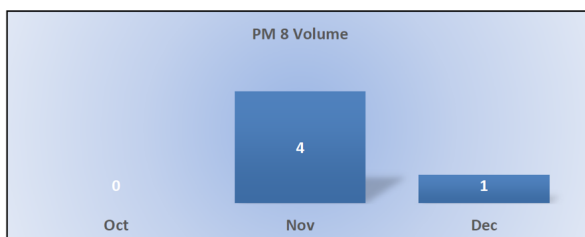
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days | Actual Average: 1 Day

PM8 | Probation Violation Response – Volume

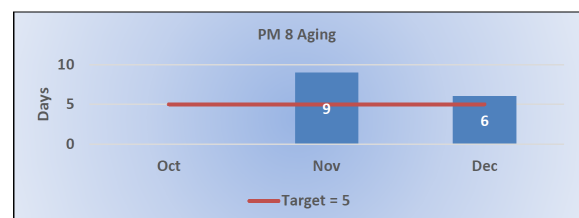
Number of probation violation cases.



Total: 5

PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

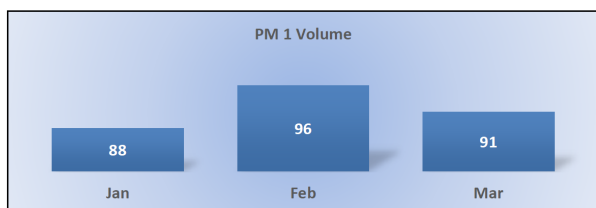


Target Average: 5 Days | Actual Average: 8 Days

Performance Measures Q3 Report (January – March 2017)

PM1 | Volume

Number of complaints and convictions received.

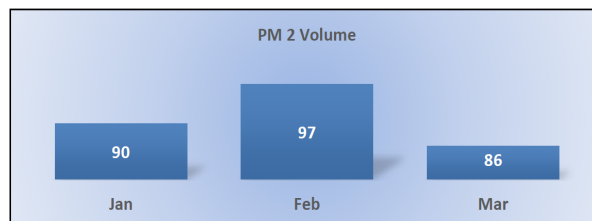


Total Received: 275 | Monthly Average: 92

Complaints: 257 | Convictions: 18

PM2 | Intake – Volume

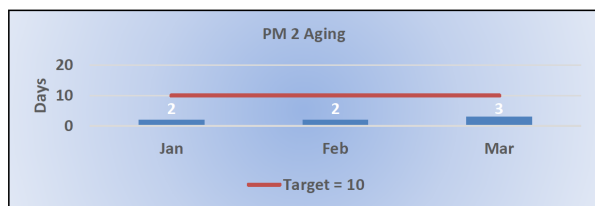
Number of complaints closed or assigned to an investigator.



Total: 273 | Monthly Average: 91

PM2 | Intake – Cycle Time

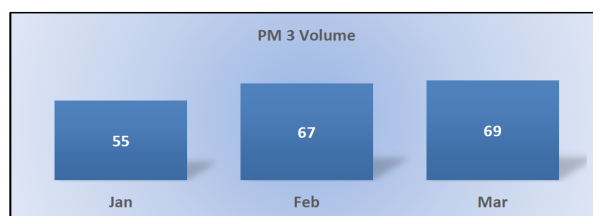
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



Target Average: 10 Days | Actual Average: 2 Days

PM3 | Investigations – Volume

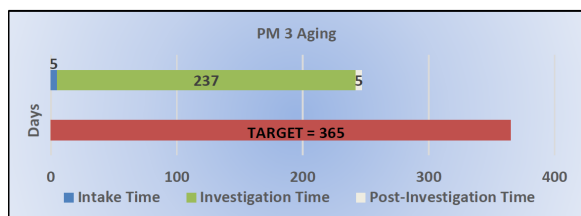
Number of investigations closed (not including cases transmitted to the Attorney General).



Total: 191 | Monthly Average: 64

PM3 | Investigations – Cycle Time¹

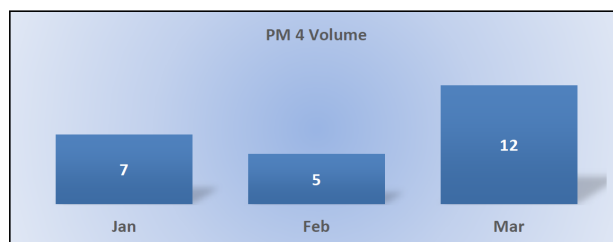
Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General. (Includes intake and investigation.)



Target Average: 365 Days | Actual Average: 245 Days

PM4 | Formal Discipline – Volume

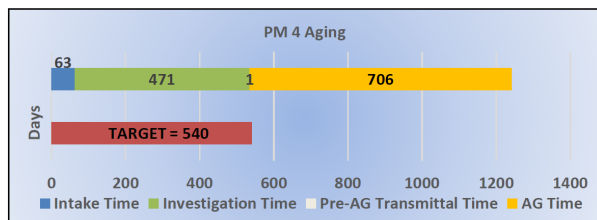
Cases closed after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



Total: 24 | Monthly Average: 8

PM4 | Formal Discipline – Cycle Time²

Average number of days to close cases after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



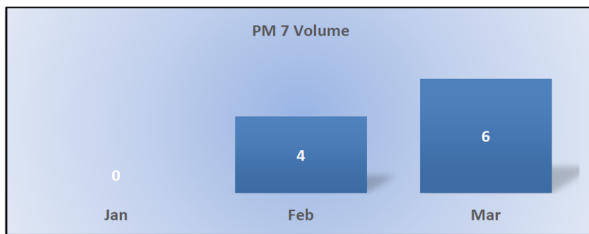
Target Average: 540 Days | Actual Average: 1,238 Days

¹ Due to rounding, there might be small discrepancies between the PM3 "Actual Average," and the sum of the individual case stages (i.e., Intake time + Investigation time + Post-Investigation time).

² Due to rounding, there might be small discrepancies between the PM4 "Actual Average," and the sum of the individual case stages (i.e., Intake time + Investigation time + Pre-AG Transmittal time + AG time).

Performance Measures Q3 Report (January – March 2017 continued)

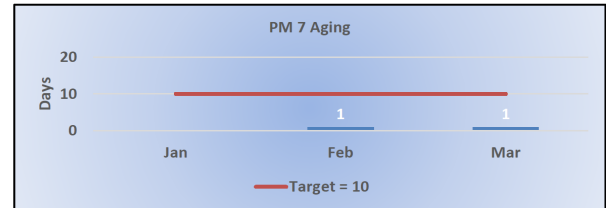
PM7 | Probation Intake – Volume
Number of new probation cases.



Total: 10

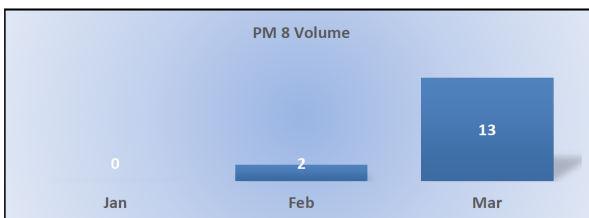
PM7 | Probation Intake – Cycle Time

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days | Actual Average: 1 Day

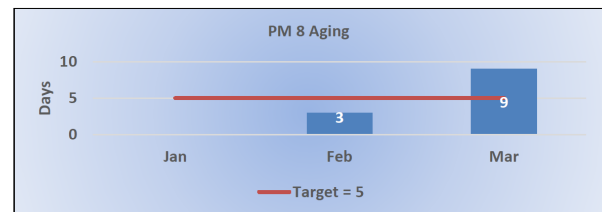
PM8 | Probation Violation Response – Volume
Number of probation violation cases.



Total: 15

PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

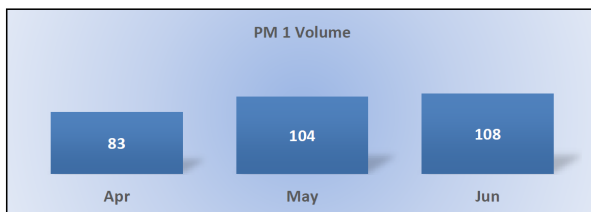


Target Average: 5 Days | Actual Average: 8 Days

Performance Measures Q4 Report (April -June 2017)

PM1 | Volume

Number of complaints and convictions received.

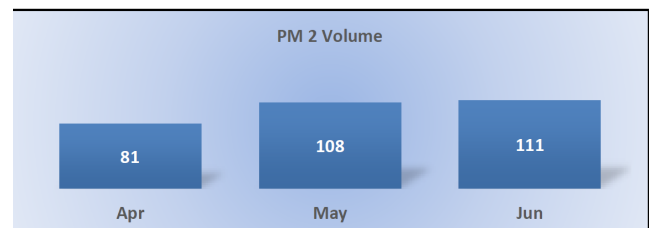


Total Received: 295 | Monthly Average: 98

Complaints: 269 | Convictions: 26

PM2 | Intake – Volume

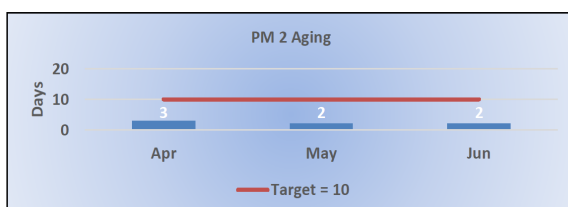
Number of complaints closed or assigned to an investigator.



Total: 300 | Monthly Average: 100

PM2 | Intake – Cycle Time

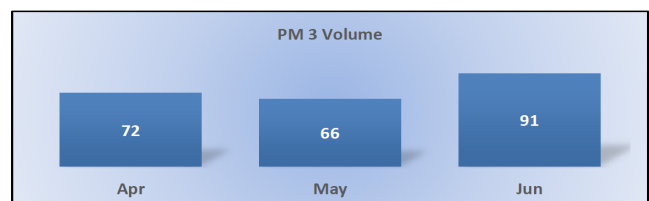
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



Target Average: 10 Days | Actual Average: 2 Days

PM3 | Investigations – Volume

Number of investigations closed (not including cases transmitted to the Attorney General).



Total: 229 | Monthly Average: 76

Performance Measures Q4 Report (April -June 2017 continued)

PM3 | Investigations – Cycle Time¹

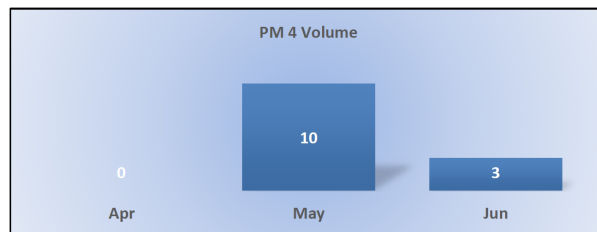
Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General. (Includes intake and investigation.)



Target Average: 365 Days | Actual Average: 214 Days

PM4 | Formal Discipline – Volume

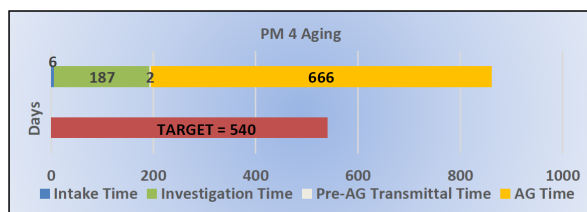
Cases closed after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



Total: 13 | Monthly Average: 4

PM4 | Formal Discipline – Cycle Time²

Average number of days to close cases after transmission to the Attorney General for formal disciplinary action. This includes formal discipline, and closures without formal discipline (e.g., withdrawals, dismissals, etc.).



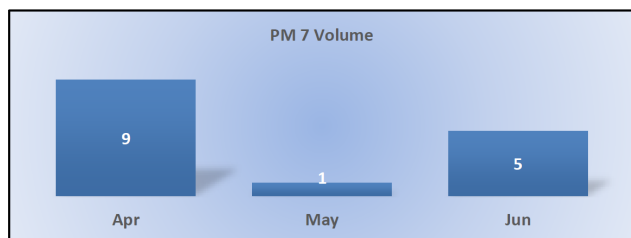
Target Average: 540 Days | Actual Average: 855 Days

¹ Due to rounding, there might be small discrepancies between the PM3 “Actual Average,” and the sum of the individual case stages (i.e., Intake time + Investigation time + Post-Investigation time).

² Due to rounding, there might be small discrepancies between the PM4 “Actual Average,” and the sum of the individual case stages (i.e., Intake time + Investigation time + Pre-AG Transmittal time + AG time).

PM7 | Probation Intake – Volume

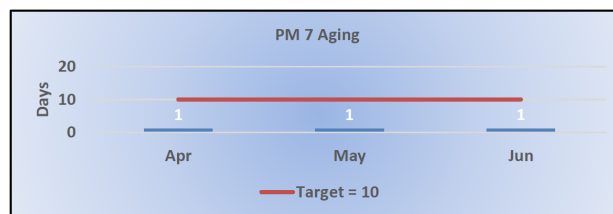
Number of new probation cases.



Total: 15

PM7 | Probation Intake – Cycle Time

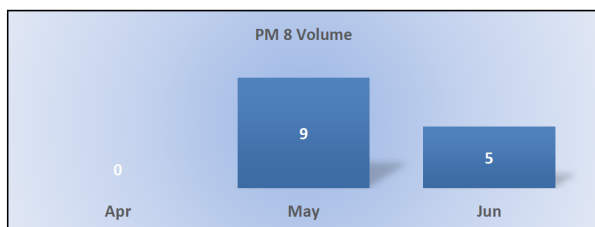
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 10 Days | Actual Average: 1 Day

PM8 | Probation Violation Response – Volume

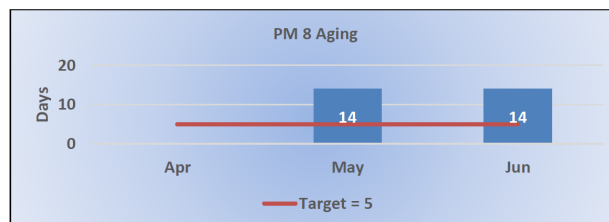
Number of probation violation cases.



Total: 14

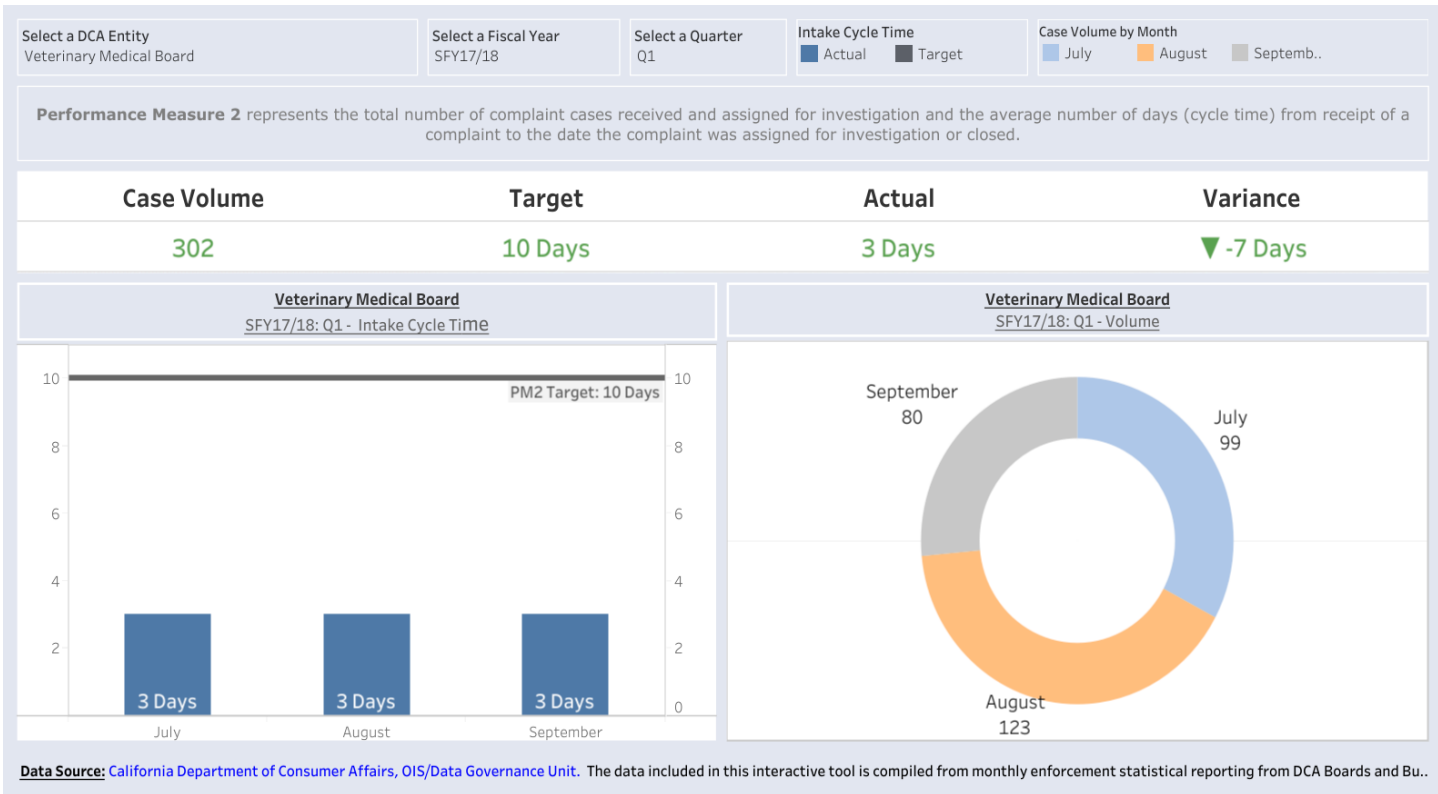
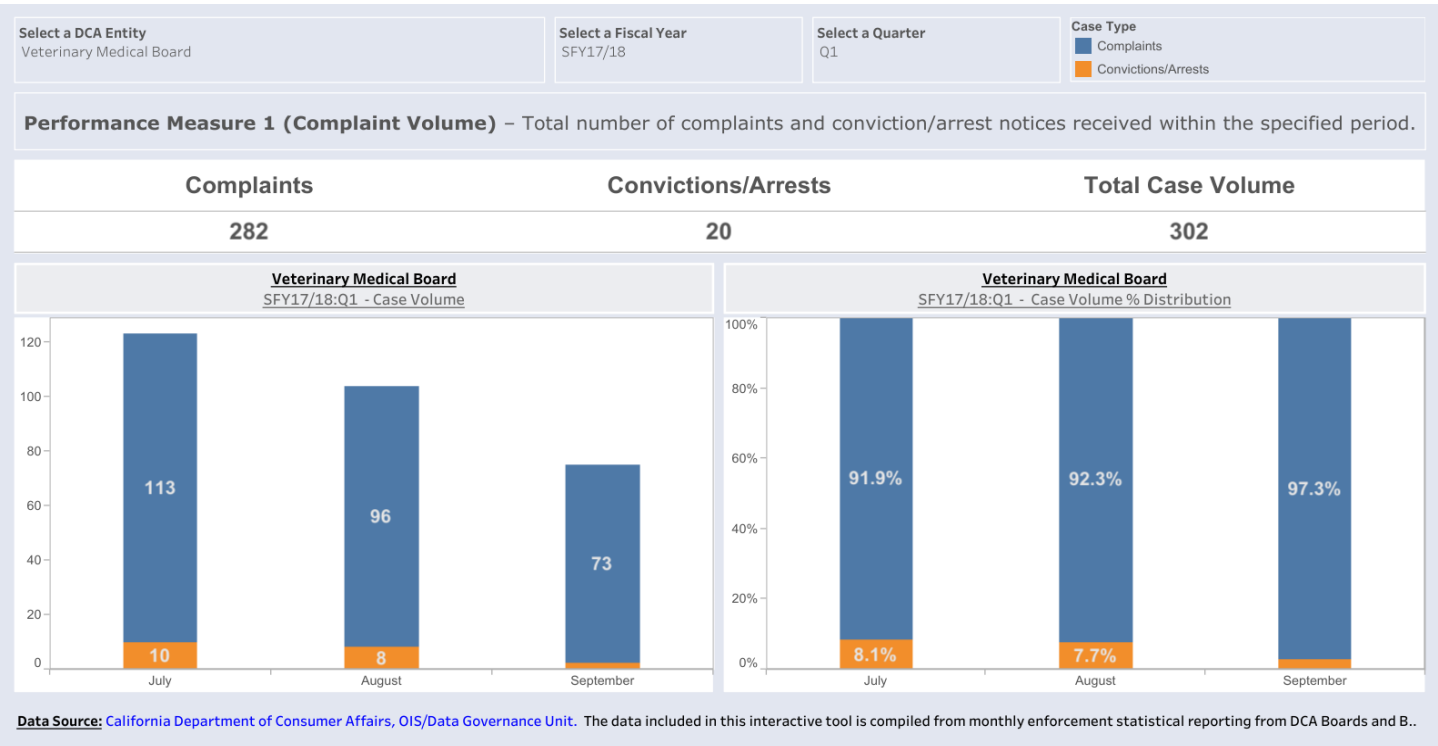
PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



Target Average: 5 Days | Actual Average: 14 Days

Performance Measures Q1 Report (July -September 2017)



Performance Measures Q1 Report (July -September 2017 continued)

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q1

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ July ■ August ■ Septemb..

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Case Volume	Target	Actual	Variance
176	365 Days	263 Days	▼ -102 Days

Veterinary Medical Board
SFY17/18: Q1 - Intake Cycle Time

Month	Actual Intake Cycle Time (Days)
July	263
August	301
September	230

Veterinary Medical Board
SFY17/18: Q1 - Volume

Month	Case Volume
July	56
August	57
September	63

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q1

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ July ■ August ■ Septemb..

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Case Volume	Target	Actual	Variance
24	540 Days	665 Days	▲ 125 Days

Veterinary Medical Board
SFY17/18: Q1 - Intake Cycle Time

Month	Actual Intake Cycle Time (Days)
July	656
August	655
September	689

Veterinary Medical Board
SFY17/18: Q1 - Volume

Month	Case Volume
July	5
August	12
September	7

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Performance Measures Q2 Report (October -December 2017)

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q2

Case Type
■ Complaints
■ Convictions/Arrests

Performance Measure 1 (Complaint Volume) – Total number of complaints and conviction/arrest notices received within the specified period.

Complaints	Convictions/Arrests	Total Case Volume
237	22	259

Veterinary Medical Board
SFY17/18:Q2 - Case Volume

Month	Complaints	Convictions/Arrests
October	78	10
November	84	6
December	75	6

Veterinary Medical Board
SFY17/18:Q2 - Case Volume % Distribution

Month	Complaints (%)	Convictions/Arrests (%)
October	88.6%	11.4%
November	93.3%	6.7%
December	92.6%	7.4%

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and B..

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q2

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ October ■ Novemb.. ■ December

Performance Measure 2 represents the total number of complaint cases received and assigned for investigation and the average number of days (cycle time) from receipt of a complaint to the date the complaint was assigned for investigation or closed.

Case Volume	Target	Actual	Variance
256	10 Days	3 Days	▼ -7 Days

Veterinary Medical Board
SFY17/18: Q2 - Intake Cycle Time

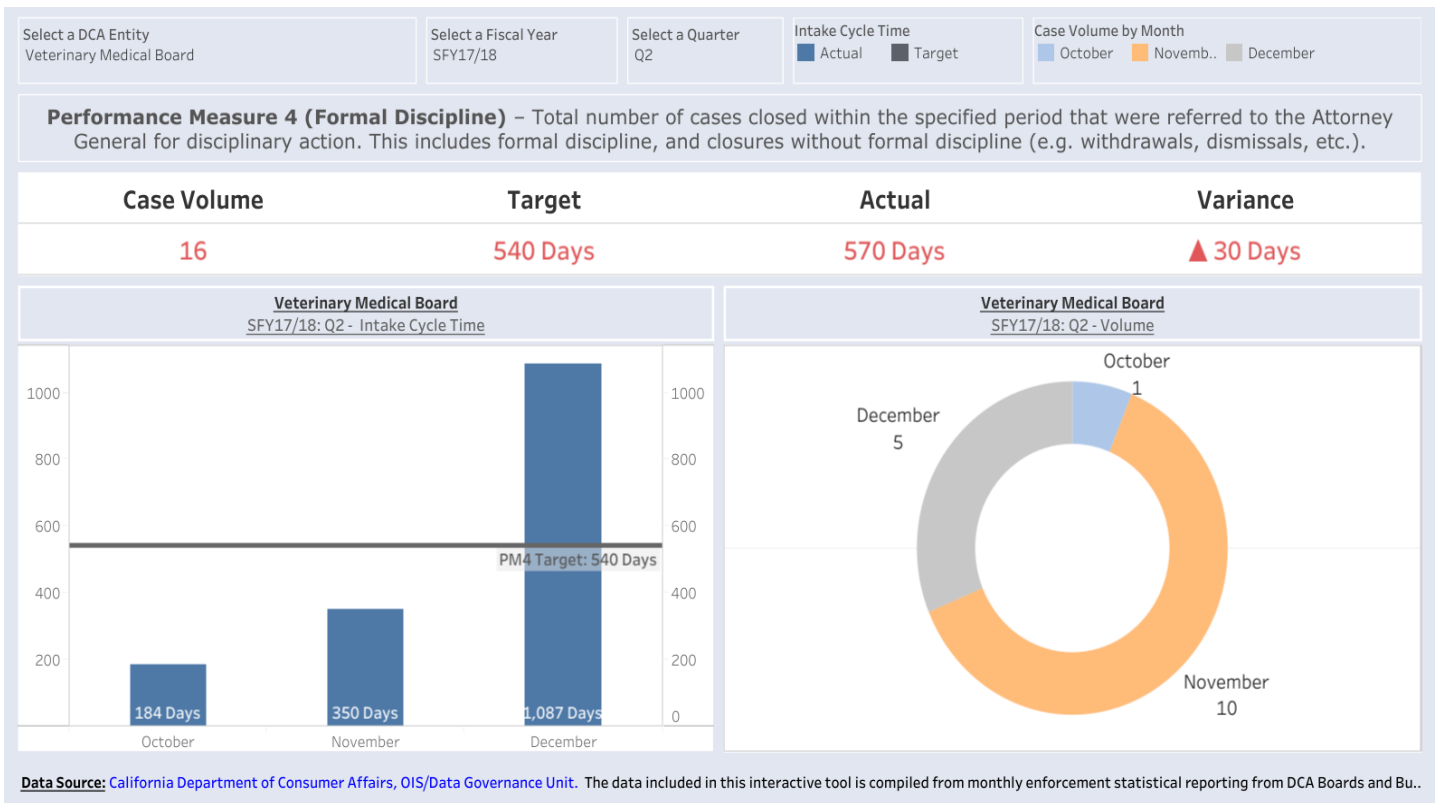
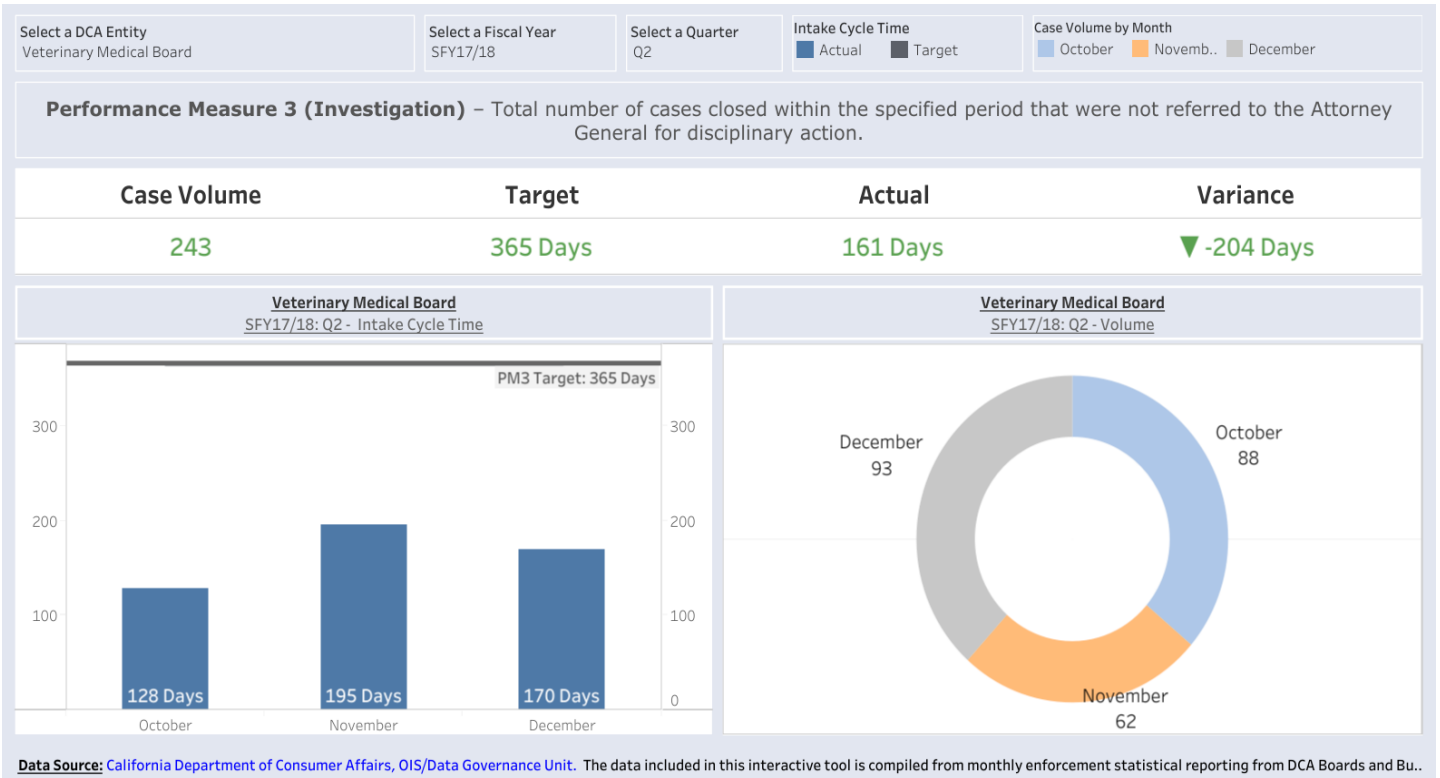
Month	Intake Cycle Time (Days)
October	2
November	3
December	3

Veterinary Medical Board
SFY17/18: Q2 - Volume

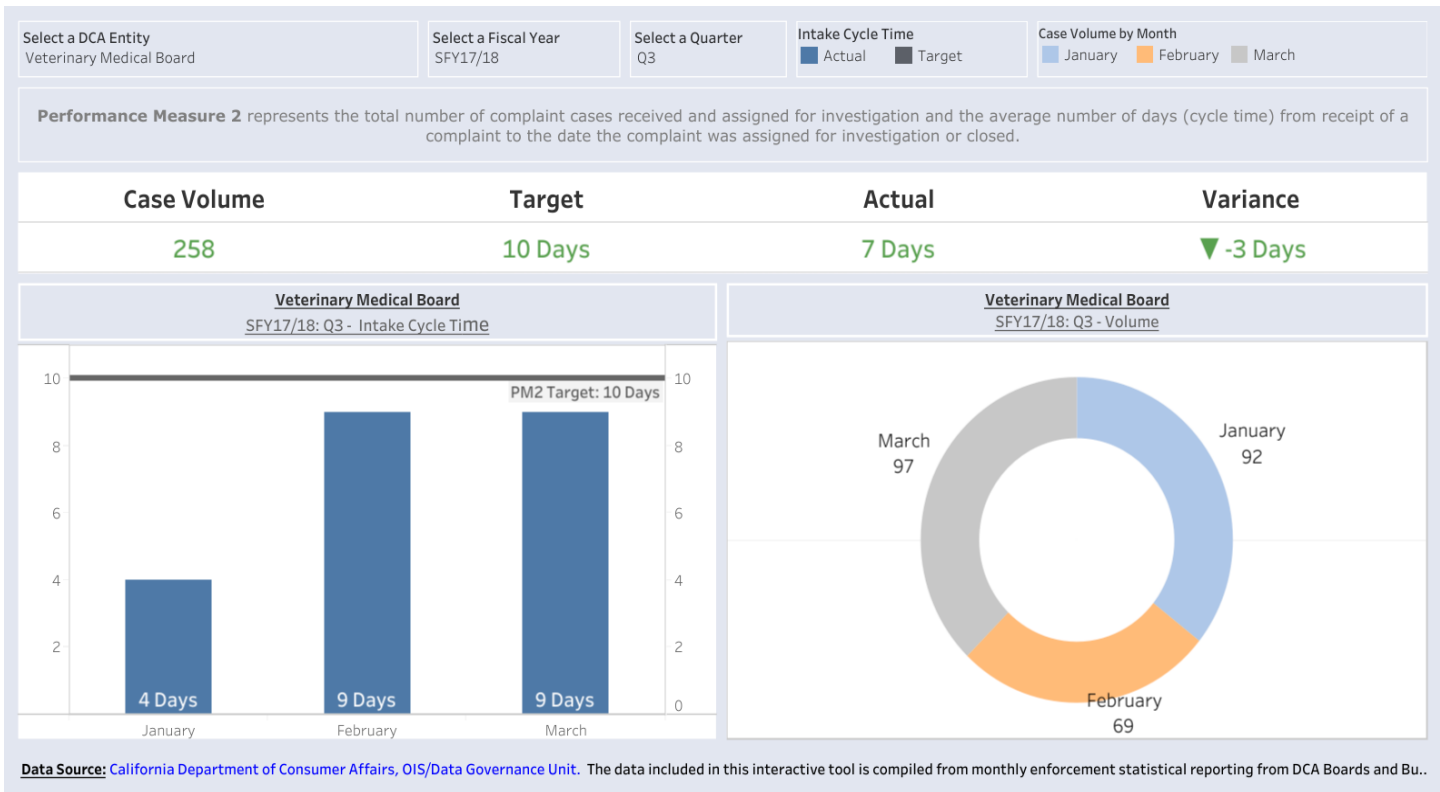
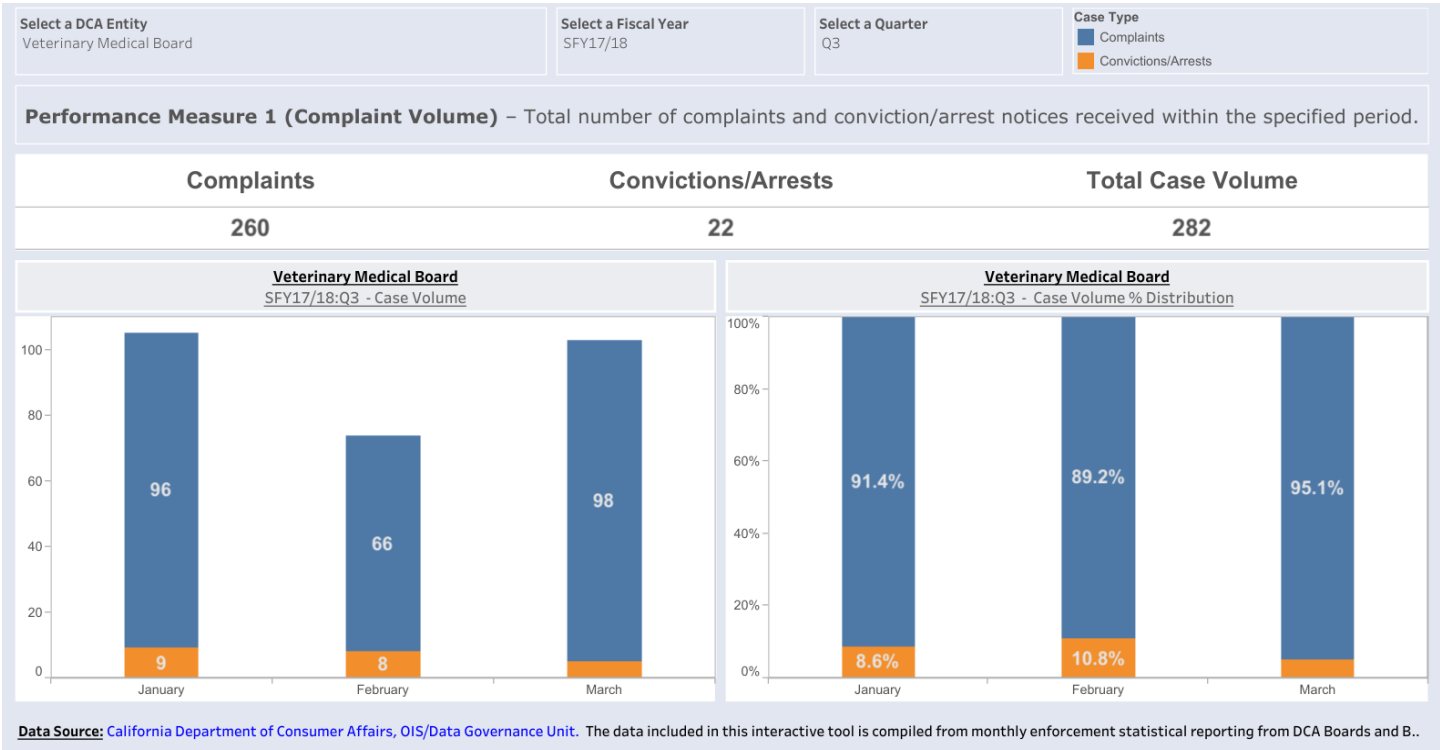
Month	Case Volume
October	86
November	90
December	80

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Performance Measures Q2 Report (October -December 2017 continued)



Performance Measures Q3 Report (January -March 2018)



Performance Measures Q3 Report (January -March 2018 continued)

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q3

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ January ■ February ■ March

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Case Volume	Target	Actual	Variance
153	365 Days	236 Days	▼ -129 Days

Veterinary Medical Board
SFY17/18: Q3 - Intake Cycle Time

Month	Actual Intake Cycle Time (Days)
January	210
February	275
March	221

Veterinary Medical Board
SFY17/18: Q3 - Volume

Month	Case Volume
January	66
February	56
March	31

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q3

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ January ■ February ■ March

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Case Volume	Target	Actual	Variance
18	540 Days	489 Days	▼ -51 Days

Veterinary Medical Board
SFY17/18: Q3 - Intake Cycle Time

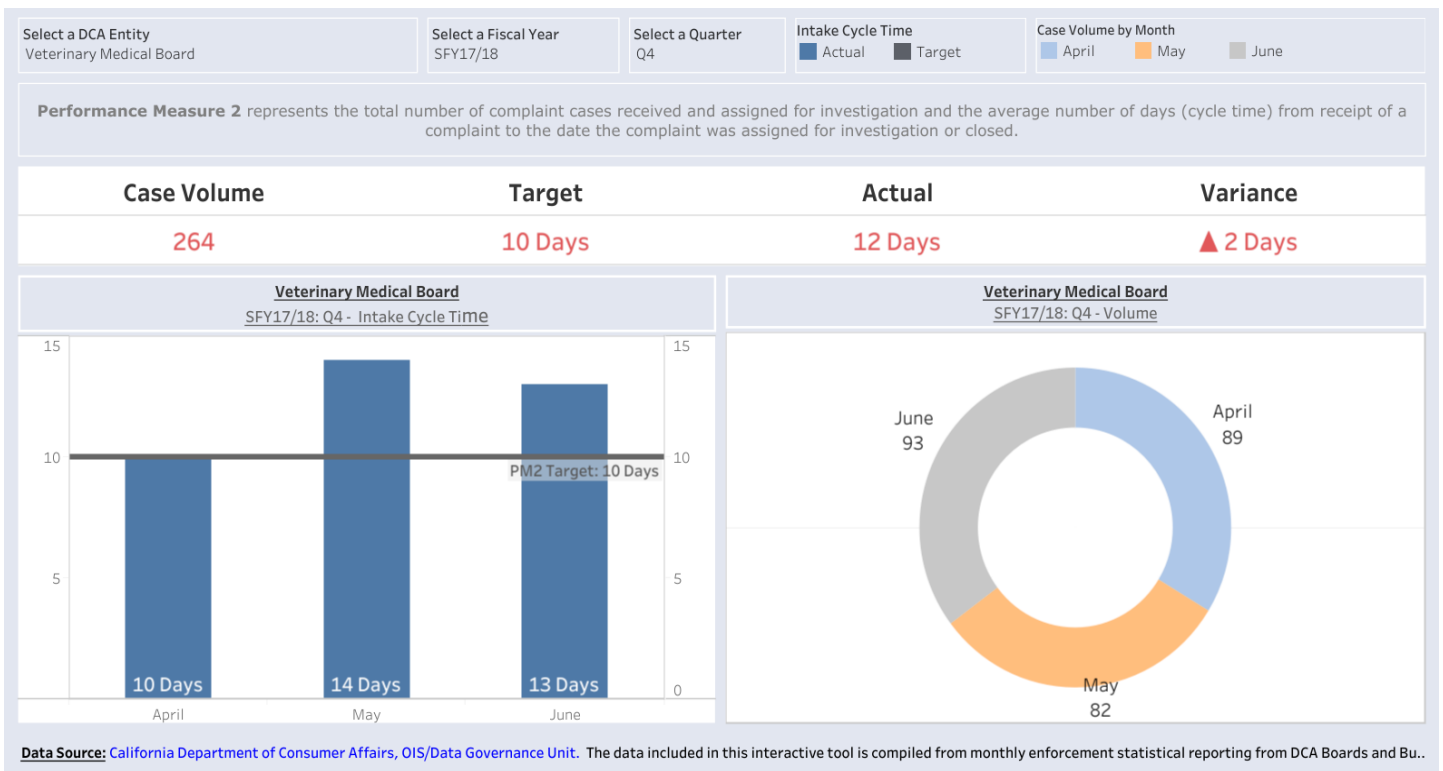
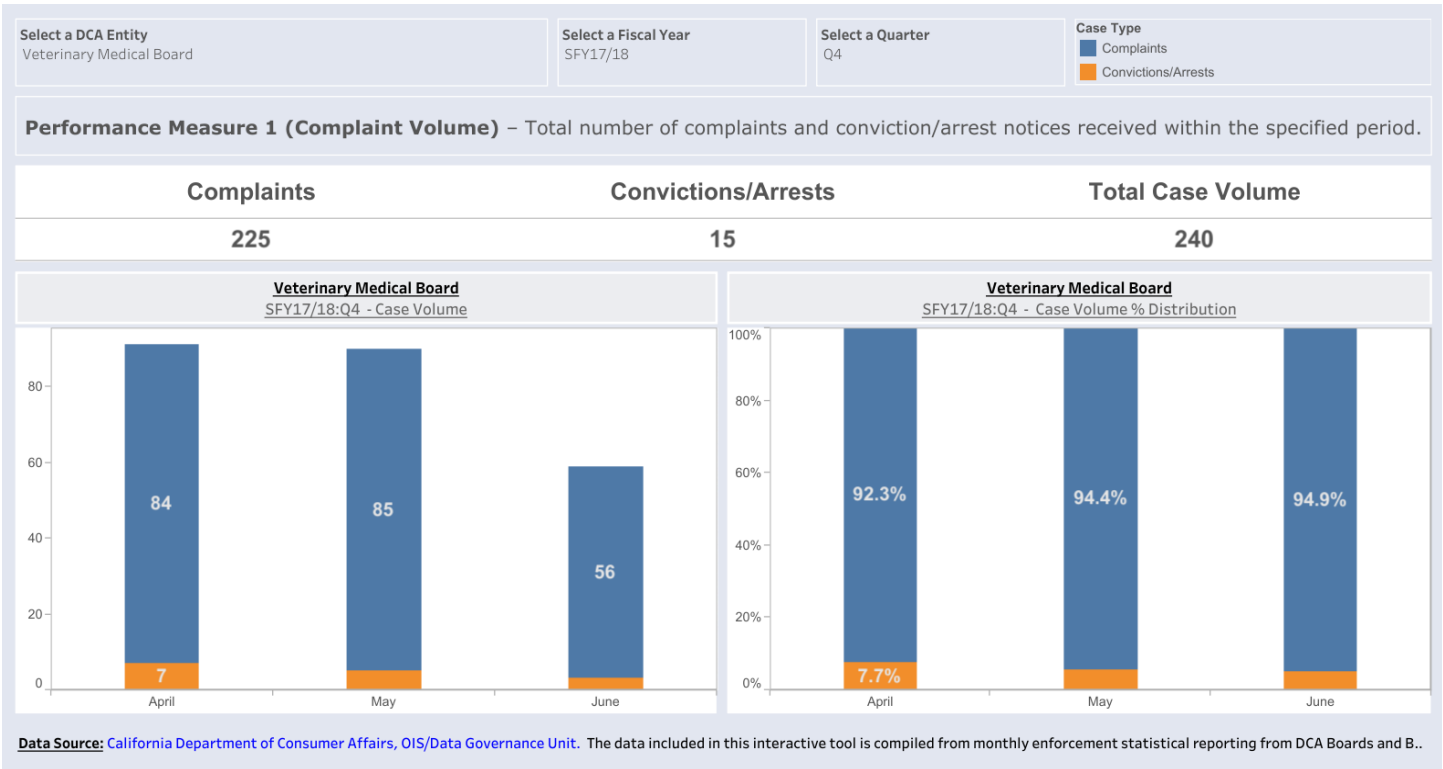
Month	Actual Intake Cycle Time (Days)
January	658
February	253
March	304

Veterinary Medical Board
SFY17/18: Q3 - Volume

Month	Case Volume
January	10
February	4
March	4

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Performance Measures Q4 Report (April -June 2018)



Performance Measures Q4 Report (April -June 2018 continued)

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q4

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ April ■ May ■ June

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Case Volume	Target	Actual	Variance
111	365 Days	345 Days	▼ -20 Days

Veterinary Medical Board
SFY17/18: Q4 - Intake Cycle Time

Month	Intake Cycle Time (Days)
April	337
May	447
June	296

Veterinary Medical Board
SFY17/18: Q4 - Volume

Month	Volume
April	43
May	24
June	44

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY17/18

Select a Quarter
Q4

Intake Cycle Time
■ Actual ■ Target

Case Volume by Month
■ April ■ May ■ June

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Case Volume	Target	Actual	Variance
35	540 Days	828 Days	▲ 288 Days

Veterinary Medical Board
SFY17/18: Q4 - Intake Cycle Time

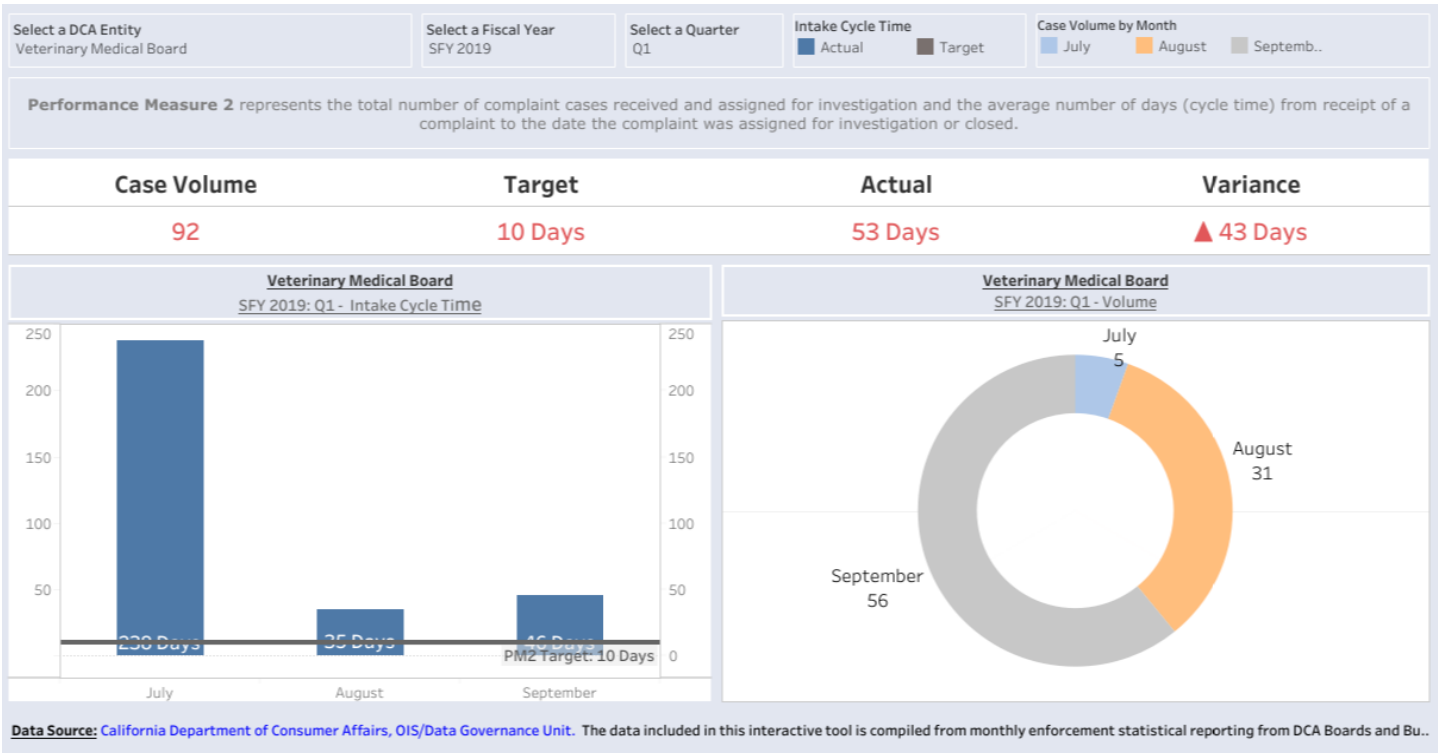
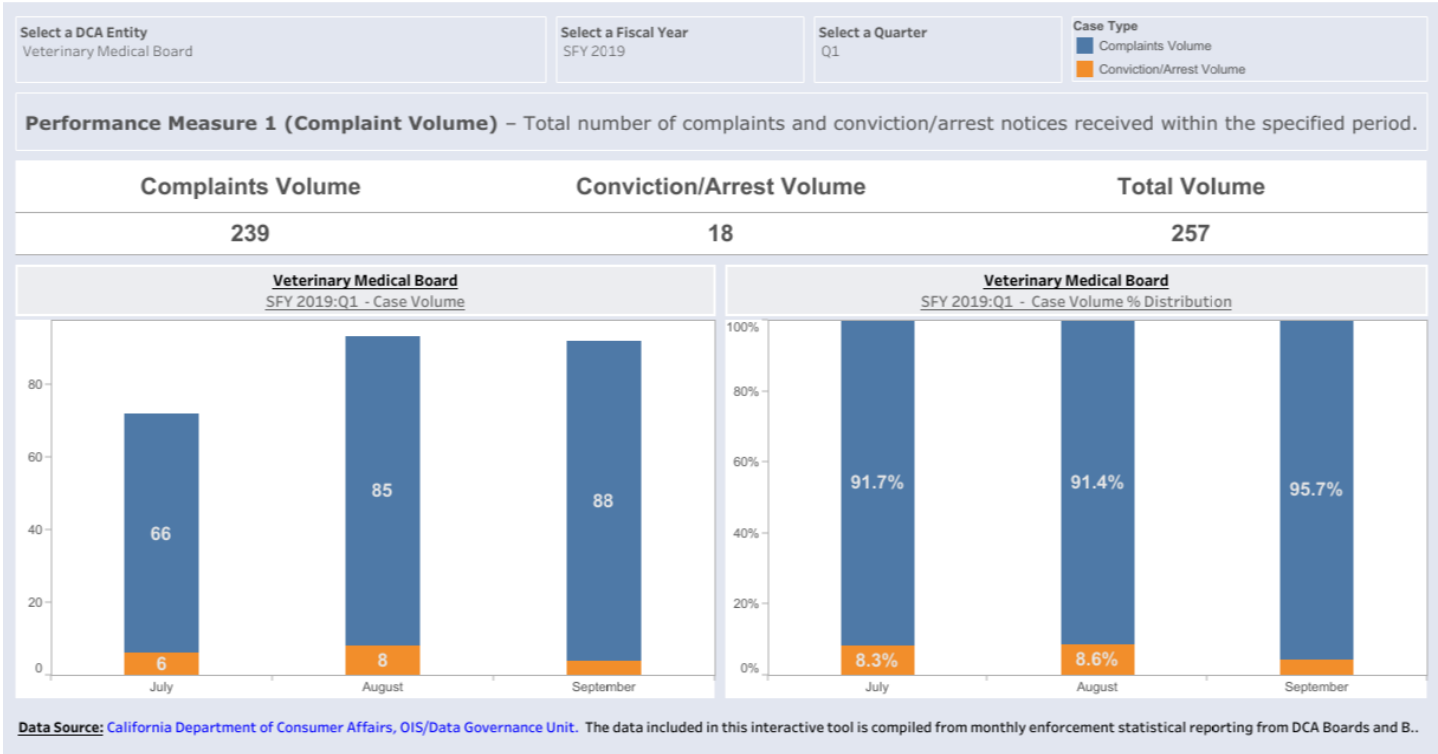
Month	Intake Cycle Time (Days)
April	1,336
May	470
June	550

Veterinary Medical Board
SFY17/18: Q4 - Volume

Month	Volume
April	13
May	6
June	16

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Performance Measures Q1 Report (July -September 2018)



Performance Measures Q1 Report (July -September 2018 continued)

Select a DCA Entity
Veterinary Medical Board
Select a Fiscal Year
SFY 2019
Select a Quarter
Q1
Intake Cycle Time
Actual Target
Case Volume by Month
July August Septemb..

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Case Volume	Target	Actual	Variance
82	365 Days	360 Days	▼ -5 Days

Veterinary Medical Board
SFY 2019: Q1 - Investigations Cycle Time

Month	Cycle Time (Days)
July	320
August	499
September	311

Veterinary Medical Board
SFY 2019: Q1 - Volume

Month	Volume
July	48
August	19
September	15

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Select a DCA Entity
Veterinary Medical Board
Select a Fiscal Year
SFY 2019
Select a Quarter
Q1
Intake Cycle Time
Actual Target
Case Volume by Month
July Augu.. Sept..

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Case Volume	Target	Actual	Variance
19	540 Days	807 Days	▲ 267 Days

Veterinary Medical Board
SFY 2019: Q1 - Investigations Cycle Time

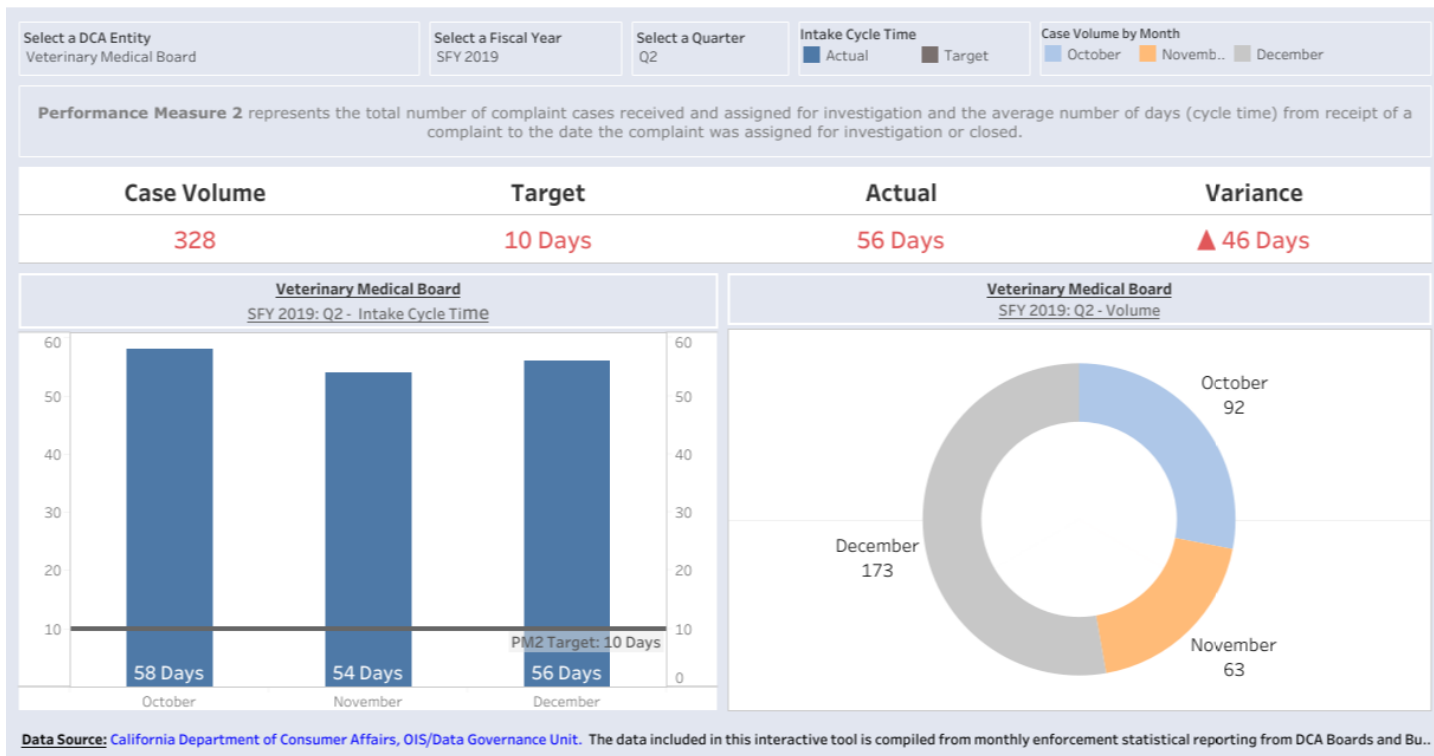
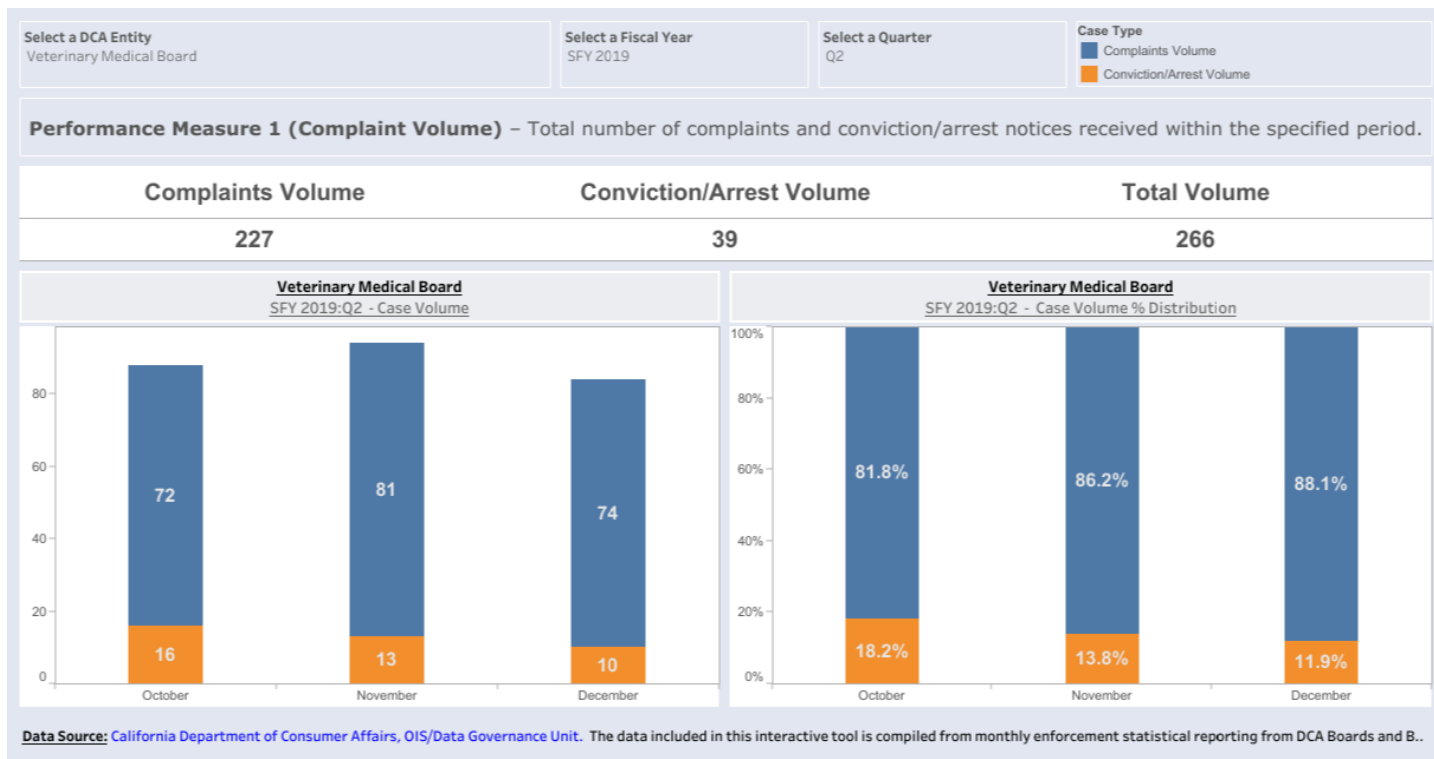
Month	Cycle Time (Days)
July	697
August	955
September	766

Veterinary Medical Board
SFY 2019: Q1 - Volume

Month	Volume
July	8
August	7
September	4

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Performance Measures Q2 Report (October -December 2018)



Performance Measures Q2 Report (October -December 2018 continued)

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY 2019

Select a Quarter
Q2

Intake Cycle Time
Actual Target

Case Volume by Month
October Novemb.. December

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Case Volume	Target	Actual	Variance
157	365 Days	368 Days	▲ 3 Days

Veterinary Medical Board
SFY 2019: Q2 - Investigations Cycle Time

Month	Cycle Time (Days)
October	351
November	397
December	279
PM3 Target	365

Veterinary Medical Board
SFY 2019: Q2 - Volume

Month	Volume
October	18
November	107
December	32

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY 2019

Select a Quarter
Q2

Intake Cycle Time
Actual Target

Case Volume by Month
Octo.. Nove.. Dece..

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Case Volume	Target	Actual	Variance
15	540 Days	604 Days	▲ 64 Days

Veterinary Medical Board
SFY 2019: Q2 - Investigations Cycle Time

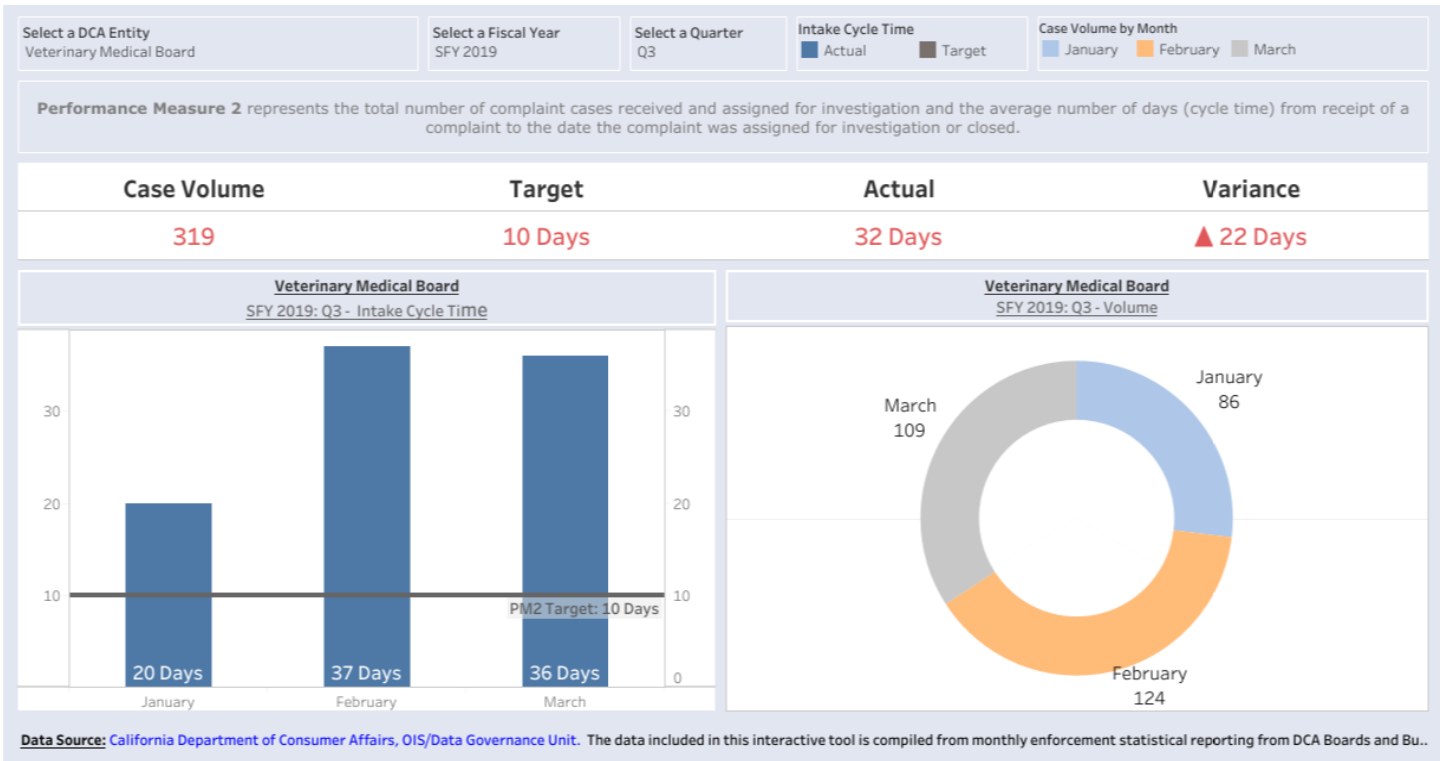
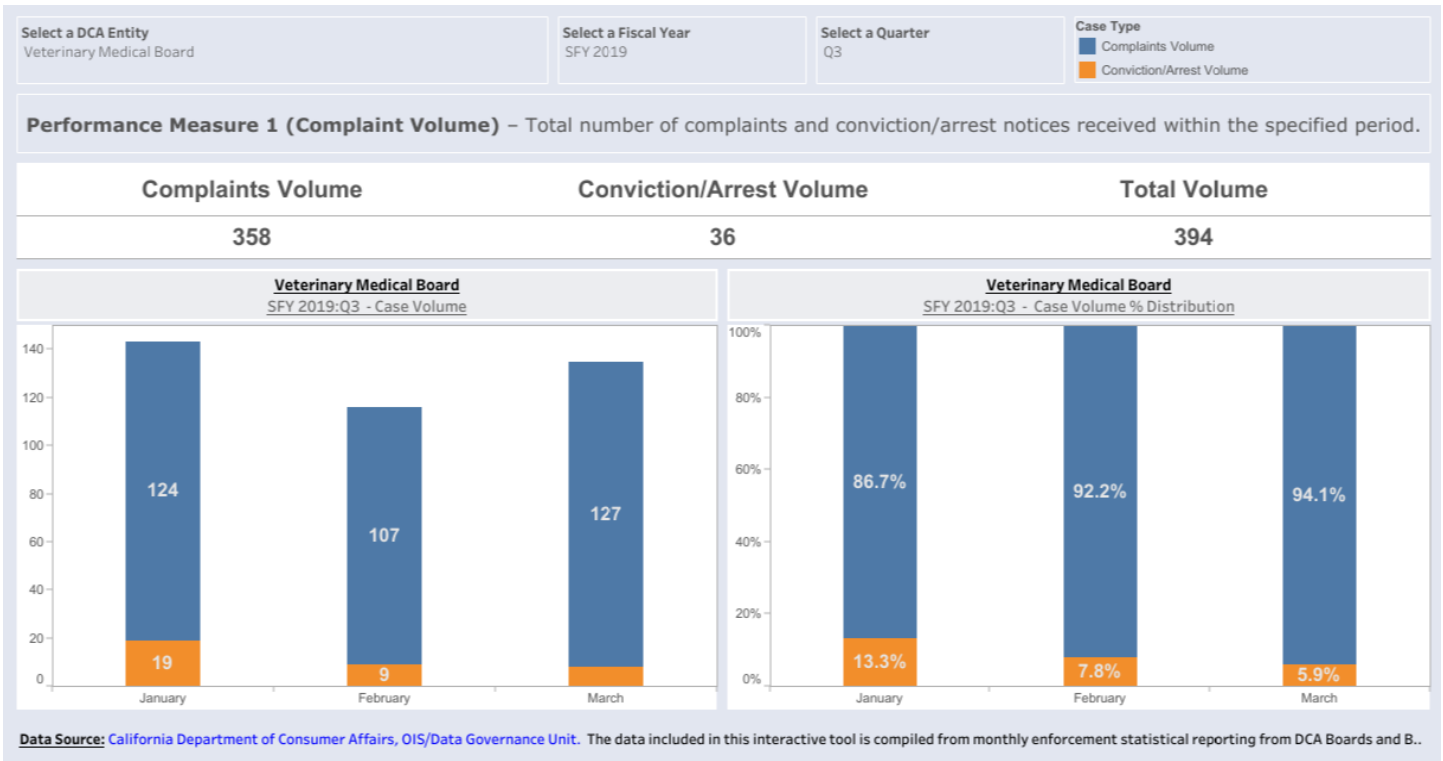
Month	Cycle Time (Days)
October	733
November	509
December	440
PM3 Target	540

Veterinary Medical Board
SFY 2019: Q2 - Volume

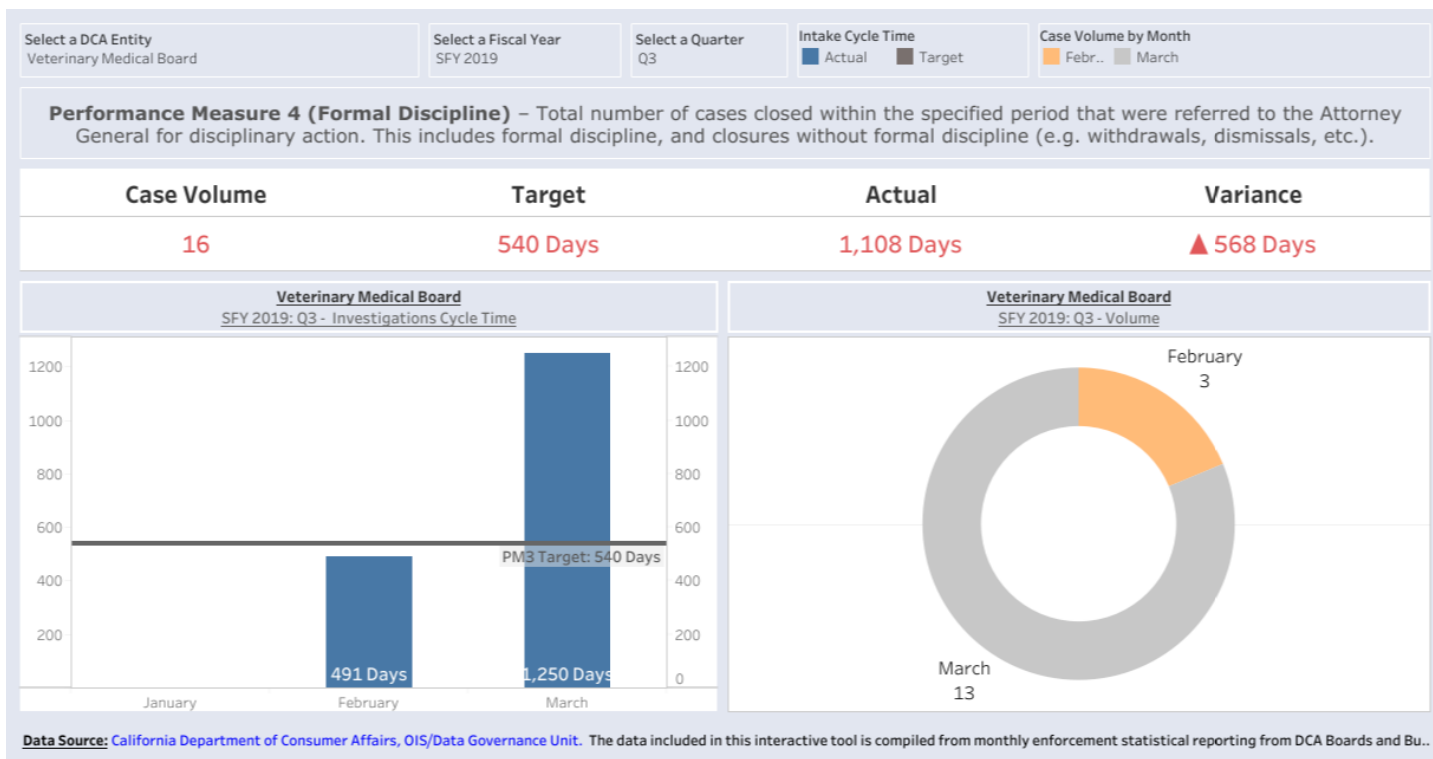
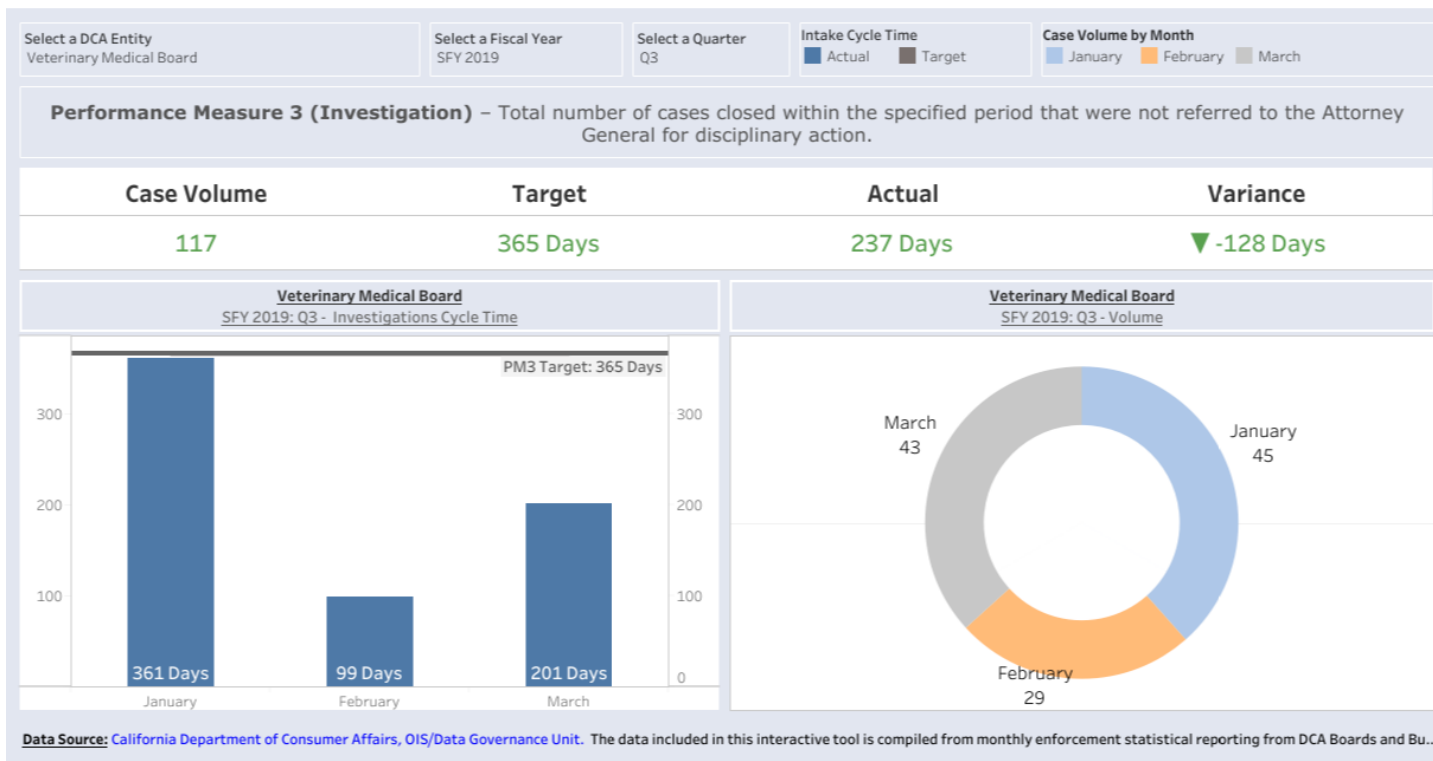
Month	Volume
October	7
November	6
December	2

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

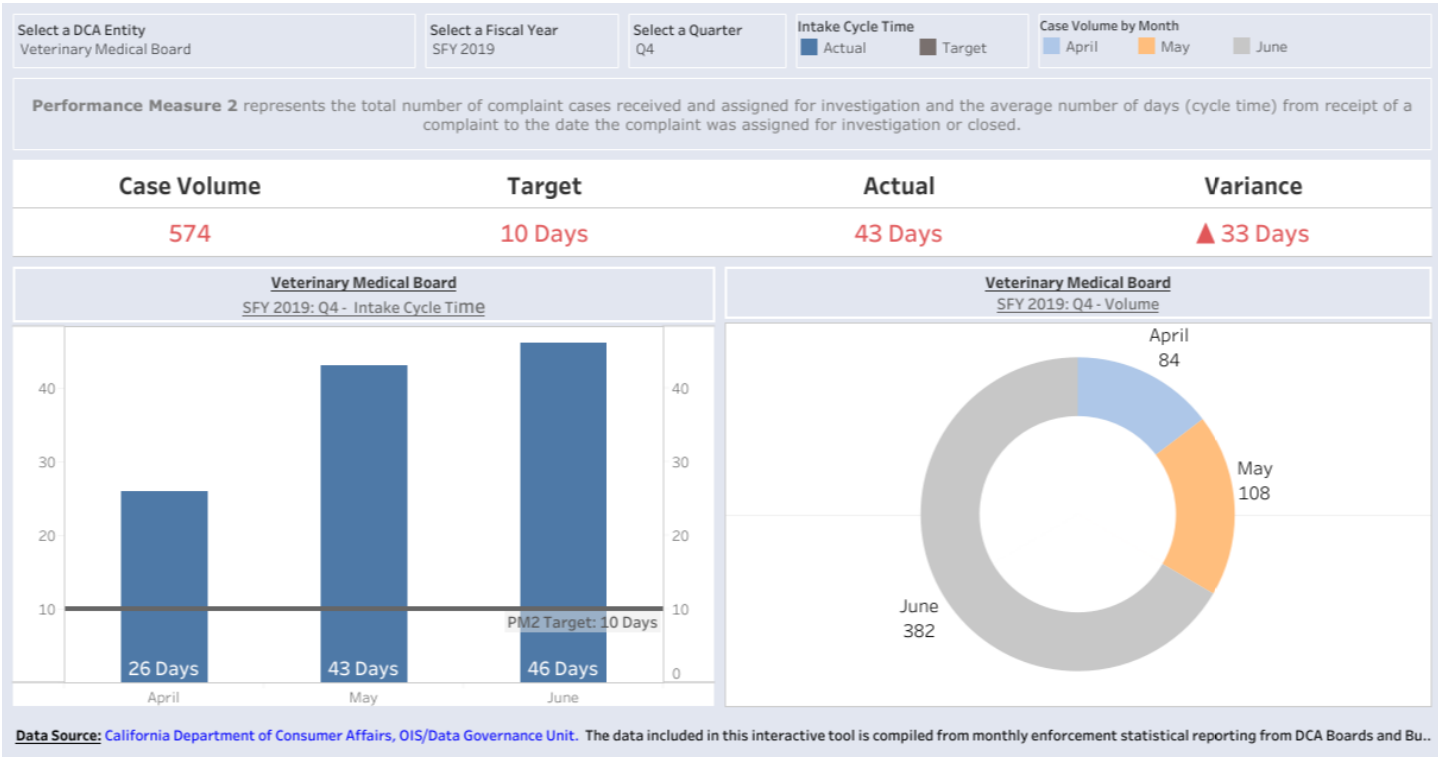
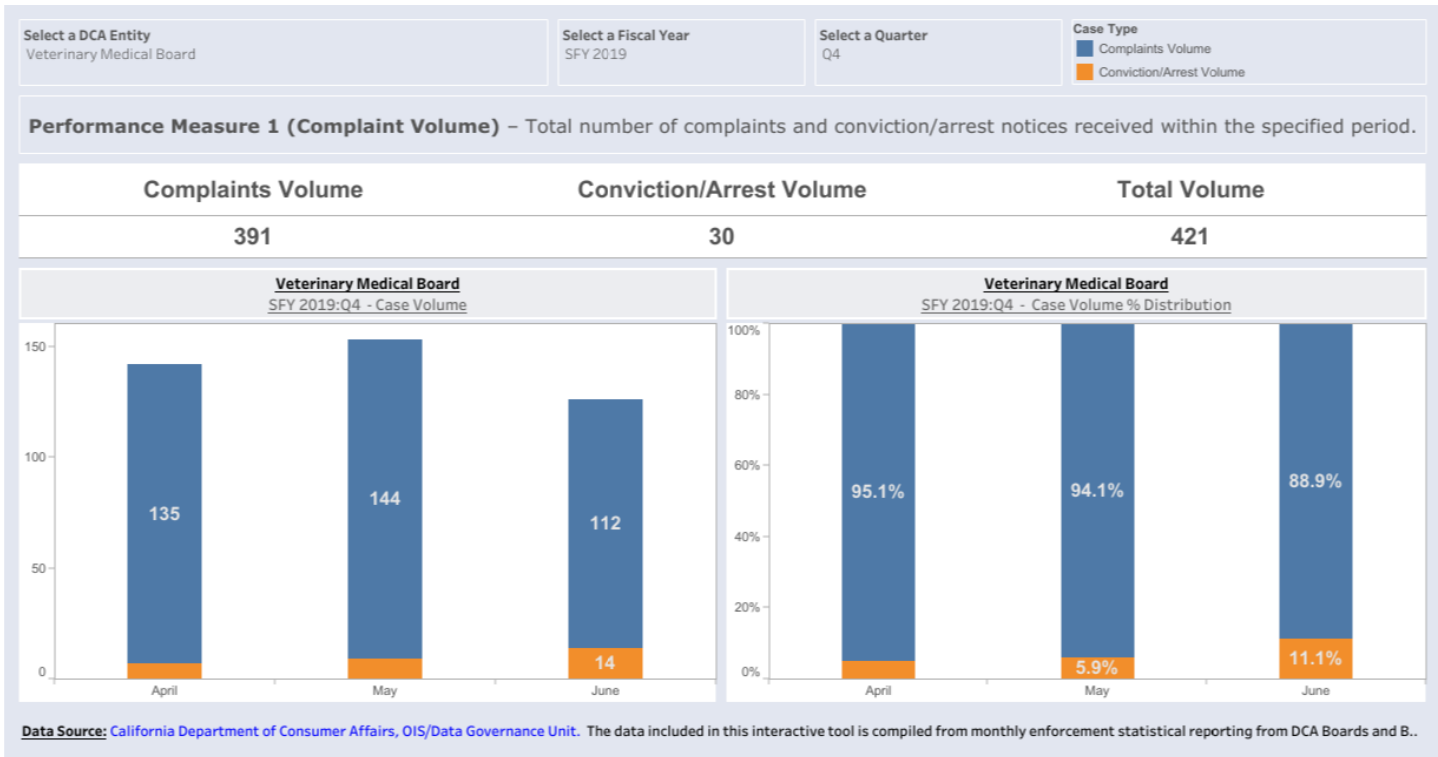
Performance Measures Q3 Report (January -March 2019)



Performance Measures Q3 Report (January -March 2019 continued)



Performance Measures Q4 Report (April -June 2019)



Performance Measures Q4 Report (April -June 2019 continued)

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY 2019

Select a Quarter
Q4

Intake Cycle Time
Actual Target

Case Volume by Month
April May June

Performance Measure 3 (Investigation) – Total number of cases closed within the specified period that were not referred to the Attorney General for disciplinary action.

Case Volume	Target	Actual	Variance
155	365 Days	199 Days	▼ -166 Days

Veterinary Medical Board
SFY 2019: Q4 - Investigations Cycle Time

Month	Actual
April	195 Days
May	235 Days
June	179 Days

Veterinary Medical Board
SFY 2019: Q4 - Volume

Month	Volume
April	33
May	47
June	75

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

Select a DCA Entity
Veterinary Medical Board

Select a Fiscal Year
SFY 2019

Select a Quarter
Q4

Intake Cycle Time
Actual Target

Case Volume by Month
April May June

Performance Measure 4 (Formal Discipline) – Total number of cases closed within the specified period that were referred to the Attorney General for disciplinary action. This includes formal discipline, and closures without formal discipline (e.g. withdrawals, dismissals, etc.).

Case Volume	Target	Actual	Variance
49	540 Days	1,054 Days	▲ 514 Days

Veterinary Medical Board
SFY 2019: Q4 - Investigations Cycle Time

Month	Actual
April	1,045 Days
May	1,111 Days
June	999 Days

Veterinary Medical Board
SFY 2019: Q4 - Volume

Month	Volume
April	12
May	19
June	18

Data Source: California Department of Consumer Affairs, OIS/Data Governance Unit. The data included in this interactive tool is compiled from monthly enforcement statistical reporting from DCA Boards and Bu..

7. Provide results for each question in the board’s customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

The Board’s current customer satisfaction survey was created by DCA’s IT department and only covers the investigation process via the questions below. The Board is dissatisfied with the lack of survey participation and believes the low response rate is due to the surveys being distributed only after a complaint is closed. In an effort to increase participation, the Board is redesigning its surveys to be more specific to services received within each VMB unit. As a result, stakeholders will be able to provide feedback concerning not only their enforcement experience, but the licensing, inspection, and administrative process as well. The redesigned surveys will be distributed more frequently via email and added to staff signature blocks in emails and letters.

Complaint Survey Results

How well did we explain the complaint process to you?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Very Poor	6	1	3	3	13
Poor	0	0	1	0	1
Good	2	0	0	0	2
Very Good	2	0	1	0	3
Total Responses	10	1	5	3	19

How clearly was the outcome of your complaint explained to you?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Very Poor	6	1	3	3	13
Poor	1	0	1	0	2
Good	1	0	0	0	1
Very Good	2	0	1	0	3
Total Responses	10	0	5	3	18

How well did we meet the timeframe provided to you?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Very Poor	5	0	4	3	12
Poor	1	1	0	0	2
Good	1	0	0	0	1
Very Good	2	0	1	0	3
Total Responses	9	1	5	3	18

How courteous and helpful was staff?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Very Poor	4	1	2	2	9
Poor	3	0	0	1	4
Good	1	0	2	0	3
Very Good	2	0	1	0	3
Total Responses	10	0	5	3	18

Overall, how well did we handle your complaint?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Very Poor	7	1	3	3	14
Poor	0	0	1	0	1
Good	2	0	0	0	2
Very Good	1	0	1	0	2
Total Responses	10	1	5	3	19

If we were unable to assist you, were alternatives provided to you?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Yes	0	0	0	0	0
No	5	1	4	3	13
Not Applicable	0	0	1	0	1
Total Responses	5	1	5	3	14

Did you verify the provider's license prior to service?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Yes	7	0	3	0	10
No	2	1	1	0	4
Not Applicable	1	0	1	3	5
Total Responses	10	1	5	3	19

2015/2016

Of the 11 survey responses received, nine provided additional written comments. Of those, one was satisfied with the investigation process and eight were dissatisfied with the outcome of the investigation.

2016/2017

Of the two survey responses received, one provided an additional written comment expressing dissatisfaction with the investigation process and turnaround time.

2017/2018

Of the six survey responses received, five provided additional written comments. Of those, one praised the investigation process and customer service, two were dissatisfied with their interaction with Board staff, and two were unhappy with the investigation outcome.

2018/2019

Of the five survey responses received, three provided additional written comments expressing dissatisfaction with the investigation outcome.

Based on the results of the customer satisfaction surveys, it appears effective communication between staff and complainants/licensees is lacking. This includes providing a better overview of the investigation process and potential outcomes, timelier follow-up, and potential alternatives.

In addition, due to the low response rate received over the prior four fiscal years, the Board will be ensuring the links to customer service surveys are more accessible. This includes housing survey links on the Board's website and social media pages, all staff email signature blocks, follow-up emails to licensees/consumers, and on mass emails sent to subscribers.

Inspection Survey Results

Inspection Surveys are mailed with a closing letter to each premises after completed inspections. Results are then faxed back to the Board.

Did our Inspector fully identify him or herself?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Yes	203	160	91	116	570
No	1	0	0	0	1
Total Responses	204	160	91	116	571

Did our Inspector explain the minimum standards requirements to you?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Yes	201	158	91	115	565
No	4	2	0	1	7
Total Responses	205	160	91	116	572

If deficiencies were noted, were you given adequate time to correct them?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Yes	202	157	89	108	556
No	0	0	0	0	0
Total Responses	202	157	89	108	556

Was our Inspector professional and courteous?					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Yes	201	158	91	114	564
No	1	0	0	2	3
Total Responses	202	158	91	116	567

If yes, how would you rate the service? Area: Timeliness					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Excellent	53	48	25	34	160
Satisfactory	23	22	7	13	65
Unsatisfactory	9	2	2	3	16
No Opinion	0	0	1	0	1
Total Responses	85	72	35	50	242

If yes, how would you rate the service? Area: Accuracy					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Excellent	62	48	30	41	181
Satisfactory	19	23	3	6	51
Unsatisfactory	1	0	0	3	4
No Opinion	1	1	1	0	3
Total Responses	83	72	34	50	239

If yes, how would you rate the service? Area: Courtesy					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Excellent	62	62	31	39	194
Satisfactory	21	10	2	10	43
Unsatisfactory	0	0	0	0	0
No Opinion	0	0	1	1	2
Total Responses	83	72	34	50	239

If yes, how would you rate the service? Area: Effectiveness					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Excellent	60	56	29	37	182
Satisfactory	24	15	4	11	54
Unsatisfactory	1	1	0	2	4
No Opinion	1	0	1	0	2
Total Responses	86	72	34	50	242

If yes, how would you rate the service? Area: Professional Demeanor					
Rating	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY Totals
Excellent	62	62	31	39	194
Satisfactory	21	9	0	9	39
Unsatisfactory	0	0	0	2	2
No Opinion	0	0	0	0	0
Total Responses	83	71	31	50	235

Inspection Survey Comments

2015/2016

Of the 206 survey responses received, 76 provided additional written comments. Of those, 11 were dissatisfied with obtaining responses or resources from the Board, including two responses related to dissatisfaction with complaint outcomes. Five comments were general in nature referring to the specific practice types that should have specific minimum standards, specifically equine practices. There were 60 positive comments stating the Board inspector was professional, courteous, knowledgeable, and/or helpful. Several commented the Board inspector put the veterinary hospital staff at ease and what had been stressful situation in the past, was no longer the case. Many expressed thanks for improving their veterinary practices.

Most notable comment on a Board inspector: "A very professional, helpful, good person... the best I have seen in 50 years of practice."

2016/2017

Of the 162 survey responses received, 62 provided additional written comments. Of those, six expressed concern with either the timeliness of the completion of the inspection review or being inspected by someone viewed as a competitor.

Three comments were general in nature regarding increasing efforts toward unlicensed activity, regulations regarding Fire Precautions, and specific standards for ambulatory practices. There were 53 positive comments stating Board inspectors were professional, helpful, and respectful. Many commented the Board inspector provided resources to achieve compliance with the minimum standards.

Most notable comment on a Board inspector: "[Inspector] truly was the advocate for our hospital when inspecting the premises and pointing out needed corrections. She made us feel as if it were a team effort to get everything up to par. We appreciated that she approached any violation from a collaborative, rather than a punitive, outlook."

2017/2018

Of the 92 survey responses received, 26 provided additional written comments. Of those, only two expressed concern with licensing application issues and slow response time when attempting to correct deficiencies. There were 24 positive comments regarding the Board inspectors' professionalism, thoroughness, patience, and willingness to explain the minimum standards and guidance towards compliance.

Most notable comment on a Board inspector: "[The inspector] was the nicest and best inspector we have had. Thank you for making this experience about improving our hospital, not chastising us."

2018/2019

Of the 116 survey responses received, 49 provided additional written comments. Of those, 10 expressed dissatisfaction with Board inspectors' response time, lack of information regarding implementation of the new drug consultation requirements enacted in BPC Section 4829.5 in SB 1480 (Hill, Chapter 571, Statutes of 2018) which became effective on January 1, 2019 (inspection conducted January 16, 2019). This also included two comments regarding announcing inspections to facilities rather than unannounced inspections, as well as issues with the Veterinary Assistant Controlled Substance Permit (VACSP) application process and a complaint filed against an RVT in 2017. One comment was general in nature stating the Board should email correspondence. There were 38 positive comments stating Board inspectors were kind, calm, supportive, and provided detailed explanations.

Most notable comments on Board inspectors: "[The inspector] was professional, thorough and helpful and made every effort to make us feel supported; she wanted to help us, we thank her."

"[The inspector] is what veterinary community needs, he inspected professionally and gave us encouraging advise (sic) of how to do things right. We love him."

Based on the overall results of the customer satisfaction surveys, it appears the Board's Inspection Program is not only a crucial component in meeting its consumer protection mission but also a vital educational and outreach tool for veterinary practices.

Although the Board has been unable to meet its inspection goal during the last four fiscal years, it has made significant improvements in facilitating veterinary practices in their efforts to meet minimum practice standards and achieve compliance with the law. As a result of the feedback received, the Board is looking to make technological improvements that will streamline the inspection process. By reducing the review and response process, the Inspection Program will become increasingly effective.

As these survey results only relate to the enforcement and inspection processes, the Board is in the process of creating surveys for the licensing and administration units. These additional surveys will allow stakeholders to provide feedback for all aspects of the Board, providing the opportunity to address improvement needs in all areas.

Section 3 – Fiscal and Staff

Fiscal Issues

8. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

No, the Board's fund is not continuously appropriated. The Board's fund appropriation is developed annually and is subject to Legislative approval.

9. Describe the board's current reserve level, spending, and if a statutory reserve level exists.

The Board's current reserve level is 1.0 month (FY 18/19). BPC section 4905 mandates the Board operate with not less than three months and not more than ten months in reserve. However, since FY 2014-2015, the Board revenue has not kept pace with its authorized expenditures, thereby creating a structural imbalance where the Board's Contingent Fund (i.e. "savings account") is declining.

Each year, the Board's revenues are less than its expenditures creating a budget deficit. In order to make up for the operating budget deficit, the Board subsidizes its structural imbalance via funds from its Contingent Fund.

Despite the recent fee increase, the Board dropped below its statutorily mandated floor of not less than three months of annual authorized expenditures in FY 2017-2018 and will suffer ultimate insolvency in FY 2020-2021.

10. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

Due to the recent Attorney General Rate increases, decrease in anticipated revenue, and an increased enforcement workload, a projected deficit will occur in FY 2020/21.

AG Rate Increase

In a June 28, 2019 client notification letter distributed on July 3, 2019, the AG's office notified the Department of Consumer Affairs (DCA) of significant rate increases effective July 1, 2019. The new rates are as follows:

- Attorney services from \$170 to \$220, resulting in a 30% increase
- Paralegal services from \$120 to \$205, resulting in a 71% increase

In a subsequent letter, dated July 12, 2019, the AG’s office clarified the new rate increases would take effect on September 1, 2019. Based on this increase, the Board’s Operational Expenditure and Contingency Fund will be insolvent in FY 2020-2021.

Decreased Revenue

Since its inception in 2016, the VACSP program has brought in less than anticipated revenue. Not only is the Board issuing less than expected permits, data indicates the permits are not being renewed. The Board believes this is due to the lack of understanding by the permit holder population and the transient nature of the VASCP profession. By the time the renewal notice is generated, the permit holders have already moved to another clinic and failed to update their address with the Board or left the veterinary profession entirely.

In addition, the Board is currently collecting less revenue in several other line items than previously anticipated. Most notably, the Board is no longer collecting revenue

from California RVT examination fees. While the Board is saving roughly \$50,000 in annual expenditures to develop and implement the exam, the Board is generating roughly \$180,000 less annual revenue than previously projected.

Significant Need for Increased Enforcement Staff

The last Board enforcement staff increase was based on increased workload through FY 2013-2014. Since that time, complaints submitted to the Board have increased by 83% (through FY 2018-2019). The Board currently has four enforcement analysts and over 1,900 pending cases; each enforcement analyst has over 475 cases, which is unmanageable and inadequate for effective consumer protection. The only way to adequately protect the public is to increase staff to properly manage the increased workload.

While the Board can pursue a Budget Change Proposal (BCP) to increase staff, the BCP will not be successful if the Board’s fund cannot support the request.

In order to prevent insolvency and bring the fund back to the statutorily mandated levels, the Board voted to raise all initial and renewal fees to their statutory caps through an emergency regulation during its October Board meeting. The emergency rulemaking packet is currently moving through the pre-review process.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
Beginning Balance	\$3,608	\$2,840	\$1,822	\$745	\$469	\$709
Revenues and Transfers	\$3,844	\$4,203	\$4,956	\$5,215	\$5,372	\$5,833
Total Revenue	\$7,452	\$7,043	\$6,778	\$5,960	\$5,841	\$6,542
Budget Authority	\$4,741	\$5,138	\$5,016	\$5,137	\$5,237	\$5,394
Expenditures	\$4,578	\$5,221	\$5,470	\$5,491	\$5,784	\$6,045
Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Accrued Interest, Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Loans Repaid From General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Fund Balance	\$2,874	\$1,822	\$1,503	\$469	\$57	-\$626
Months in Reserve	6.6	4.1	1.6	1.0	0.1	-1.2

11. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?

There is no history of general fund loans.

12. Describe the amounts and percentages of expenditures by program component. Use Table 3. Expenditures by Program Component to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

As demonstrated in the chart below, in the past four years, 41% of the Board’s expenditures has been in enforcement, 31% in DCA pro-rata, and 28% in Licensing, Examination and Administrative functions.

Average Expenditures by Program Component FY 2015-19

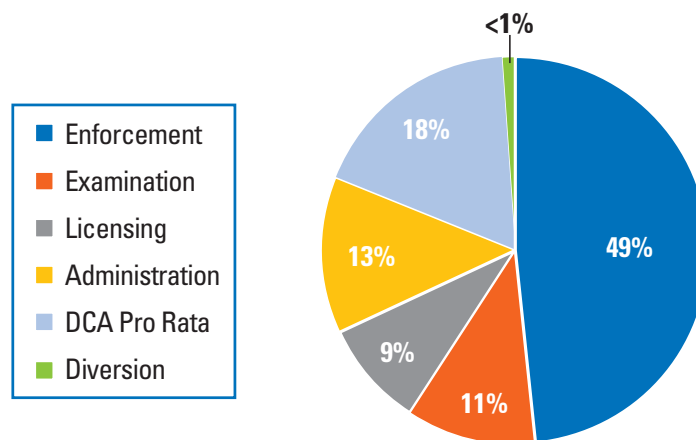


Table 3. Expenditures by Program Component (list dollars in thousands)

	FY 2015/16		FY 2016/17		FY 2017/18		FY 2018/19*	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	543	1532	647	1927	645	1686	703	1,740
Examination	253	210	301	204	301	285	327	160
Licensing	455	99	342	64	341	16	371	66
Administration **	457	77	529	79	535	19	572	118
DCA Pro Rata	-	924	-	808	-	870	-	880
Diversion (if applicable)	-	21	-	16	-	18	-	27
TOTALS	\$1708	\$2863	\$1819	\$3098	\$1822	\$2894	\$1973	\$2,991

*FY 2018-19 expenditures are based on preliminary end of year data.

**Administration includes costs for executive staff, board, administrative support, and fiscal services.

13. Describe the amount the board has contributed to the BreEze program. What are the anticipated BreEze costs the board has received from DCA?

From FY 2009/10 through FY 2016/17, the Board has contributed \$799,053 to the BreEze system. It is anticipated BreEze costs will be \$520,000 for FY 2017/18 through FY 2018/19 for BreEze Maintenance. Given the Board's investment and under-utilized potential of the system, the Board is proactively revamping its current design and configuration of BreEze to improve efficiencies within the licensing, inspection, and enforcement units.

Veterinary Medical Board BreEze Costs (Amounts in Whole Dollars)

FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	*FY 17/18	*FY 18/19
Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget	Budget
\$2,845	\$9,642	\$37,084	\$30,317	\$64,292	\$126,428	\$273,395	\$255,050	\$265,000	\$255,000
								Maintenance	

*Projected maintenance costs as actuals are not available at this time.

14. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

Over the last 10 years, the majority of the Board's fees went through incremental changes in 2009, 2012, and 2018. The increased fees primarily covered costs for standard increases in operational costs (e.g., salary, benefits, rent, etc.) and the increased staff in 2012. Unfortunately, the 2018 increase was insufficient to cover the cost for recent salary increases in bargaining unit contracts, additional necessary staff in enforcement, the increased staff to support the new workload associated with SB 1480 (Hill, Chapter 571, Statutes of 2018), the significant Attorney General rate increase, or future growth. In order to address these increases and sustain the fund, the Board is currently seeking emergency regulatory fee increases.

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2015/16 Revenue	FY 2016/17 Revenue	FY 2017/18 Revenue	FY 2018/19 Revenue	% of Total Revenue*
Veterinarians							
Application Eligibility Review (BPC § 4905 (a); CCR § 2070 (a))	\$150	\$350	\$88	\$97	\$109	\$134	2.4%
California State Board Examination (BPC § 4905 (b); CCR § 2070 (b))	\$235	\$350	\$131	\$134	\$143	\$172	3.2%
Veterinary Law Examination (BPC § 4905 (c); CCR § 2070 (c))	\$100	\$100	\$50	\$57	\$65	\$66	3.8%
Initial License Fee (1 year or more) (BPC § 4905 (d); CCR § 2070 (d))	\$350	\$500	\$156	\$196	\$216	\$265	4.6%
Initial License Fee (less than 1 year) (BPC § 4905 (d))	-	\$250	-	-	-	-	0.0%
Biennial Renewal Fee (BPC § 4905 (e); CCR § 2070 (e))	\$350	\$500	\$1,734	\$1,681	\$1,815	\$2,069	40.7%
Delinquency Fee (BPC § 4905 (j); CCR § 2070 (j))	\$35	\$50	\$6	\$6	\$5	\$9	0.1%
Temporary License (BPC § 4905 (f); CCR § 2070 (f))	\$175	\$250	\$12	\$12	\$11	\$15	0.3%
University							
Application Fee (BPC § 4905 (g))	\$125	\$350	-	-	\$9	\$6	0.1%
Initial License Fee (BPC § 4905 (h))	\$290	\$500	-	-	\$14	\$11	0.1%
Biennial Renewal (BPC § 4905 (i))	\$290	\$500	-	-	-	\$9	0.1%
Premises							
Initial Premises Registration (BPC § 4905 (n); CCR § 2070 (g))	\$400	\$400	\$63	\$58	\$3	\$141	1.5%
Annual Premises Renewal (BPC § 4905 (n); CCR § 2070 (h))	\$400	\$400		\$663	\$1,257	\$1,353	18.7%
Delinquency Fee (BPC § 4905 (j); CCR § 2070 (j))	\$35	\$50	\$2	\$3	\$5	\$4	0.1%

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2015/16 Revenue	FY 2016/17 Revenue	FY 2017/18 Revenue	FY 2018/19 Revenue	% of Total Revenue*
Registered Vet. Techs							
Application Eligibility Review (BPC § 4842.5 (a); CCR § 2071 (a))	\$150	\$350	\$111	\$120	\$117	\$143	2.8%
State Examination (BPC § 4842.5 (b); CCR § 2071 (b))	\$200	\$300	\$158	\$165	\$159	\$185	3.8%
Initial Registration (1 year or more) (BPC § 4842.5 (c); CCR § 2071 (c))	\$160	\$350	\$69	\$85	\$87	\$96	1.9%
Initial Registration (less than 1 year) (BPC § 4842.5 (c))	-	\$175	-	-	-	-	-
Biennial Renewal Fee (BPC § 4842.5 (d); CCR § 2071 (d))	\$160	\$350	\$443	\$439	\$474	\$506	10.5%
Delinquency Fee (BPC § 4842.5 (e); CCR § 2071 (e))	\$35	\$50	\$5	\$5	\$5	\$8	0.1%
VACSP							
Application Fee (BPC § 4836.2 (b); CCR § 2071.1 (a))	\$50	\$100	-	\$183	\$94	\$75	2.0%
Initial Fee (CCR § 2071.1 (b))	\$50	-	-	\$182	\$94	\$75	2.0%
Biennial Renewal (BPC § 4836.3 (d); CCR § 2071.1 (c))	\$50	\$50	-	-	\$14	\$100	0.7%
Delinquency Fee (BPC § 163.5)	\$25	\$25	-	-	-	\$2	0.0%

15. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The Board may only provide information related to BCPs that were submitted and included in the Governor’s budget for the past four fiscal years. Other BCPs may have been submitted, but unsuccessful BCPs are not publicly disclosable.

In FY 16/17, the Board was approved to convert 4.0 LT positions received via 14/15 BCP (1110-06L) to perm/FT with 2-yr limited term funding for VACSPs. In FY 18/19, two of those positions (1.0 SSA, 1.0 PTII) were made permanent, and the Board received additional authorization to fund increased AG/OAH costs incurred due to the new program.

The Board received \$341,000 in 2019/20 and \$317,000 in 2020/21 and ongoing to fund 3.0 positions and operating expenses and equipment costs for new workload associated with the requirements of SB 1480 (Hill, Chapter 571, Statutes of 2018).

Table 5. Budget Change Proposals (BCPs)

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
1111-028	16/17	Support New Permit	1.0 SSA (LT) 3.0 PT II (LT)	1.0 SSA (LT) 3.0 PT II (LT)	\$236,000	\$236,000	\$20,000	\$20,000
1111-059	18/19	Convert LT to Perm; AG/OAH Costs	1.0 SSA 1.0 PT II	1.0 SSA 1.0 PT II	\$285,000	\$285,000	\$132,000	\$132,000
1111-013	19/20	20% Inspections	2.0 SSA 1.0 OT (T)	2.0 SSA 1.0 OT (T)	\$250,000	\$250,000	\$86,000	\$86,000

Staffing Issues

16. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

Staff turnover at the Board has been a long-standing issue. A preliminary employee turnover report submitted to DCA's Internal Audits team indicates that, between FY 2016/17 – FY 2017/18, 13 individuals left the Board, including the Board's Executive Officer in March 2018: five individuals left state service, five left for promotions, two left for lateral positions within the state, and one was unsuccessful on probation. In FY 2018/19, three additional individuals left the Board, including its Licensing and Enforcement Managers.

With an Executive Officer, two managers, and many individuals in their current positions for a little over a year, there are inherent challenges as many do not possess the level of experience and institutional knowledge that other regulatory agencies enjoy. The challenges are exacerbated in enforcement, because staff members are focusing on learning their new positions while the enforcement workload is at an all-time high – and continues to grow. The unmanageable and growing workload undoubtedly weighs on morale, and any process changes – while for the better in the long run – are additional stressors. Unless the Board receives additional positions to bring the workload down to manageable levels, turnover may continue as many lateral positions exist at other programs with less workload.

In an effort to address these issues, the Board has and will continue to pursue additional positions. However, with insufficient funds to support additional permanent positions, successful budget change proposals are unlikely. In addition, the Board is currently reclassifying enforcement positions, so all analysts are at the higher classification (associate governmental program analyst).

Further, all staff are currently encouraged to and have taken advantage of the training courses offered through DCA's SOLID Training Solutions team. The entire Enforcement Unit participated in either the Basic or Specialized National Certified Investigator & Inspector Training ([NCIT](#)) Programs offered through the Council on Licensure, Enforcement & Regulation ([CLEAR](#)) in November 2018. In addition, all staff who had not yet participated in BreEZe training completed the training in FY 2018/19. In FY 2019/20, staff will also participate in subject matter expert training with presenters from the Attorney General's Office, District Attorneys,

Administrative Law Judges, and other enforcement experts. There, they will learn how to identify quality (or lack thereof) expert reports, testifying techniques, and what it takes to build strong cases.

The Board's Executive Officer is also part of DCA's Future Leadership Development Steering Committee in order to develop DCA's staff into future executive officers, bureau chiefs, and executive leadership roles within DCA. One of the Board's managers participated in the FLD in FY 17/18 and more are anticipated in the near future. DCA is currently re-developing their mentorship program, and once completed, all Board staff will be encouraged to participate.

In addition to the training opportunities, FLD and mentorship programs, the Board's management team strives to conduct at least one (yet often holds more) team building activity per month, holds multiple team meetings, conducts one-on-one meetings and random "team huddles" on a regular basis.

With all of the above efforts, the Board is hopeful its recruitment, retention, and succession plans will improve.

17. Describe the board's staff development efforts and how much is spent annually on staff development.

On average, the Board spends \$3,920 annually on staff development. With the launch of BreEZe in 2016, 83% of staff participated in BreEZe training in FY 2015/16 to learn basic techniques and techniques specific to their units. In addition, over the past four fiscal years, 49% of staff took advantage of job development training, as well as professional/team development, offered through DCA's SOLID Training Solutions.

In addition to training offered through DCA's SOLID Training Solutions, the Board spent \$6,910 in FY 18/19 on staff development via programs outside of DCA. This was a 136% increase over the average spent over the prior three fiscal years. These external trainings included: IT training, rulemaking training with the Office of Administrative Law, and NCIT Training through CLEAR.

As previously mentioned, a manager recently participated in DCA's FLD program, and the Executive Officer serves as a mentor in the mentorship program and on the FLD Steering Committee.

In addition to staff development, the Board provides annual inspector training to each inspector. In the past four fiscal years, the Board spent \$11,500.00 on its inspector training program.

Section 4 – Licensing Program

DATA INTEGRITY DISCLAIMER: The Board has concerns related to the integrity of the data. The data is inconsistent to prior annual reports provided to DCA and licensing data provided during quarterly Board meetings. Due to lack of data cleanup prior to BreEZe conversion, unintended system design errors, and the underutilization of BreEZe capabilities, the Board must spend the next few years researching and cleaning up the data. The responses and data analyses provided in this section is based on the current BreEZe data.

18. What are the board’s performance targets/ expectations for its licensing² program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board’s goal is to process an initial application within four weeks; currently, initial processing times are six to eight weeks. The Board is currently not meeting its performance targets for its licensing program due to inadequate system design and staff turnover.

Board staff is working with the BreEZe team to streamline the process by utilizing BreEZe to its full potential. The current system design has led to many redundant and unnecessary processing steps and caused confusion among applicants and licensees. There also was not a lot of outreach to the applicant/student and licensee population highlighting and encouraging the use of Breeze’s online capabilities. Although licensees could renew online since January 2016, only 49% of veterinarians and 56% of RVTs were renewing online by 2018.

The Board launched its Go Green Initiative encouraging applicants and licensees to submit all initial and renewal applications online. Rather than licensees receiving a six-page paper renewal application, the Board implemented a one-page renewal forms encouraging licensees to renew online through BreEZe. The majority of online renewal applications are renewed the same day and requires no Board interaction, whereas a paper renewal application can take several weeks.

Since the launch of the new online renewal process in May 2019, 70% of Veterinarian renewals and 85% of RVT renewals have been completed online.

In addition, the Board is creating an interface with the American Association of Veterinary State Boards (AAVSB) to enable AAVSB’s system to automatically enter the national exam scores into the Board’s system. This will eliminate the manual data entry currently required.

The Board’s licensing program has three positions dedicated to processing all license, registration, and permit applications. Two of the three individuals recently left for promotional opportunities (one was promoted to another unit within the Board), and the remaining individual has been with the Board for less than a year.

To address the current backlog and improve its performance targets, the Board requested assistance from the DCA. Through a Memorandum of Understanding, the DCA loaned two staff, at a cost, to the Board through December 2019.

19. Describe any increase or decrease in the board’s average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

With the implementation of the Veterinary Assistant Controlled Substance Permit (VACSP) in 2016, the Board received an influx of initial applications in FY 2016/17. The VACSP applications take a considerable amount of time, since many have criminal histories warranting further investigation.

In addition, all four licensing positions experienced turnover (due to promotional opportunities) and two of the positions are currently vacant. The turnover and vacancies further delay processing applications.

For these reasons, there has been a gradual increase in the board’s average time to process applications. However, the pending applications have not grown at a rate that exceeds completed cycle times.

²The term “license” in this document includes a license certificate or registration.

Moreover, staff has identified some performance barriers related to the BreEZe system; multiple inefficiencies in the system design result in applicant confusion, redundant steps, multiple unnecessary steps and delayed processing. Further, despite BreEZE launching in January 2016, the majority of applications are still submitted on paper through the mail. Staff identified confusing, incorrect and/or conflicting information on the paper applications, which also leads to confusion and additional delays. To address these performance barriers, staff is working with the DCA BreEZe team to completely redesign BreEZe.

20. How many licenses or registrations does the board issue each year? How many renewals does the board issue each year?

With FY 2016/17 being an outlier due to the new VASP, the Board issues a little over 3,000 licenses per year and issues roughly 13,380 annual renewals. Please see the charts below for specific breakdowns per license type.

Table 6. Licensee Population					
		FY 2015/2016	FY 2016/2017	FY 2017/2018	FY 2018/2019
Veterinarian	Active	12,068	12,441	12,700	12,847
	Inactive/Expired/Retired	1,658	1,749	1,928	2,130
	Out of State	1,722	1,599	2,365	2,395
	Out of Country	82	77	81	87
Registered Veterinary Technician	Active	6,379	6,626	6,875	7,191
	Inactive/Expired/Retired	1,568	1,806	1,955	2,018
	Out of State	273	257	426	430
	Out of Country	13	1	4	2
Veterinary Premises	Active	3,431	3,477	3,488	3,500
	Inactive/Expired/Retired	589	496	561	570
	Out of State	116	125	154	418
	Out of Country	0	0	1	0
Temporary Veterinary License Intern/Reciprocity	Active	44	65	59	84
	Inactive/Expired/Retired	7	26	48	46
	Out of State	2	4	15	11
	Out of Country	0	0	1	2
Veterinary Assistant Controlled Substance Permit	Active	-	2,704	4,104	4,394
	Inactive/Expired/Retired	-	0	167	1,285
	Out of State	-	0	2	3
	Out of Country	-	0	0	0
University Veterinarian License	Active	-	-	38	99
	Inactive/Expired/Retired	-	-	0	0
	Out of State	-	-	0	0
	Out of Country	-	-	0	0

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

Table 7a. Licensing Data by Type– Veterinarian

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	Combined, if unable to separate out
FY 2016/17	(Exam)	867	795	89	n/a	54	-	-	12	27	18
	(License)	768	682	90	684	113	-	-	10	-	10
	(Renewal)	6179	5846	223	n/a	2246	-	-	4	-	4
FY 2017/18	(Exam)	862	683	113	n/a	122	-	-	30	55	39
	(License)	688	658	79	660	53	-	-	13	-	13
	(Renewal)	6531	6151	225	n/a	2969	-	-	4	-	4
FY 2018/19	(Exam)	800	708	92	n/a	120	-	-	39	78	53
	(License)	626	592	8	597	77	-	-	15	124	16
	(Renewal)	6526	5846	458	n/a	3173	-	-	4	0	4

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type–Registered Veterinary Technician

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	Combined, if unable to separate out
FY 2016/17	(Exam)	905	783	178	n/a	604	-	-	30	32	31
	(License)	609	613	46	614	113	-	-	3	-	3
	(Renewal)	3384	3110	n/a	n/a	2094	-	-	7	-	7
FY 2017/18	(Exam)	889	703	510	n/a	286	-	-	53	66	60
	(License)	603	602	96	601	9	-	-	20	-	20
	(Renewal)	3643	3379	209	n/a	2506	-	-	6	-	6
FY 2018/19	(Exam)	938	777	101	n/a	343	-	-	43	93	68
	(License)	660	656	2	658	13	-	-	4	36	4
	(Renewal)	3866	3335	474	n/a	2456	-	-	5	-	5

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type–Premises

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	Combined, if unable to separate out
FY 2016/17	(Exam)	n/a	n/a	n/a	n/a	n/a	-	-	n/a	n/a	n/a
	(License)	317	311	22	311	9	-	-	17	44	17
	(Renewal)	3559	3408	139	n/a	728	-	-	10	-	10
FY 2017/18	(Exam)	n/a	n/a	n/a	n/a	n/a	-	-	n/a	n/a	n/a
	(License)	304	255	33	253	22	-	-	25	-	25
	(Renewal)	3679	3499	23	n/a	728	-	-	7	-	7
FY 2018/19	(Exam)	n/a	n/a	n/a	n/a	n/a	-	-	n/a	n/a	n/a
	(License)	324	268	51	268	27	-	-	55	17	55
	(Renewal)	3716	3473	62	n/a	1114	-	-	7	-	7

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type–Veterinary Assistant Controlled Substance Permit

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	Combined, if unable to separate out
FY 2016/17	(Exam)	n/a	n/a	n/a	n/a	-	-	-	-	-	-
	(License)	3850	2705	149	2705	1015	-	-	67	94	74
	(Renewal)	n/a	n/a	n/a	n/a	0	-	-	-	-	-
FY 2017/18	(Exam)	n/a	n/a	n/a	n/a	-	-	-	-	-	-
	(License)	1935	1593	274	1593	1073	-	-	52	125	69
	(Renewal)	805	434	4	n/a	679	-	-	3	-	3
FY 2018/19	(Exam)	n/a	n/a	n/a	n/a	-	-	-	-	-	-
	(License)	1943	1422	609	1422	980	-	-	69	109	86
	(Renewal)	2730	1654	16	n/a	1607	-	-	5	-	5

* Optional. List if tracked by the board.

Table 7a. Licensing Data by Type–University Veterinarian

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	Combined, if unable to separate out
FY 2016/17	(Exam)	-	-	-	-	-	-	-	-	-	-
	(License)	-	-	-	-	-	-	-	-	-	-
	(Renewal)	-	-	-	-	-	-	-	-	-	-
FY 2017/18	(Exam)	68	56	1	n/a	11	-	-	24	42	29
	(License)	40	38	0	38	15	-	-	0	-	0
	(Renewal)	-	-	n/a	n/a	0	-	-	-	-	-
FY 2018/19	(Exam)	67	58	5	n/a	15	-	-	26	98	43
	(License)	65	61	0	61	6	-	-	11	-	11
	(Renewal)	6	5	0	n/a	8	-	-	0	-	0

* Optional. List if tracked by the board.

Table 7b. Total Licensing Data

	FY 2016/17	FY 2017/18	FY 2018/19
Initial Licensing Data:			
Initial License/Initial Exam Applications Received	7316	5389	5423
Initial License/Initial Exam Applications Approved	5889	4588	4542
Initial License/Initial Exam Applications Closed	574	1106	868
License Issued	4314	3145	3006
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)	1908	1591	1581
Pending Applications (outside of board control)*	N/A	N/A	N/A
Pending Applications (within the board control)*	N/A	N/A	N/A
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)	34	46	54
Average Days to Application Approval (incomplete applications)*	49	72	79
Average Days to Application Approval (complete applications)*	23	32	33
License Renewal Data:			
License Renewed	12364	13463	14313

Note: The values in Table 7b are the aggregates of values contained in Table 7a. * Optional. List if tracked by the board.

21. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

Beginning in fiscal year 2016/17 fiscal year, the Board began collecting minimal information related to denied applications. However, the Board did not track the specific denial information requested above, as it was not required. In order respond to the above questions, Board staff manually pulled each conviction application file. This took a considerable amount of staff time. Staff is now collecting the data in the system, so it should not be such a resource drain in the future.

Over the past four years, 108 licenses were denied based on criminal history that is determined to be substantially related to the qualifications, functions or duties of the profession, pursuant to BPC § 480. Below is a breakdown of each instance of denial and the substantially related acts. Of the 108 denials, 37 licenses were issued licenses on probation.

Board staff is contacting all previously denied applicants to inform them of their right to reapply and of AB 2138 provisions.

Substantially Related Convictions (BPC §480)

FY 2016/17–Total Denied: 55

- Unable To Locate File
- 2017 Possession Cannabis — Felony
- Unable To Locate File
- 2008 DUI, Driving On Suspended License — Conditional License
- 1997 DUI, 2001 DUI
- 2013 DUI
- 2007 & 2010 Possession Of Controlled Substance, 2010 Stolen Property
- 2011 Assault Deadly Weapon
- 2006 Drug Possession, 2006 Commercial Burglary
- 1997 DUI, 2004 DUI — Both Dismissed Per 1203.4
- 2005 DUI, 2008 Public Intoxication
- 2000 DUI
- 2003 Theft, 2009 DUI
- 2010 Knowingly Touch Person With The Intent To Injure, Recklessly Tampering With Property
- 2008 DUI, 2010 DUI
- 2014 DUI
- 2001 Petty Theft, 2001 Possession Of Methamphetamine, 2007 Under Influence Of Controlled Drugs
- 2007 DUI
- 2007 Reckless Driving, 2008 Public Intoxication, 2013 DUI
- 2008 DUI
- 2011 DUI, 2013 DUI
- 2010 DUI, 2010 Driving Without License
- 2003 Theft, 2001 DUI, 2001 Drinking In Public (2)
- 1998 Threaten Crime, 2002 Possession Controlled Substance, 2003 Burglary
- 2005 DUI

Substantially Related Convictions (BPC §480)

FY 2015/16–Total Denied: 12

- 1999 Controlled Substance (X3) /2000 Possession Cont Substance, Under Influence Controlled Substance, Failure To Appear, Manufacture Controlled Substance — 2000 Charges Set Aside And Dismissed Per 1203.4 Pc.
- 2005 DUI, 2011 DUI
- 2005 DUI, 2011 DUI,
- Unable To Locate File
- 1975 Petty Theft, 2000 DUI
- 2007 DUI, 2009 DUI
- 2008 Grand Theft, 2009 Burglary, 2009 Petty Theft With Prior
- 2007 DUI, 2014 DUI
- 2011 Threatening Or Intimidating, 2011 Possession Marijuana
- 2011 DUI, 2013 – Conditional
- Unable To Locate File
- Unable To Locate File

Substantially Related Convictions (BPC §480)

FY 2016/17 (Continued)

- 2005 Possession Controlled Substance, 2012 DUI
- 2008 DUI - SOI Was Withdrawn
- 2003 DUI, 2004 DUI
- 2005 Possession Controlled Substance, 2013 Petty Theft
- 2006 Possession Controlled Substance — Felony Reduced To Misdemeanor, 2006 Felony — Burglary, 2013 Misdemeanor-Theft (Set Aside, Dismissed)
- 2012 Petty Theft, 2012 DUI, 2013 Driving Without License
- 2007 DUI 2013 DUI
- 2001 Possession Of Controlled Substance
- 1999 Felony Possession, Purchase Cocaine Base For Sale, 2011 Possession Marijuana For Sale
- 2010 Reckless Driving, Driving Without License, 2001-2004 Convicted Of 8 Crimes That Are Dismissed
- 2002 DUI
- 2010 Disorderly Conduct
- Unable To Locate File
- 2008 DUI, 2012 — DUI
- 2006, 2008 Possession Of Controlled Drug Substance
- 2011 Use/Under Influence Controlled Substance - Misdemeanor - (Set Aside/Dismissed Per 1210.1), 2011 Possession Narcotic Control Substance - Felony Reduced To Misdemeanor
- 2008 Drunk In Public, 2013 DUI
- 1996 Controlled Substance Conviction
- 2006 Exhibit Deadly Weapon, Not Firearm
- 2005 Driving Without License, 2005 Under Influence Of Controlled Substance, 2009 DUI
- 1999 Possession Controlled Substance
- 1989 Trespassing, 2007 DUI, 2011 Breach Of Peace
- 2004 DUI, 2007 & 2008 Possession Of Marijuana
- 2009 DUI, 2009 Suspended License

Substantially Related Convictions (BPC §480)

FY 2016/17 (Continued)

- 2015 Battery, Disturbing The Peace
- 1994 DUI, 2002 DUI, 2009 DUI
- 2006 Grand Theft
- 2007 Possession Narcotic Controlled Substance, 2007 Possession Controlled Substance Paraphernalia, 2007 Receiving Stolen Property
- 2008 Third-Degree Burglary

Substantially Related Convictions (BPC §480)

FY 2017/18—Total Denied: 32

- 1996 Battery
- 1998 Wet Reckless, 1999 Evading Peace Officer, 2001 Impersonating Police Officer
- 2005 Insurance Fraud, 2007 Reckless Driving, 2010 DUI Cause Bodily Injury
- 1998 Possession Narcotic Substance
- 2002 Reckless Driving, 2006 DUI, 2010 Possess Narcotic — Reduced To Misdemeanor In 2015 DUI, 2012 DUI — Felony
- 2016 DUI
- 2006 Reckless Driving, 2008 Petty Theft, 2009 DUI, 2011 DUI
- 2012 DUI, 2013 DUI
- 2004 Reckless Driving, 2007 DUI, 2014 DUI
- 2000 Embezzlement
- 2009 Controlled Substance — Conditional
- 2001 Child Pornography
- 1994 Controlled Substance
- 2011 Under Influence Of Controlled Substance (2 Counts)
- 1992 Willfully And Unlawfully Take Money And Personal Property
- 2016 DUI
- 2009 DUI, 2012 DUI
- 2004 False ID To Peace Officer, 2006 Discharge Firearm, 2007 Possession Fire Arm, 2008 DUI

Substantially Related Convictions (BPC §480)

FY 2017/18 (Continued)

- 2007 Possession Of Marijuana For Sale
- 2008 Transport Controlled Substance, 2009 DUI, 2009 Possession Narcotic Controlled Substance
- 2012 DUI, 2013 Trespassing, 2014 DUI, Driving With Suspended License
- 2015 Wet Reckless
- 2006 DUI, 2012 DUI
- 2009 Driving Without License, 2011 Possession Of Controlled Substance
- 1998 Sexual Battery, 2011 Fight/Noise/Offensive Words
- 2016 DUI
- 2010 DWI, 2016 DUI
- 2015 Controlled Substance, 2012 Burglary
- 2006 DUI, 2015 DUI
- 2001 Controlled Substance, Transport/Etc Controlled Substance, Transport/Sell Narcotic/Controlled Substance — Felony
- 2002 Reckless Driving, 2003 DUI, 2010 Felony Controlled Substance, 2012 DUI, 2012 Hit And Run

Substantially Related Convictions (BPC §480)

FY 2018/19–Total Denied: 9

- 1996 Possession Of Destructive Device, Fight, Possession Of Controlled Substance, 2000 DUI, 2006 Battery On Spouse, 2007 Battery On Spouse, Possession Of Cannabis
- 2012 DUI, 2013 Cruelty To Child
- 2008 DUI, 2011 Battery Involving Alcohol
- 2007 DUI, 2008 Felony Possession Marijuana and DUI
- 2012 DUI, 2016 DUI
- 2014 DUI
- 2010 DUI, 2012 DUI, 2012 Driving Without License
- 2008 Reckless Driving, 2016 DUI
- 2018 Reckless Driving, 2019 23152(A)/23152(B) VC-DUI: Alcohol/Drugs

22. How does the board verify information provided by the applicant?

- a. **What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant’s failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?**

The Board requires all applicants to complete state and federal fingerprinting through live scan or hard card prior to licensure. The Board also requires all applicants to answer disciplinary action and conviction/felony questions prior to licensure; however, the Board is updating its applications to make it optional to answer the conviction question in accordance with AB 2138 (Chiu, Chapter 995, Statutes of 2018).

From fiscal year 2015/16 through 2017/18, the Board denied 68 licenses based on the applicant’s failure to disclose criminal history information. Below is a breakdown of the substantially related crimes. In fiscal year 2018/19, the Board did not deny any applications for failing to disclose a criminal conviction. Of the 68 denials, 15 were issued probational licenses or licenses on probation.

In light of the information revealed below, Board staff is contacting all previously denied applicants to inform them of their right to reapply and of AB 2138 provisions.

Substantially Related Convictions (Failure to Disclose)

FY 2015/16–Total Denied: 6

- 2010 Disturbing The Peace
- 2008 Grand Theft, 2009 Burglary, 2009 Petty Theft
- Unable To Locate File
- 2013 DUI
- 2010 DUI
- 2010 Reckless Driving

Substantially Related Convictions (Failure to Disclose)

FY 2016/17–Total Denied: 28*

- 2014 Reckless Driving
- 2005 DUI
- 2010 DUI
- 2010 DUI
- 1990 Disorderly Conduct, 1995 Possession Of Controlled Substance, 1996 Possession Of Controlled Substance
- 2015 Wet Reckless
- 2006 DUI
- 2010 DUI, 2016 DUI
- 2008 DUI
- 2012 Wet Reckless
- 2016 DUI
- 1976 Burglary, 1997 Receive Stolen Property
- 2004 DUI
- 2009 DUI
- 2009 DUI
- 2005 DUI, 2007 DUI
- 2003 Child Abuse/Endangerment
- 2001 DUI
- 2008 DUI
- 2015 Battery, Disturbing The Peace
- 2012 DUI
- 2011 Hit And Run
- 2007 DUI
- 2010 Possession Marijuana
- 2013 Hit And Run Property Damage
- 2005 Fight/Noise Offensive Words
- 2005 Fight/Noise Offensive Words (Denied Twice)

*Could not locate files for three denied applications

Substantially Related Convictions (Failure to Disclose)

FY 2017/18–Total Denied: 33

- 2009 Fight Noise Offense Noise, 2009 Possession Of Controlled Substance
- 2007 Battery
- 2003 Wet Reckless
- 2002 DUI, 2003 Drunk In Public, Lewd Conduct
- 1991 Petty Theft, 2001 DUI
- 2006 Inflict Corporal Injury
- 2015 DUI
- 2006 Grand Theft Auto
- 2007 Loud Noise, 2013 DUI With Collision
- 2000 DUI
- 2012 DUI
- 2007 DUI
- 2008 DUI
- 2001 DUI
- 2009 Controlled Substance
- 2005 DUI
- 2000 Wet Reckless
- 2005 DUI
- 2014 Illegal Speed
- 2013 Petty Theft, 2018 Discipline By UK
- 2002 Possession Of Marijuana, 2002 Reckless Driving
- 2005 DUI
- 2004 DUI
- 1994 Residential Burglary, 1995 Disorderly Lewd Conduct, 1996 Intent To Sell Controlled Substance, 2002 DUI
- 2010 Wet Reckless
- 2007 DUI, 2008 DUI
- 2012 DUI
- 1995 DUI

Substantially Related Convictions (Failure to Disclose)

FY 2017/18 (Continued)

- 2007 DUI
- 1998 Controlled Substance
- 2001 DUI
- 2005 DUI, 2005 Driving On Suspended License Due To DUI
- 2000 Corporal Injury, 2006 DUI, 2009 Hit And Run, 2016 and 2017 Miscellaneous Offense

Substantially Related Convictions (Failure to Disclose)

FY 2018/19–Total Denied: 0

b. Does the board fingerprint all applicants?

Yes, every applicant is required to obtain fingerprinting prior to licensure.

c. Have all current licensees been fingerprinted? If not, explain.

In April 2012, the Board passed regulations requiring all licensees to have electronic fingerprints on file as a condition of renewal. However, for reasons unknown to current staff, this fingerprint requirement was not widely publicized nor enforced. In FY 2018/19, the Board worked with DCA's BreEZe team to identify those licensees who do not have electronic fingerprints on file and notify all individuals of the requirement. The system will now hold renewals until fingerprint results are received.

d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

The VIVA is the national database relating to disciplinary actions, and it is maintained by the American Association of Veterinary State Boards (AAVSB) on behalf of California and 56 other licensing jurisdictions in the United States, Canada, and the U.S. Territories. VIVA is somewhat limited, however, as only 50% of states report to VIVA. The Board receives regular reports from the AAVSB and checks the national databank prior to issuing a license.

Due to the lack of other state participation, the Board cannot solely rely on VIVA. In addition to checking VIVA, the Board requires a letter of good standing from all state boards where applicants indicate they are licensed prior to licensure. The board also requires State and Federal LiveScan fingerprinting of veterinarian and veterinary technician applicants. Once licensees have been fingerprinted, the Board receives subsequent arrest reports.

The Board does not check the database prior to renewing a license; however, if a report is received that indicates that a licensee has been disciplined in another state, the Board takes reciprocal action that could lead to either sanctions against the license or revocation, depending on the type of violations. Additionally, renewal applications include a self-certification that inquires whether the licensee has been found guilty or pled no contest to a criminal conviction since their last license renewal.

e. Does the board require primary source documentation?

The Board utilizes the services of the AAVSB's VIVA to verify source documents, such as national examination scores. For applicants applying directly to the Board, primary source documents are required, such as transcripts and letters of good standing.

23. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

The Board utilizes the VIVA database, fingerprinting, Program for the Assessment of Veterinary Education Equivalence (PAVE), and Educational Commission for Foreign Veterinary Graduates (ECFVG) to process out-of-state and out-of-country applicants. The PAVE and ECFVG programs assess the educational equivalency of out-of-country degrees in veterinary medicine to those programs that are approved by the American Veterinary Medicine Association (AVMA).

24. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?

The Board does identify and track applicants who are currently serving or previously served in the military.

b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?

In order to obtain a veterinarian license, the applicant must have graduated from an accredited school/college of veterinary medicine. The Board does not evaluate education, training, or experience in lieu of the degree.

RVT applicants are able to submit clinical practice experience in lieu of graduating from an approved college. (BPC § 4841.5(b)(2), CCR § 2068.5) Any clinical experience obtained while in the military would be considered. However, the Board does not identify where that experience was obtained (military or otherwise). The Board is able to update its application to capture this information in the future.

c. What regulatory changes has the board made to bring it into conformance with BPC § 35?

The Board has not made regulatory changes to accept military education, training or experience.

d. How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?

The Board has waived renewal fees and requirements for two licensees in the past four fiscal years:

- 2015/2016 - 0
- 2016/2017 - 0
- 2017/2018 - 0
- 2018/2019 – 2

There has been a minimal impact on Board revenue (-\$700) from BPC § 114.3.

e. How many applications has the board expedited pursuant to BPC § 115.5?

In the past four fiscal years, the Board expedited 431 applications pursuant to BPC § 115.5:

- 2015/2016 - 2
- 2016/2017 - 110
- 2017/2018 - 169
- 2018/2019 – 150

25. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

The Board is currently utilizing the NLI process through the BreZE database. The NLI process is done electronically, and there is no backlog.

Table 8. Examination Data–First Time Candidates

California Examination (include multiple language) if any:			
License Type		Veterinarian	RVT
Exam Title		CSB	CVTE
15/16	# of 1st Time Candidates	412	182
	Pass %	88%	81%
16/17	# of 1st Time Candidates	579	632
	Pass %	92%	73%
17/18	# of 1st Time Candidates	550	522
	Pass %	85%	90%
18/19	# of 1st time Candidates	523	458
	Pass %	85%	96%
Date of Last OA		2019	2016
Name of OA Developer		OPEs	OPEs
Target OA Date		N/A	N/A
National Examination (include multiple language) if any:			
License Type		Veterinarian	RVT
Exam Title		NAVLE	VTNE
15/16	# of 1 st Time Candidates	308	1270
	Pass %	100%	62%
16/17	# of 1 st time Candidates	333	1083
	Pass %	99%	63%
17/18	# of 1 st Time Candidates	378	870
	Pass %	94%	65%
18/19	# of 1 st time Candidates	354	823
	Pass %	97%	67%
Date of Last OA		2017	2017
Name of OA Developer		ICVA & NBME	PSI/AAVSB
Target OA Date		N/A	N/A

Table 8. Examination Data–Retake Candidates

California Examination (include multiple language) if any:			
License Type		Veterinarian	RVT
Exam Title		CSB	CVTE
15/16	# of Retake Candidates	68	87
	Pass %	81%	82%
16/17	# of Retake Candidates	59	173
	Pass %	91%	88%
17/18	# of Retake Candidates	70	96
	Pass %	70%	93%
18/19	# of Retake Candidates	72	41
	Pass %	88%	99%
Date of Last OA		2019	2016
Name of OA Developer		OPES	OPES
Target OA Date		N/A	N/A
National Examination (include multiple language) if any:			
License Type		Veterinarian	RVT
Exam Title		NAVLE	VTNE
15/16	# of Retake Candidates	115	290
	Pass %	26%	39%
16/17	# of Retake Candidates	161	382
	Pass %	21%	44%
17/18	# of Retake Candidates	131	323
	Pass %	42%	31%
18/19	# of Retake Candidates	129	372
	Pass %	39%	32%
Date of Last OA		2017	2017
Name of OA Developer		ICVA & NBME	PSI/AAVSB
Target OA Date		N/A	N/A

North American Veterinary Licensing Examination (NAVLE) and the Veterinary Technician National Exam (VTNE) are also administered in French.

27. What are pass rates for first time vs. retakes in the past four fiscal years? (Refer to Table 8: Examination Data) Are pass rates collected for examinations offered in a language other than English?

The Veterinarian California State Board (CSB) Exam pass rates for first time candidates average approximately 88% for the last four fiscal years, while pass rates for retake candidates average approximately 83% for the same time period. The California Registered Veterinary Technician Exam (CVTE) pass rates are 85% for first time candidates and approximately 91% for retake candidates. Both examinations are administered in English. However, as of April 2019 passage of the CVTE is no longer required for licensure.

The NAVLE pass rates for first time candidates average approximately 98% for the last four fiscal years, while pass rates for retake candidates average approximately 32% for the same time period. The VTNE pass rates are 64% for first time candidates and approximately 37% for retake candidates. Pass rates are provided in the language administered.

28. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

The NAVLE and the CSB are both computer-based examinations. Applicants approved for the CSB are notified of their eligibility via email by the Board, as well as by the examination vendor. Applicants are instructed to visit a secure website to schedule their examinations. The CSB examination is available six days a week at secure testing locations throughout the state.

The CSB examination is administered by PSI Services, LLC. There are 19 California examination site locations and 19 out-of-state examination sites. Applicants taking the NAVLE are allowed to take the examination four times within a 12-month period. Candidates who fail the CSB are eligible to retake the examination every six months, but not before a new form is available (twice per year).

When NAVLE candidates are approved, they are submitted into the Prometric scheduling system through ICVA's testing coordinator, and individual NAVLE Scheduling and Admission Permits are created for each candidate. The candidate uses the permit to set up their testing appointment with Prometric, and then takes the permit and their current, government-issued photo ID with signature (such as a driver's license or passport) with them to the Prometric Testing Center to check in on the day of their

26. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

Currently, applicants wishing to become licensed as a veterinarian must take and pass a national exam, a state-specific examination, and a law exam. Applicants wishing to become registered as veterinary technicians must take only the national exam. All exams are in English and the

appointment. There is an individualized code on the permit which the candidate then uses to begin their NAVLE at their assigned workstation within the Prometric Testing Center. Prometric staff handle all proctoring duties, and the test file is sent to ICVA's testing coordinator (NBME) after completion of the examination. Scoring is handled at NBME, and score reports are released electronically to candidates and licensing boards approximately four weeks after the completion of each testing window.

The NAVLE is given in two testing windows each year - one window of four weeks from mid-November to mid-December, and one window of two weeks in April. The NAVLE is administered in 20 locations throughout California. NAVLE candidates who wish to be licensed in California but are physically located in another location at the time of the test (for example, a candidate with family in California who is attending school at the University of Edinburgh) may take their test at the Prometric center in their physical location, and their score report will be made available to the California board once the reports come out for that testing window.

29. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

The Board has not identified any statutes that hinder the efficient and effective processing of applications and/or examinations at this time. However, Board staff is currently reviewing statutes and regulations that may be improved to ensure efficient and effective processing.

School Approvals

30. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

Pursuant to BPC §4843, the Board shall approve all schools offering a curriculum for training registered veterinary technicians. Further, BPC §4841.5 requires approval by the Bureau of Private Postsecondary Education (BPPE) for all private veterinary technology programs that are approved directly by the Board.

CCR §2064 states that all schools accredited by the American Veterinary Medical Association (AVMA) shall be deemed by the Board to have met the minimum requirements for approved schools specified in CCR §2065.

In addition, CCR §2022 states that the Board recognizes veterinary colleges accredited by the AVMA. All other veterinary colleges must have academic standards equivalent to schools accredited by the AVMA to be recognized by the Board.

31. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

The Board approves all AVMA accredited schools of veterinary medicine; there are currently 51 approved veterinary medicine schools. In addition, the Board approves all California veterinary technician programs, some through approval of national accreditation standards and some through California regulatory requirements. School approval is for a period of no more than four years and must be renewed.

32. What are the board's legal requirements regarding approval of international schools?

The Board only recognizes the accreditation standards of the AVMA for international veterinary schools (CCR § 2066). Currently, there are no accreditation standards for international RVT schools.

Continuing Education/Competency Requirements

33. Describe the board's continuing education/ competency requirements, if any. Describe any changes made by the board since the last review.

The continuing education for veterinarian and registered veterinary technician license renewal is statutorily required. Veterinarians are required to complete 36 hours of continuing education every two years, and RVTs are required to complete 20 hours of continuing education every two years. Both continuing education providers and courses must be "approved," as defined in the Veterinary Medicine Practice Act, and the continuing education must be obtained in subjects related to the practice of veterinary medicine and/or veterinary technology. The continuing education courses must be consistent with current standards and practices beyond the initial academic studies required for initial licensure or registration.

Pursuant to BPC §4846.5 (k)(1), a veterinarian who renews his or her license on or after January 1, 2018, must complete a minimum of one credit hour of continuing education on the judicious use of medically important antimicrobial drugs, as defined, every four years as part of the continuing education requirement.

a. How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department's cloud?

Licensees are required to sign their renewal notice under penalty of perjury stating that they have completed the requisite number of CE hours within the last two-year renewal period. Licensees are required to maintain CE completion documentation for no less than four years and, if audited, are required to provide that documentation to the Board upon request.

Currently, the Board is verifying CE for licensees who are moving their license from inactive to active. The licensee submits proof of CE when they apply for an active license from inactive.

The Board has not worked with the Department to receive primary source verification of CE completion through the Department's cloud, but it is interested in doing so.

b. Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.

The Board is currently developing a CE audit process to audit a percentage of its licensee population annually.

c. What are consequences for failing a CE audit?

Consequences for failing a CE audit may result in a citation or disciplinary action depending on the number of deficient hours.

d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

Historically, due to limited resources, CE audits were not conducted. However, in 2012, a CE audit pilot was performed by VMB staff, which revealed the majority of licensees were in compliance. It was noted that VMB did not have the resources to adequately maintain a proactive CE audit program. The Board conducts CE monitoring for probationers when continuing education courses are required terms of probation.

e. What is the board's course approval policy?

The course approval criteria are outlined in regulation (16 CCR §§ 2085.3, 2085.6 and 2086.5). Based on the approval criteria, the Board delegates course approval to its national regulatory agency, the American Association of Veterinary State Boards' (AAVSB) Registry for Approved Continuing Education (RACE) for all non-statutorily approved providers and courses.

f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?

AAVSB, through its RACE program. (CCR § 2085.5)

g. How many applications for CE providers and CE courses were received? How many were approved?

As previously stated, AAVSB approves CE providers and CE courses. The following information was provided by AAVSB:

2015
 Programs Submitted: 2,119
 Programs Approved: 1,789
 NEW Providers: 93

2016
 Programs Submitted: 2,123
 Programs Approved: 1,978
 NEW Providers: 100

2017
 Programs Submitted: 2,358
 Programs Approved: 2,246
 NEW Providers: 106

2018
 Programs Submitted: 2,712
 Programs Approved: 2,640
 NEW Providers: 119

It should be noted that the difference between the number of programs submitted and the number of programs approved does not necessarily suggest denial. Programs may have been submitted in December 2018, and then approved in January 2019.

h. Does the board audit CE providers? If so, describe the board's policy and process.

The Board does not audit CE providers.

i. Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

The Board has not discussed any effort to move toward a performance-based assessment of the licensee's continuing competence.

Section 5 – Enforcement Program

34. What are the board’s performance targets/ expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board has an intake cycle time target of 10 days. With exception of the last fiscal year, the Board has been able to meet or come within a few days of the 10-day target. In FY 2018/19, due to turnover in the intake unit, a vacancy for half the year, and shifting conviction workload, the Board’s intake cycle time grew to 44 days. To improve this metric, management has implemented efficiencies in the intake process, such as standardizing letter templates, utilizing email for correspondence, and eliminating unnecessary/ duplicative work. The cycle times are expected to return to target levels in FY 19/20.

The Board’s investigation cycle time without discipline target is 365 days. However, the Board believes this target is excessive and is aggressively pursuing improvements to reduce the Board’s cycle times to meet a lower performance measure target. In order to improve cycle times, the Board is pursuing budget change proposals for additional staff to handle the growing number of complaints received, as well as the existing complaint backlog.

The cycle time to reach final discipline in a case referred to the Attorney General’s (AG’s) office is 540 days. Since the last Sunset Review, the Board has not been able to meet this target. In order to address this higher cycle time, analysts have been more proactive in the last fiscal year in reaching out to the AG’s office for case follow-up. In addition, analysts would previously let the AG’s office obtain mitigation from the respondent, which added time to this metric – this has now changed with analysts following up with respondents for mitigation information. Further, analysts are now proposing acceptable settlement terms in the initial transmittal document, rather than waiting until the mandatory settlement conference.

35. Explain trends in enforcement data and the board’s efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Based on the data represented below, the amount of complaints received by the Board has risen by over 20% over the prior three years. However, this does not fully convey the sharp rise in complaints received, which at the end of FY 2018/19, are an overall 74% higher than FY 2014/15; all under the same staffing levels. Consequently, this has caused an increase in cycle times, as well as the overall backlog of cases that need to be investigated. In order to combat this, many areas of enforcement have been investigated and various efficiencies have been implemented to ensure consistency, eliminate unnecessary processes, and improve metrics. These include: use of cloud technology; improving communication with outside agencies; implementing procedure manuals; and converting to a paperless system.

Unfortunately, these improvements can only help so much, and based on the new amount of complaints received, the Board urgently needs more staff. Enforcement management is in the process of obtaining additional staff to meet this new demand. If sufficient staff are obtained, the needs of enforcement will be met, and the Board can efficiently protect California consumers.

A vacancy in the intake program resulted in an increased average time to close complaints in FY 18/19. The vacancy was filled and once the backlog of pending complaints at intake was addressed, the average time to close once again dropped below the target time of ten days in FY 2019/20.

Table 9a. Enforcement Statistics

	FY 2016/17	FY 2017/18	FY 2018/19
COMPLAINT			
Intake			
Received	1009	1013	1215
Closed	3	0	2
Referred to INV	1007	1014	1190
Average Time to Close	5	6	44
Pending (close of FY)	1	3	26
Source of Complaint			
Public	614	644	657
Licensee/Professional Groups	56	51	39
Governmental Agencies	279	199	407
Other	178	198	235
Conviction / Arrest			
CONV Received	63	79	123
CONV Closed	63	79	121
Average Time to Close	2	6	46
CONV Pending (close of FY)	1	0	2
Unlicensed/ Unregistered Practice Complaints	67	48	72
LICENSE DENIAL			
License Applications Denied	1	1	3
SOIs Filed	28	44	7
SOIs Withdrawn	2	10	4
SOIs Dismissed	0	4	0
SOIs Declined	0	1	1
Average Days SOI	132	117	180

Table 9a. Enforcement Statistics

	FY 2016/17	FY 2017/18	FY 2018/19
ACCUSATION			
Accusations Filed	31	37	22
Accusations Withdrawn	1	0	2
Accusations Dismissed	0	0	0
Accusations Declined	0	0	1
Average Days Accusations	621	661	523
Pending (close of FY)	109	101	86
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions	12	19	12
Stipulations	21	33	29
Average Days to Complete	980	948	888
AG Cases Initiated	116	123	77
AG Cases Pending (close of FY)	127	129	114
Disciplinary Outcomes			
Revocation	8	7	5
Voluntary Surrender	13	9	9
Suspension	0	0	0
Probation with Suspension	9	10	1
Probation	26	44	23
Probationary License Issued	0	6	2
Other	0	0	0

Table 9a. Enforcement Statistics			
	FY 2016/17	FY 2017/18	FY 2018/19
PROBATION			
New Probationers	19	35	26
Probations Successfully Completed	7	14	19
Probationers (close of FY)	108	104	106
Petitions to Revoke Probation	4	7	15
Probations Revoked	7	4	5
Probations Modified	1	0	4
Probations Extended	0	1	2
Probationers Subject to Drug Testing	37	40	45
Drug Tests Ordered	749	777	1086
Positive Drug Tests	115	102	116
Petition for Reinstatement Granted	0	0	0
DIVERSION			
New Participants	6	0	0
Successful Completions	1	0	2
Participants (close of FY)	10	5	3
Terminations	2	0	0
Terminations for Public Threat	1	1	0
Drug Tests Ordered	170	140	68
Positive Drug Tests	2	1	3
INVESTIGATION			
All Investigations			
First Assigned	1068	1083	1310
Closed	950	792	516
Average days to close	215	239	264
Pending (close of FY)	696	996	1779
Desk Investigations			
Closed	942	786	512

Table 9a. Enforcement Statistics			
	FY 2016/17	FY 2017/18	FY 2018/19
INVESTIGATION (Continued)			
Average days to close	218	235	269
Pending (close of FY)	692	998	1790
Non-Sworn Investigation			
Closed	0	0	0
Average days to close	0	0	0
Pending (close of FY)	0	0	0
Sworn Investigation			
Closed	110	65	60
Average days to close	276	386	378
Pending (close of FY)	71	80	40
COMPLIANCE ACTION			
ISO & TRO Issued	0	2	0
PC 23 Orders Requested	1	0	0
Other Suspension Orders	0	0	0
Public Letter of Reprimand	2	2	2
Cease & Desist/ Warning	0	0	0
Referred for Diversion	0	0	0
Compel Examination	0	2	1
CITATION AND FINE			
Citations Issued	23	31	13
Average Days to Complete	959	704	1038
Amount of Fines Assessed	9850	16300	24402
Reduced, Withdrawn, Dismissed	0	1	0
Amount Collected	9350	5000	7402
CRIMINAL ACTION			
Referred for Criminal Prosecution	0	0	0

Table 10. Enforcement Aging

	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
0-1 Year	9	14	36	18	77	21
1-2 Years	14	27	28	18	87	24
2-3 Years	15	18	17	25	75	20
3-4 Years	7	7	8	21	43	12
Over 4 Years	37	16	15	17	85	23
Total Attorney General Cases Closed	82	82	104	99	367	
Investigations (Average %)						
Closed Within:						
90 Days	284	346	236	211	1077	34
91-180 Days	153	233	225	37	648	20
181-1 Year	316	205	177	128	826	26
1-2 Years	143	103	80	103	429	14
2-3 Years	15	55	71	30	171	5
Over 3 Years	14	8	3	9	34	1
Total Investigation Cases Closed	925	950	792	518	3185	

36. What do overall statistics show as to increases or decreases in disciplinary action since last review?

The Board averaged 23 more accusations filed per fiscal year over the prior Sunset Review Report. This has increased to an average of 32 accusations filed per fiscal year during this Sunset Review period. In addition, the Board averaged 34 disciplinary actions per year over the prior Sunset Review period. This has remained consistent, averaging 35 actions over the prior four fiscal years.

37. How are cases prioritized? What is the board’s compliant prioritization policy? Is it different from DCA’s Complaint Prioritization Guidelines for Health Care Agencies (August 31, 2009)? If so, explain why.

Board cases are prioritized pursuant to BPC section 4875.1, which is in line with DCA’s Complaint Prioritization Guidelines for Health Care Agencies.

38. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

Licensees are required to report animal cruelty, animal fighting, and injuries that occur at rodeos. In addition, licensees and applicants are required to be fingerprinted for DOJ and FBI; the Board receives notifications of arrests and convictions tied to these fingerprints. Further the American Association of Veterinary State Boards provides notifications if they have been alerted to a disciplinary action taken against a licensee in another state.

a. What is the dollar threshold for settlement reports received by the board?

Pursuant to BPC section 801 (a)(2) \$3,000 for injury/death caused by negligence, error, or omission in practicing or by rendering unauthorized professional services.

In addition, BPC section 801(d) mandates that every insurer providing liability insurance to a veterinarian licensed pursuant to Chapter 11 (commencing with Section 4800) send a complete report to the Veterinary Medical Board of any settlement or arbitration award over ten-thousand dollars (\$10,000) of a claim or action for damages for death or injury caused by that person's negligence, error, or omission in practice, or rendering of unauthorized professional service.

b. What is the average dollar amount of settlements reported to the board?

The average settlement amount reported to the Board over the prior four fiscal years is \$49,957.

	FY 15/16	FY 16/17	FY 17/18	FY 18/19
Number of Settlement Cases	1	8	8	3
Total Settlement Amount	\$15,000	\$693,075	\$219,023	\$72,036.74
Average	\$15,000	\$86,634	\$27,378	\$24,012

39. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

a. What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

The Board has authority to issue probationary licenses to applicants without sending cases to the Attorney General (AG) Office. These are considered settlements pre-Statement of Issues. The Board does not offer settlements that are transmitted to the AG's Office pre-accusation.

Decision Type Outcome	FY 15/16	FY 16/17	FY 17/18	FY 18/19
Stipulations Pre-SOI	3	0	6	2
Hearing Decisions	9	12	13	11
Default Decisions	7	4	6	4

b. What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

Decision Type Outcome	FY 15/16	FY 16/17	FY 17/18	FY 18/19
Stipulations Post-Accusation/SOI	22	26	37	29
Hearing Decisions	9	12	13	11
Default Decisions	7	4	6	4

c. What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

Decision Type Outcome	FY 15/16	FY 16/17	FY 17/18	FY 18/19
Stipulations	58%	62%	66%	66%
Hearing Decisions	24%	29%	23%	25%
Default Decisions	18%	9%	11%	9%

40. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The Board does not have a statute of limitations. However, licensees are required to maintain medical records for three years after the date of the last patient visit; therefore, a complaint submitted for final services provided to a consumer more than three years ago may limit the ability of the Board to take action. Similarly, arresting agencies and courts often purge records of less egregious offenses after three to five years, which makes it difficult to gather information on underlying acts in criminal convictions.

41. Describe the board's efforts to address unlicensed activity and the underground economy.

The Board has the authority to fine unlicensed practitioners of veterinary medicine. In addition, the Board has the authority to request that the California Public Utilities Commission disconnect the phone service of cited individuals advertising unlicensed services. If the Division of Investigation is called to provide investigatory services on a case, they can issue a misdemeanor citation. Further, unlicensed cases may be referred to the district attorney's office for the filing of criminal charges against the individual.

Cite and Fine

42. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?

The Board may issue a citation to a licensee or unlicensed person along with a fine to incentivize compliance with the Veterinary Medicine Practice Act. The Board increased its authority since the last Sunset Review and may issue citations for more egregious violations (class C) up to the \$5,000 statutory limit. Depending on the violation classification, fines can range from \$250 to \$5,000.

43. How is cite and fine used? What types of violations are the basis for citation and fine?

The cite and fine is used against unlicensed practitioners of veterinary medicine, as well as licensees and registrants. Citations are appropriate when formal discipline is not warranted. These violations may include: failure to update an address; minor medical record-keeping violations; and negligence.

44. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

The Board received 12 appeals to citations issued over the last four fiscal years.

45. What are the five most common violations for which citations are issued?

The most common violations are: negligence; unprofessional conduct; unlicensed practice; record-keeping violations; and minimum standards.

46. What is average fine pre- and post- appeal?

The average pre-appeal fine amount is \$948. The average post-appeal fine is \$899.

47. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

The Board uses the Franchise Tax Board intercepts program to collect outstanding fines for non-licensees. Three letters are sent to the individual for payment. If no payment is received, the Board sends the individual's information to the accounting office, with copies of the three letters, to forward to the Franchise Tax Board intercepts program. The Board has sent one case to the Franchise Tax Board for collection over the prior four fiscal years.

Cost Recovery and Restitution

48. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

Little has changed since the prior Sunset Review; the Board seeks cost recovery for its investigation and enforcement expenses whenever possible. When a case is heard before an administrative law judge, the amount of cost recovery ordered may be reduced by a substantial amount based on the evidence and respondent's ability to pay. Stipulated settlements may contain reduced cost recovery amount in the interest of arriving at an expedited agreement to ensure consumer protection. The total cost recovery amount must be paid six months prior to the end of probation; failure to pay the cost recovery could result in extension of probation. Cost recovery attached to revocation cases usually is ordered to be paid upon petition for reinstatement of the license.

49. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

The Board would order all costs incurred during the investigation/prosecution process, as all is collectable. Over the prior four fiscal years, the Board has ordered cost recovery an average of 28 times per year, with each order averaging \$6,490.

50. Are there cases for which the board does not seek cost recovery? Why?

The Board does not seek cost recovery in discipline resulting from a statement of issues, as it does not have the authority to do so. Further, although cost recovery may be ordered in surrender and revocation cases, the majority of this cost recovery will not be collected until the Board receives a petition for reinstatement of license.

51. Describe the board’s use of Franchise Tax Board intercepts to collect cost recovery.

The Board has not used the Franchise Tax Board’s intercepts program to collect cost recovery.

52. Describe the board’s efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The Board has the authority to order restitution as a term of probation; however, it was not extensively utilized in the past. Enforcement staff is now trained to review the receipts, invoices, and billing submitted by complainants to determine whether restitution can and should be ordered.

For example, a respondent may be ordered to pay restitution if they provided substandard veterinary services, resulting in additional costs incurred by a client at a subsequent veterinarian to address the substandard care.

Table 11. Cost Recovery (list dollars in thousands)				
	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19
Total Enforcement Expenditures	2054000	2558000	2313000	2443000
Potential Cases for Recovery *	34	28	26	25
Cases Recovery Ordered	34	28	26	25
Amount of Cost Recovery Ordered	251522	110197	161707	203400
Amount Collected	222006	204882	264008	110316

*“Potential Cases for Recovery” are those cases in which disciplinary action has been taken based on violation of the license practice act.

Table 12. Restitution (list dollars in thousands)				
	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19
Amount Ordered	0	0	0	0
Amount Collected	0	0	0	0

Section 6 – Inspection Program

The Senate Business, Professions and Economic Development Committee questionnaire did not include questions specific to the Board’s Inspection program. However, to promote transparency, the Board added this section to provide the following update:

BPC section 4809.5 authorizes the Board to inspect any premises where veterinary medicine, dentistry or surgery is being practice. To meet the Board’s mission to protect consumers and animals, the Board utilizes the inspection program to enforce California Code of Regulations sections 2030 through 2030.3, among others, which set the minimum standards for veterinary premises where veterinary medicine is practiced. To accomplish these inspections, the Board contracts with up to 17 licensed veterinarians, as well as registered veterinary technicians, to use 42 standards to inspect fixed premises, 41 standards for mobile premises, and 15 standards for vaccine clinics. The inspectors are extensively trained in the laws and regulations regarding sanitation, recordkeeping, proper storage and inventory of controlled substances, and minimum standards of practice. Routine inspections are random and unannounced; complaint related inspections are unannounced and triggered by complaints alleging violations of the Veterinary Medicine Practice Act (Act), and probation inspections are random and unannounced to ensure compliance with probation and/or the Act.

During the last Sunset Review, the Senate Business, Professions and Economic Development Committee wanted the Board to increase the number of inspections performed each year. SB 304 (Lieu, Chapter 515, Statutes of 2013) required the Board to make every effort to inspect at least 20% of veterinary premises on an annual basis. While the Board did receive funding and two positions in a FY 2014/15 BCP, it has proven to be inadequate. Although the Board has been able to increase the number of inspections completed each fiscal year, it has been unsuccessful in reaching the 20% inspection goal.

While the Board’s Inspection Program made significant strides in FY 2014/15, inspecting 19% of the premises population, ongoing budget constraints have prevented the Board from reaching its goal. Additionally, the Board underestimated workload volume once the inspections were completed. As a result of dramatically increased workload involving extensive review by both staff and Board consultants, the Board has a considerable backlog in reviewing Inspection Reports. The Board is currently reviewing inspection reports received from October 2018 inspections.

In FY 2017/18 the Board submitted a BCP to increase funding for the program, which was denied. With the recent passage of SB 1480 (Hill, Chapter 571, Statutes of 2018), the Board is required to inspect at least 20% of veterinary premises annually, effective January 1, 2019. To ensure the Inspection Program met its new statutory mandate, another BCP was submitted and approved for FY 2019/20 for necessary program funding and three additional positions. The Board has initiated the recruitment process for the three positions that became operative July 1, 2019.

The Board is currently exploring ways to improve and simplify the workload, including the use of cloud technology to maintain inspection files and compliance documentation. Although the Board has substantially increased the number of inspectors from five in FY 2012/13 to as many as 17 in FY 2017/18, in order to retain inspectors, the Board should consider increasing compensation rates.

It should be noted that the Inspection Program is a fundamental educational tool in minimum practice standards and in consumer protection and, in recent years, has developed into a substantial outreach tool for the Board, as evidenced by the Inspection Program survey results.

Table 13. Veterinary Premises Inspections

	FY 2015/16	FY 2016/17	FY 2017/18	FY 2018/19
Registered Premises*	3,609	3,971	4,206	4,070
Routine Inspections	588	541	474	423
Complaint/Probation Related Inspections	40	54	23	36
Deficiencies Identified	4042	4009	2885	2277

*Includes delinquent, inactive and clear registrations.

Section 7 – Public Information Policies

53. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The Board utilizes the internet to inform the public of Board activities through social media, the Board website, ListServ, and online webcasts. The Board posts meeting materials online [here](#) and notifies the public through social media and ListServ when these documents are available. The agendas are available a minimum of 10 business days prior to the meetings, and the agenda items are posted prior to the meeting. Final meeting minutes are posted on the Board's meetings page and are retained forever.

54. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long to webcast meetings remain available online?

The Board webcasts its meetings and plans to continue to webcast future Board and committee meetings for the foreseeable future. Webcasted meetings remain online forever, as they are uploaded to YouTube and direct links are provided on the Board's meeting webpage [here](#).

55. Does the board establish an annual meeting calendar, and post it on the board's web site?

Yes, the Board holds quarterly meetings, which are posted on the Board's [website](#), as well as on the Board's social media accounts.

56. Is the board's complaint disclosure policy consistent with DCA's Recommended Minimum Standards for Consumer Complaint Disclosure? Does the board post accusations and disciplinary actions consistent with DCA's Web Site Posting of Accusations and Disciplinary Actions (May 21, 2010)?

The Board's complaint disclosure policy is consistent with DCA's [Recommended Minimum Standards for Consumer Complaint Disclosure](#) to the extent that disclosure of any complaint information will not impede or impair current or future investigations and will not discourage or deter the filing of consumer complaints. The Board posts accusations and disciplinary actions consistent with DCA's Website

Posting of Accusations and Disciplinary Actions and the provisions of section 27 of the Business and Professions Code. The Board provides the following information to the public regarding its licensees, registrants, and permit holders:

- licensee's name;
- address of record;
- license status;
- license type;
- issue date;
- expiration date;
- certification; and,
- disciplinary/enforcement actions.

The Board is consistent with DCA's Website Posting of Accusations and Disciplinary Actions by attaching all filed accusations, in their entirety, to the respective license profiles in BreEZe; the public can view all enforcement and discipline documents through the Board's "[Verify a License](#)" link on its website.

57. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides information through the BreEZe database regarding the licensure of a premises or an individual, including if an individual has any disciplinary action taken against them and the current status of the license, but does not include any awards, certificates, or education information.

58. What methods are used by the board to provide consumer outreach and education?

The Board utilizes its website and social media for consumer outreach and education, as well as encouraging public attendance at Board meetings and holding meetings at veterinary and RVT colleges to encourage future veterinary professionals to participate with the Board. Additionally, Board staff work with various stake holders when developing legislation and regulatory proposals.

Section 8 – Online Practice Issues

59. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

Online veterinary medicine practice may come in the form of telemedicine, and there is a nationwide movement to address the electronic and telephonic provision of veterinary medicine. The Board currently has a regulatory proposal to prohibit telemedicine unless a valid veterinary-client-patient relationship (VCPR) has been established, in person, prior to telemedicine services being provided. If telemedicine services are being provided without a VCPR first being established, in person, then the individual would be in violation of the Veterinary Medicine Practice Act.

Section 9 – Workforce Development and Job Creation

60. What actions has the board taken in terms of workforce development?

The Board regularly reviews its laws and regulations to identify any potential barriers to licensure. In addition, the Board's Executive Officer conducted a thorough review of registration requirements for veterinary technicians and the Occupational Analysis (OA), Review, and Linkage Study provided by DCA, Office of Professional Examination Services (OPES), the December 2018 candidate bulletin provided by PSI (AAVSB's examination vendor) outlining examination content, and the CVTE test questions, answers, and reference sheet.

After careful consideration of the facts and concerns raised by OPES, the Board determined the following: (1) there are no identified animal health care tasks limited to California; (2) the current California Veterinary Technician Examination (CVTE) is equivalent to a jurisprudence examination; and, (3) the Veterinary Technician National Examination (VTNE) adequately tests the clinical knowledge used to determine minimal competency for California RVTs. Accordingly, the Board voted to discontinue the administration of the CVTE, therefore saving potential licensees examination costs of \$200.

The Board may consider approving a future state examination if animal health care tasks limited to California are identified.

61. Describe any assessment the board has conducted on the impact of licensing delays.

Currently, Board staff has been working with the DCA's BreEZe unit to streamline the application process. In addition, statutes and regulations are being reviewed by the Board to ensure a productive processing of applications.

62. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

Currently, Board staff work with Western University of Health Sciences to present a law and ethics course to the second-year veterinary students. Additionally, Board staff will attend the three-day California Curriculum Course held by Western University of Health Sciences and lecture on licensing and enforcement related subjects.

In addition, the Board is working with the schools to hold Board meetings on campus in an effort to encourage students to attend meetings. The Board recently held a Board meeting at UC Davis School of Veterinary Medicine. Board staff is also reaching out to the Student American Veterinary Medical Association (SAVMA) in California to identify ways to effectively educate students on the Board's role, current issues facing the Board, licensing requirements, and licensing process.

63. Describe any barriers to licensure and/or employment the board believes exist.

In order to reduce barriers to veterinary technician registration, the Board voted in April 2019 to discontinue the administration of the California Veterinary Technician Examination (CVTE). The Board will also review its other state licensure exams to make sure they meet what is outlined in statutes and regulations.

64. Provide any workforce development data collected by the board, such as:

- a. Workforce shortages
- b. Successful training programs.

The Board does not have the resources to do independent studies on workforce shortages and training programs and has not collected such data. However, professional veterinary associations regularly compile workforce shortage information and information on training programs, and the workforce and training program data is available to the Board.

Section 10 – Current Issues

65. What is the status of the board’s implementation of the Uniform Standards for Substance Abusing Licensees?

In October 2014, the Board adopted proposed language for the Uniform Standards for Substance Abusing Licensees, but, at the direction of the DCA Legal Affairs Division pending resolution of the proper interpretation and uses of the Uniform Standards, the regulatory file was placed on hold from April 2015 to February 2016.

Since then, the DCA Substance Abuse Coordination Committee has made minor changes to Uniform Standard #4 relating to drug testing and has also reviewed all other uniform standards. The Board has returned to its review and discussion of the Uniform Standards and formed a two-member committee to work with legal counsel to generate a formal recommendation for the Board on how to proceed with implementation of the Uniform Standards. The Board approved Uniform Standards regulations during its October 2019 Board meeting and initiated the rulemaking process.

66. What is the status of the board’s implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

The CPEI regulatory proposal is currently in the final phase of review by the Office of Administrative Law (OAL). The Board anticipates that the CPEI regulatory proposal will be approved by OAL within the next few months.

67. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.

a. Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board’s change requests?

The Board began utilizing BreEZe in January 2016 in DCA’s second release. The Board has raised approximately 308 System Investigation Requests (SIRs) since R2 launch. There are currently 30 SIRs open. The Board is currently working on raising a formal change request to DCA’s BreEZe Change Control Board to build an interface between BreEZe and AAVSB in order to receive electronic exam scores and send license status and discipline information.

b. If the board is not utilizing BreEZe, what is the board’s plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board’s understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

N/A

Section 11 – Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the board.
2. Short discussion of recommendations made by the Committees during prior Sunset Review.
3. What action the board took in response to the recommendation or findings made under prior Sunset Review.
4. Any recommendations the board has for dealing with the issue, if appropriate.

Issue #1: (BreEZe.) Board staff is significantly impacted by BreEZe implementation and the potential costs to the Board are still uncertain.

Committee Staff Recommendation: The Board should report to the Committees on the status of the transition to BreEZe. Does the Board expect to have any maintenance needs? Has staff been able to resume normal duties now that R2 is live? It would be helpful to understand how BreEZe related costs will continue to impact the Board’s budget.

2019 Update:

The Board has fully transitioned to BreEZe, and staff regularly works with DCA’s BreEZe team to identify additional design improvements that will streamline processes for applicants, licensees, and staff. Much like DCA’s Business Modernization Project, the Board staff is focusing on modernizing its business needs – believing that the business needs should be the primary driver of improvements and not IT. Not only is the Board developing strong ties between board staff and BreEZe resources, but also – and perhaps more importantly – reinforcing the idea to modernize our business processes and then layer on required support and systems. This method more easily engages staff in the process and allows them to express their needs in terms they understand, which will create a superior end product.

To this end, the Board launched an outreach campaign to encourage more applicants and licensees to utilize the online services BreEZe has to offer. The Board's current online renewal rate is 59%; that is up from 49% from last year. As previously mentioned in this report, the Board recently reduced its multi-page renewal notice down to a single page strongly encouraging licensees to utilize BreEZe's online services. With these improvements and continued outreach to licensees, the Board anticipates a much higher renewal rate by the end of the fiscal year. The Board highly encourages all licensees to renew online, as 93% of those who renew online see their renewal approved in less than one day. This also removes any manual work otherwise created by the traditional paper application/check being mailed to the Board.

After BreEZe launched, the Board raised approximately 308 System Investigation Requests (SIRs) for system fixes and implementing two new license types (VACSPs and University Licenses). There are roughly 30 SIRs still pending.

In addition, as discussed previously in this report, staff has identified multiple inefficiencies in the BreEZe system design that delays processing times. Staff is working with the DCA BreEZe team to completely re-design the licensing process in the system. While this will take time, staff is confident these design improvements will greatly improve processing times.

The Board's BreEZe costs were previously provided in this report.

Issue #2: (RVT Issues.) RVT issues appear to still be persisting.

Committee Staff Recommendation: RVTs represent an important part of animal care services whose issues are significant and warrant consistent attention. If the Committees believe that RVT issues are not being adequately addressed then consideration should be given to recreating the RVTC with a legislative mandate to advise the VMB on issues pertaining to the practice of veterinary technicians and assist the VMB with RVT examinations, continuing education, and approval of RVT schools. The MDC should continue considering issues referred by the Board with its current structure. To provide necessary context and continuity, the RVT member who sits on the Board and MDC should also serve as a voting member of the RVTC.

2019 Update:

The Board has successfully completed the following 2015-2019 Strategic Plan objectives specific for previously identified RVT issues:

- Complete a cost-benefit analysis of the RVT exam to determine reasonable and equitable fees.
- Monitor and approve the education and training offered by RVT Alternative Route Programs to measure quality and consistency.
- Address Shelter Medicine Minimum Standards and the RVT's role in triaging and administering medication to animals upon intake).

In addition, as mentioned in the Board's 2016 response, in order to improve visibility and tracking of all RVT matters before the Board and the MDC, there is a standing RVT report presented by the Board's RVT member. The report outlines the RVT issues and priorities before the Board and serves as an on-going action items list.

Further, the Board analyzed the AVMA accreditation and expanded the duties of the RVTs. There is a pending rulemaking file that amends CCR § 2036 to allow RVTs to perform additional animal health care tasks under indirect veterinarian supervision. The Board also approved proposed language regarding RVT student exemption; currently the rulemaking package is pending. The Board also created a pathway for foreign RVT applicants to become licensed in California.

Issue #3: (RVT Law Exam Costs.) Should the California RVT examination be converted to a mail-out examination?

Committee Staff Recommendation: None at the time

2019 Update:

As previously mentioned in this report, after a thorough review of the California RVT examination, the existing statute, the occupational analysis, an analysis from AAVSB, and input from stakeholders, the Board unapproved the examination at its April 2019 Board meeting.

The existing statute allows for testing on California-specific health care tasks. However, there were no identified health care tasks that were limited to California. In addition, the current structure of the examination focused on California laws rather than how to competently perform health care tasks.

Thus, the Board believed the current examination served more as a barrier to licensure and unapproved the exam. However, the Board chose not to pursue legislation to remove the requirement, since other California-specific tasks may be identified in the future. Eliminating the exam saves RVT applicants exam expenses, travel expenses, and time studying for the exam.

Issue #4 (University Licensure.) Should the Board license veterinarians employed by veterinary medical schools?

Committee Staff Recommendation: The exemption for university-employed veterinarians presents a consumer protection issue. The Committees should amend the Business and Professions Code to require the Board to separately license veterinarians practicing within the university setting. The Committee Staff proposed a legislative fix – adding BPC section 4848.1 – University License Status

2019 Update:

The Board has fully implemented BPC section 4848.1 and began issuing university licenses in FY 2017/18. There was a minor implementation delay due to BreZE.

Issue #5: (Delinquent Registration Status.) Should the premises registration be cancelled after five years if they are in a delinquent status?

Committee Recommendation: The Committees may wish to consider adding language that would allow the Board to cancel the premises registration of veterinary premises that have remained in delinquent status for more than five years.

2019 Update:

SB [1193](#) (Hill, Chapter 484, Statutes of 2016), effective January 1, 2017, added BPC section [4853.7](#) to address this concern:

A premise registration that is not renewed within five years after its expiration may not be renewed and shall not be restored, reissued, or reinstated thereafter. However, an application for a new premise registration may be submitted and obtained if both of the following conditions are met:

- (a) No fact, circumstance, or condition exists that, if the premise registration was issued, would justify its revocation or suspension.
- (b) All of the fees that would be required for the initial premise registration are paid at the time of application.

Issue #6: (Compounding of Drugs.) Should veterinarians be granted authority to compound drugs for animal patients?

Committee Recommendation: The Board should continue its work with the Pharmacy Board and legal counsel to develop language to be added to the Veterinary Medicine Practice Act granting limited state authority for veterinarians to compound drugs.

2019 Update:

SB [1193](#) (Hill, Chapter 484, Statutes of 2016), effective January 1, 2017, added BPC section [4826.5](#) granting limited authority for veterinarians and registered veterinary technicians under supervision of a licensed veterinarian to compound drugs:

Notwithstanding any other law, a licensed veterinarian or a registered veterinary technician under the supervision of a licensed veterinarian may compound drugs for animal use pursuant to section 530 of Title 21 of the Code of Federal Regulations and in accordance with regulations promulgated by the board. The regulations promulgated by the board shall, at a minimum, address the storage of drugs, the level and type of supervision required for compounding drugs by a registered veterinary technician, and the equipment necessary for the safe compounding of drugs. Any violation of the regulations adopted by the board pursuant to this section shall constitute grounds for an enforcement or disciplinary action.

The Board approved rulemaking for drug compounding. However, during its review process, the package was pulled back for additional review in October. The Board anticipates making minor changes and submitting it through the process again.

Issue #7: (Animal Rehabilitation.) Should the Board continue to pursue regulations to more clearly define and describe the scope of animal rehabilitation, the level of veterinary supervision, and what minimum education and training requirements may be necessary?

Committee Recommendation: The Board should create a task force comprised of stakeholders including veterinarians, RVTs, animal rehabilitation and related animal industry professionals, consumers, and representatives from the legislature to further examine the issue and present a recommendation to the Board by January 1, 2017.

2019 Update:

After the Board's Sunset Review Hearing in March 2016, the Legislature recommended that the Board establish a task force that included stakeholders to address concerns regarding APR. At the Board's April 20, 2016 meeting, the Board established a 19-member APR Task Force comprised of the following list of stakeholder groups:

- California Physical Therapy Association (CPTA) – *One (1) representative*
- Consumers – *Two (2) representatives*
- Veterinarian specializing in Animal Rehabilitation – *One (1) representative*
- RVT specializing in Animal Rehabilitation – *One (1) representative*
- California Horse Racing Board (CHRB) – *One (1) representative*
- Equine Community – *One (1) representative*
- California Association of Animal Physical Therapists – *One (1) representative*
- Certified Canine Rehabilitation Practitioners – *One (1) representative*
- California Veterinary Medical Association (CVMA) – *One (1) representative*
- California Registered Veterinary Technician Association – *One (1) representative*
- Veterinary Medical Board – *Two (2) representatives*
- Multidisciplinary Advisory Committee – *One (1) representative*
- Legislature – *Appointed by Legislature*
- Legal Counsel – *One (1) representative*
- University of California, Davis – *One (1) representative*
- Western University of Health Sciences – *One (1) representative*

The Board requested the above stakeholder groups identify their specific representatives by May 15, 2016. The Senate Committee on Business, Professions and Economic Development and the Assembly Committee on Business and Professions each appointed their own consultants to the Task Force as voting members. Although the Board included a Legal Counsel representative in the Task Force list, the Board's legal counsel

participated in and helped facilitate the discussions but did not participate as a voting member. The Board's Executive Officer also participated in and helped facilitate the discussions but did not vote.

The Task Force held three meetings: June 20, 2016, October 4, 2016, and February 2, 2017. At the conclusion of these meetings, the Task Force submitted their findings to the Board and provided their recommendations on how to resolve the APR practice issues.

At its April 19-20 and July 26-27, 2017 meetings, the Board received roughly 270 letters and heard testimony from 21 individuals. After many hours of careful deliberation on the issues, the Board approved the majority (six of eight) of the recommendations from the APR Task Force as proposed and made amendments to two recommendations to address written and oral public comments and concerns. The Board approved the proposed regulatory language during its October 18-19, 2017 meeting and directed Board staff to proceed with developing the regulatory package. The proposed regulations are going through the rulemaking process and should be available for the public comment period shortly.

Issue #8: (Animal Injuries at Rodeo Events.) Should there be better oversight and more immediate treatment of injured animals by veterinarians and possibly RVTs at rodeo events?

Committee Recommendation: It should be required that the management of any professionally sanctioned or amateur rodeo that intends to perform in any city or county shall ensure that there is a licensed veterinarian present at all times during the performances of the rodeo or an RVT who is under the appropriate degree of supervision of the veterinarian for those animal health care tasks that may be performed by the RVT at a rodeo event. The on-call requirement for a veterinarian should be considered as insufficient to provide for appropriate oversight and the immediate treatment of injured animals at rodeo events.

2019 Update:

As stated in its 2016 response, BPC section 4840.5 stated that an RVT may provide emergency aid and treatment to an animal patient without a veterinarian present. authorized a registered veterinary technician, under conditions of emergency, to render lifesaving care to an animal and defines "emergency" for these purposes as the animal has been placed in a life-threatening condition and immediate treatment is necessary to sustain life. Effective January 1, 2018, BPC section 4840.5 was amended to strike "to sustain life."

CCR section 2069 provides for the specific aid and treatment that an RVT may provide to an animal under the conditions of an emergency which includes: application of tourniquets or pressure bandages to control bleeding, administration of pharmacological agents under direction of the veterinarian, application of temporary splints or bandages to prevent further injury to bones or soft tissue, external cardiac resuscitation, and intubation for opening airways, to name a few. As such, an RVT may provide treatment at a rodeo event under current law and regulation to assist in emergency situations.

The public has expressed to the Board concerns over rodeo animal injuries. Penal Code section 596.7 requires veterinarians to have access to animals at rodeos; however, the rodeo management's implementation of this requirement does not fall within the Board's jurisdiction. Rather, only veterinarians are required to report animal injuries to the Board as required by BPC section 4830.8. The Legislature may wish to clarify the enforcement responsibilities regarding animal injuries at rodeos.

Issue #9: (Use of Antimicrobial Drugs.) Are there any additional requirements or resources necessary to implement SB 27 (Hill) and SB 361 (Hill)?

Committee Recommendation: The Board should continue implementation of SB 27 and SB 361 and report back to the Committees on the results of implementation during the next Sunset Review.

2019 Update:

As indicated in the Board's 2016 response, the mandate for developing antimicrobial stewardship guidelines and best practices was placed on the California Department of Food and Agriculture (CDFA). The CDFA was mandated to consult with the Board, among others, when developing their guidelines. Board representatives met with CDFA multiple times over the last year and provided input. In July 2019, CDFA presented their final version of the guidelines to the Board. After CDFA's presentation (attached), the Board formally supported the guidelines. The Board published information on the new continuing education requirement on its [website](#) and included a list of courses that are available.

In order to implement the new continuing education requirement, the Board included information in all veterinarian renewal notices and posted additional information on its website. Currently, licensees certify that they have complied with the CE requirement. The Board is researching the feasibility to update the renewal form/online transaction to have the licensee attest to taking the one hour course. (BPC § 4846.5 (k)).

Issue #10: (Increased Inspection of Veterinary Premises.) Are there any outstanding issues regarding the Board's inspection of veterinary premises?

Committee Recommendation: The Board should continue its efforts to meet the inspection mandate of 20% and inform the Committees if additional resources are needed to comply with SB 304.

2019 Update:

SB [1480](#) (Hill, Chapter 571, Statutes of 2018), effective January 1, 2017, amended BPC section 4809.4 to require the Board to inspect at least 20% of veterinary premises on an annual basis. As a result, the Board was able to obtain three additional permanent positions (2 SSAs, 1 OT) to implement the new requirement. However, given the Board's current fund condition, the increase in premises locations, and the increase in complaint related inspections, the Board may struggle to support the mandate. The Board is currently working with DCA's Budget Office to pursue fee increases through regulation.

With the updated minimum standards for premises, the Board anticipates more efficient inspecting, as inspectors and licensees know exactly what is required. With the significant increase in consumer complaints, there will likely be an increase to complaint related inspections. This may result in future BCPs for more positions.

Issue #11: (Formal discipline is still taking more than two years.) Are there other steps the Board can take to reduce the timeframe for taking formal disciplinary action against a licensee?

Committee Recommendation: The Board should continue strategies to decrease the timeframe for areas of the disciplinary process over which it has control. The Board should also continue to monitor progress within each stage of the disciplinary process and provide the committee with an update during the next Sunset Review.

2019 Update:

In April 2019, the Board implemented a start-to-finish investigation model, in which a single enforcement analyst performs both the complaint investigation and disciplinary process. Previously, the investigation and discipline would be handled by different analysts. The aim of this change is to increase case engagement as well as avoiding the loss of information and time to bring a new analyst up to speed which can occur when a case is transferred between analysts.

In addition, in March 2019, the Board began working with DCA's Organizational Change Management (OCM) team to examine existing enforcement procedures to identify duplicative and unnecessary steps in the process. These steps should shave precious time off of investigation and disciplinary cycle times. The OCM team is also assisting the Board with mapping all Board procedures, which will be the basis for desk procedure manuals and BreZE transaction updates, further helping to streamline processes.

Further, in April 2019, the enforcement unit began taking a much more proactive approach to cases submitted to the Attorney General's (AG) office. This includes regularly following up with the assigned Deputy Attorney General (DAG) as well as obtaining mitigation prior to transmittal, effectively pushing the cases forward much more quickly. Enforcement staff has also begun transmitting cases to the AG's office with agreeable settlement terms included, thereby affording the opportunity to impose timely discipline, avoiding the months (and sometimes years) to hold a mandatory settlement conference or proceed to hearing.

Additionally, in April 2019, the Board significantly increased communication with DCA's Division of Investigation (DOI) regarding cases which require field investigations. This includes determining whether a DOI investigator is necessary to proceed with an investigation, and/or whether an inspector from the Board's inspection program should go out to the veterinary premises. Typically, DOI investigations can take several months (costing thousands of dollars); however, in many instances, a Board inspector can obtain the information necessary to proceed with a case within a couple of weeks (at a fraction of the cost).

Moreover, in October 2019, the Board revamped its expert witness program, modeling the format after the Medical Board of California (MBC). This included a new set of guidelines with an updated expert witness sample opinion to ensure all witnesses understand the expectations. In addition, our experts have provided the opportunity to attend an all-day training in August or November in Northern California, or September or October in Southern California. Board experts have already relayed how happy they are with these new guidelines and training, and how much clarity these tools provide them in their role. These efforts should make our cases much stronger, which in turn will assist the assigned DAG in getting stipulated settlements signed much more quickly. This also lessens the risk of the DAG asking for updated expert opinions, if the original opinion lacked the strength necessary to properly proceed with the case.

While the Board has made multiple improvements, the core issues will not be solved without additional staff. The last Board enforcement staff increase was based on increased workload through FY 2013/14. Since that time, complaints submitted to the Board have increased by 83%. The Board currently has four enforcement analysts and over 1,900 pending cases; each enforcement analyst has over 475 cases, which is unmanageable and inadequate for effective consumer protection. The only way to adequately protect the public is to increase staff to properly manage the increased workload.

The Board can pursue Budget Change Proposals (BCPs) to increase staff, but BCPs will not be successful if the Board's fund cannot support the request.

Section 12 – New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues that were raised under prior Sunset Review that have not been addressed.
2. New issues that are identified by the board in this report.
3. New issues not previously discussed in this report.
4. New issues raised by the Committees.

New Issue #1. Corporate Practice of Veterinary Medicine

In 2017, the Board received information from veterinarians that general corporations that own or operate veterinary premises are using employment contracts to control the provision of veterinary medical care to animal patients. Current statutory and regulatory law does not explicitly prohibit general corporate ownership or operation of a veterinary medical practice or influence over the standards of veterinary medicine practice. Without statutory language that clearly bans corporations from practicing a health care profession requiring licensure or rendering health care services, healing arts boards struggle with enforcing the corporate practice ban intended to protect consumers from commercial motives of the corporation being asserted over a healing arts licensee's professional judgment.

Veterinary medicine, a healing art under the Business and Professions Code (BPC), has two problems relative to the corporate practice ban that are unique to veterinary medicine and not applicable to most other healing arts. First, the Medical Practice Act and its ban on the corporate provision of medical services does not apply to the provision of animal health care services. Thus, while some healing arts boards are authorized through their respective practice acts to enforce violations of the Medical Practice Act and could potentially refer to the Medical Practice Act's corporate practice ban statute, the Board is not authorized to rely on that statute. Rather, the Board's authority is limited to the Veterinary Medicine Practice Act statute authorizing licensees to organize as professional corporations pursuant to the Moscone-Knox Professional Corporation Act (Corp. Code § 13400 et seq.). (BPC § 4910.) But that language does not specifically ban the practice of the licensed profession or rendering of veterinary services by a general corporation owned by non-licensed individuals.

Second, the Veterinary Medicine Practice Act is unique in that it licenses veterinarians who practice veterinary medicine, registers the veterinary premises, and authorizes professional corporations to render veterinary services. Notably, the Veterinary Medicine Practice Act does not specifically define whether a veterinary premises means the property at which a veterinary practice provides services and does not define a veterinary practice as the business that offers veterinary medical services. This has led to the terms "premises" and "practice" to be used interchangeably, even though they are conceptually very different. The Veterinary Medicine Practice Act requires that a premises be registered but does not require the premises owner to be a licensed veterinarian. Further, the Act is silent as to requiring that a veterinary practice be registered or owned by a licensee.

The lack of definition of the veterinary practice has led to a trend where general corporations are purchasing and operating not only veterinary premises, but also the veterinary practices located at the premises. General corporate ownership of veterinary practices raises potential concerns for consumers in that corporations are in a position to dictate the standards of care provided by the veterinarians employed by the corporation. This situation is analogous to a medical clinic that is owned and operated by unlicensed individuals and where the licensed professionals are employed to render health care services. Under the Medical Practice Act, clinic owners/operators are prohibited from interfering with, controlling, or otherwise directing the professional judgment of a physician and surgeon (BPC § 2401(b)). Conversely, there is no specific statutory prohibition on unlicensed shareholders/owners/ operators of either a veterinary premises or practice interfering with the professional judgment of a veterinarian.

Accordingly, national corporations are purchasing veterinary premises, registering the premises in the corporate name, operating the veterinary practices housed at the premises, employing veterinarians as Licensee Managers of the premises, as well as general practitioners, and, may be practicing the licensed profession of veterinary medicine. Such corporations have unlicensed officers who also manage the payroll department and negotiate employment agreements entered into between the general corporation and veterinarians and veterinary staff working at each premises. The employment agreements contain net revenue percentage incentives to sell the corporation's animal care products, including vaccinations, flea treatments, vitamins, shampoos, dental products, and prescription pet foods and services, which may or may not be in the best interest of the animal. Consequently, these employment agreements, and the commission-based fee structures therein, create an environment where veterinarians may believe their employment is at risk if they are not selling the corporate animal care products and services to the client.

In addition, veterinarians who own a veterinary practice may enter into contracts for the provision of management services that may be provided by the corporate premises owner, outside management services organizations, or even as corporate partners in the veterinary practice. These arrangements also potentially allow for corporate control over veterinary medical practice. Notably, since the Medical Practice Act specifically states that legal entities (corporations) have no practice rights but the Veterinary Medicine Practice Act does not, and veterinary premises can be owned by unlicensed entities, general corporation premises and/or practice owners could argue that the lack of a similar limitation of corporate practice rights under the Veterinary Medicine Practice Act shows that the Legislature did not intend to place the same limitations on the corporate practice of veterinary medicine as are applied to the corporate practice of medicine.

Given the recent trend of large corporations acquiring or merging with veterinary practices, and the corporations' employment of veterinarians and veterinary staff with financial incentives tied to selling the animal health care products of the corporations, it would be helpful to clarify in statute the boundaries between corporation ownership of the premises and/or practice and the corporation's influence over the practice itself.

After inviting veterinary corporations who are currently or are considering operating in California to participate in discussions with the Board on these issues, the Board approved proposed legislative and regulatory solutions in November 2018. However, based on concern of a group representing corporate interests raised at a subsequent meeting (January 2019), the Board directed its Multidisciplinary Advisory Committee (MDC) to conduct further research, solicit feedback from corporations and industry stakeholders, and provide further recommendation to the Board as to how to proceed.

The MDC publicly discussed the legislative and regulatory proposal with corporations and industry stakeholders in April 2019. Based on that meeting and subsequent comments received from veterinary medical practitioners and corporations, the MDC anticipates making final recommendations to the Board at the MDC's October 2019 meeting.

Should the MDC recommend the Board proceed with the legislative proposal, the Board may recommend to the Legislature corporate practice legislation.

New Issue #2. Funding for Animal Cannabis Research

Over the past few years, the cannabis industry has lobbied to allow veterinarians to recommend cannabis for animal patient treatment. AB 2215 (Kalra, Chapter 819, Statutes of 2018) allowed veterinarians to discuss with clients the use of cannabis for treatment on animal patients and required the Board to develop guidelines for veterinarians to use for those discussions. SB 627 (Galgiani, 2019) would require the Board to develop guidelines for veterinarians to use when recommending cannabis within the veterinarian-client-patient relationship. SB 627 would require the Board to consult with the Center for Medicinal Cannabis Research (CMCR) at the University of San Diego in developing those guidelines. Once the guidelines are adopted by the Board, the bill would allow veterinarians to recommend the use of medicinal cannabis or medicinal cannabis products on an animal patient for any condition for which cannabis or cannabis products provide relief, as specified. SB 627 was pulled by the author in Assembly Appropriations and made into a two-year bill.

The Board acknowledges that medicinal cannabis and cannabis products may have potential health benefits to animals. However, there is still a significant need for funding for cannabis research so that veterinarians and the public are informed on the possible efficacious use of cannabis to treat animals and to ensure the full protection of consumers and their animals. While other medications and dangerous drugs have been provided to animal patients without significant research, those were not previously identified as Schedule I Controlled Substances, as is cannabis.

Although SB 627 requires the Board to consult with a research group, CMCR has not conducted any research on the efficacy of cannabis in animal patients. According to CMCR, in order to conduct the necessary research, additional funding is required.

The Board will continue to work with the author's office to secure funding from within the already appropriated funding for cannabis research. However, should the amendments not be included, the Board will seek assistance from the Joint Sunset Review Oversight Committee.

New Issue #3. Premises Registration and Managing Licensee

BPC section 4853 requires all premises where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof is being practiced to be registered with the Board. The application for premises registration shall contain the name of the responsible licensee manager (MGL) who is to act for and on behalf of the licensed premises (BPC § 4853(c)). There is no requirement that an owner or operator of a veterinary premises be licensed as a veterinarian or other veterinary health care provider.

All license applicants are required to furnish a full set of fingerprints for purposes of conducting criminal history record checks (BPC § 144). The Board has authority to deny license and registration applications for convictions and discipline by public agencies (BPC § 4883). However, BPC section 4853 does not require the owner or operator of the veterinary premises to be the premises registration applicant or be identified on the application. Therefore, it is unclear who needs to be fingerprinted and under what circumstances the Board can deny premises registrations.

In addition, the building where veterinary medicine is practiced may be leased from a third party not involved in the practice. The statute is unclear whether the premises means the real estate, the brick and mortar building, or the location of the practice.

Further, it is unclear if the Board has authority to deny a premises registration or MGL substitution application when a revoked veterinarian is the owner or operator of the premises. Currently, a veterinarian, who was named as the premises MGL but whose license was subsequently revoked or suspended, may submit to the Board an application naming a new MGL associated with the premises, while the revoked veterinarian attempts to operate the premises without the Board's knowledge. This ambiguity has led to MGLs who have been disciplined for various violations such as unsanitary conditions, controlled substances and danger drug diversion, or felony convictions to continue controlling the veterinary premises and the veterinary practice therein. Similarly, unlicensed individuals, who own or operate the premises, may have conviction histories substantially related to veterinary practice (e.g., drug/alcohol addiction or diversion) and have access to controlled substances stored at the premises.

In addition, current statutory provisions solely hold MGLs responsible for sanitary conditions within the registered premises. The Board may withhold, suspend, revoke or assess an administrative fine to the premises registration only after it has been determined through an administrative hearing that the MGL failed to keep the premises and all equipment in a clean and sanitary condition (BPC § 4853.5). Thus, the Board would only be able to discipline/issue a fine to the premises registration if a case against the MGL were to go to hearing and the MGL was found to be responsible for the unsanitary conditions. However, the majority of disciplinary cases are settled outside of an administrative hearing. Further, by the time a case goes through the investigative and administrative hearing processes, it is difficult to justify citing the premises registration when the veterinarian going through the hearing process is no longer associated with the premises but the unsanitary conditions persist under subsequent MGLs. This leads to premises registrations being removed from disciplinary action since new MGLs are responsible for the sanitary conditions and premises requirements.

Unfortunately, the Board is aware of multiple instances where unlicensed individuals own or operate the premises without maintaining minimum standards and keep rotating MGLs. New MGLs assume responsibility, quickly realize the premises owner will not provide necessary resources to properly maintain the premises, decide to go elsewhere, and the premises owner/operator hires a new MGL. This endless loop leads to veterinary services being provided on an ongoing basis without the unlicensed premises owner/operator ever being held responsible for the premises conditions

Although the Board does have authority to withhold, suspend, or revoke the premises registration when an MGL leaves, there is no specified timeframe for how long the owner has to designate a new MGL (BPC § 4853.6). Without a specified timeframe or explicit authority to cancel the registration, the Board's only options are to either hold a renewal (which could be an entire year) or go through the disciplinary process in order to suspend or revoke the registration. In general, the disciplinary process is used when all other attempts for compliance has failed and/or the violations are egregious enough to rise to the level of discipline. Disciplinary cases may take up to a year or more and is very costly for the Board and the Respondents. The ability to enforce a clear timeframe incentivizes compliance and enables the Board to adequately enforce the consumer protection statute.

Legislative Request: The Board recommends amending BPC sections 4853, 4853.1, 4853.5, and 4853.6 to clarify the premises refers to the location of veterinary medicine practice rather than the real estate, clearly identify the premises registration applicant, grant authority to deny registrations on the basis of the premises owner(s)/operator(s) criminal and disciplinary history, hold the premises registration holder responsible for unsanitary, unsafe, and unlawful conditions, and cancel registrations when an MGL has not been identified after 30 days.

New Issue #4. Unlicensed Practice Categorized as Exempt Practices

BPC section 4827 provides various exemptions of veterinary medicine practice from the Veterinary Medicine Practice Act. This exemption extends to the following:

- (a) Practicing veterinary medicine as a bona fide owner of one's own animals. This exemption applies to the following:
 - (1) The owner's bona fide employees.
 - (2) Any person assisting the owner, provided that the practice is performed gratuitously.
- (b) Lay testing of poultry by the whole blood agglutination test. For purposes of this section, "poultry" means flocks of avian species maintained for food production, including, but not limited to, chickens, turkeys, and exotic fowl.
- (c) Making any determination as to the status of pregnancy, sterility, or infertility upon livestock, equine, or food animals at the time an animal is being inseminated, providing no charge is made for this determination.

- (d) Administering sodium pentobarbital for euthanasia of sick, injured, homeless, or unwanted domestic pets or animals without the presence of a veterinarian when the person is an employee of an animal control shelter and its agencies or humane society and has received proper training in the administration of sodium pentobarbital for these purposes.

The broad animal owner exemption above may allow unlicensed individuals to perform invasive and dangerous surgeries without any training, knowledge, or experience, and allows animal rescue groups, who own the animals, to hire unlicensed individuals to perform surgeries on animals without any Board oversight or authority. This leads to complaints being closed as non-jurisdictional when animals may have been harmed or have died.

In addition, if the Board investigates a complaint alleging the owners were providing their animals dangerous drugs, there is no requirement for the owners to cooperate with the investigation or inform the Board of the veterinarian who prescribed the drugs. Without being able to identify who prescribed the drugs, the Board would not know who to investigate to determine if the drugs were medically necessary.

This concern is specific to companion animals, animal sanctuaries and animal rescue groups. This is not intended to raise concerns regarding livestock.

New Issue #5. Reciprocity License Clinical Practice Hours

To become licensed as a veterinarian, the Veterinary Medicine Practice Act requires the applicant to take the national and state board exams, as well as a jurisprudence exam on the statutes and regulations of the Veterinary Medicine Practice Act. A veterinarian license applicant can receive a Board waiver from those examinations if, among other things, the applicant holds a current valid license in good standing in another state, Canadian province, or United States territory and has practiced clinical veterinary medicine for a minimum of two years and completed a minimum of 2,944 hours of clinical practice within three years immediately preceding the application (BPC § 4848(b)(1)).

It has come to the Board's attention that the statute is unclear. The Board interprets the statute to require the practice hours to be completed within another state, Canadian province, or U.S. territory. However, some applicants are reading the statute to mean that the applicant only has to have a current valid license in another state, Canadian province, or U.S. territory, and the clinical practice hours can be obtained in any foreign country, regardless of whether the minimum practice standards in those countries meets the minimum practice standards in California or any other state, Canadian province, or U.S. territory.

Legislative Request: Since the statute is unclear with regard to whether foreign experience is counted as valid experience, the Board may recommend amending the statute to clarify the clinical practice experience.

New Issue #6. Diversion Evaluation Committee Composition

The Veterinary Medicine Practice Act authorizes the Board to establish the Diversion Evaluation Committee (DEC) to identify and rehabilitate veterinarians and registered veterinary technicians with impairment due to abuse of dangerous drugs or alcohol, affecting competency so that they may be treated and returned to practice in a manner that will not endanger the public health and safety. (BPC §§ 4860, 4861.) Existing law requires a majority vote of the Board to appoint DEC members and states the DEC members serve "at the pleasure of the board." (BPC § 4861(b).)

However, there is no provision for suspending or dismissing DEC members without the full Board during public session. If, in the unfortunate event a DEC member relapses and/or is suspected of existing drug or alcohol abuse, that member and the integrity of the DEC may be compromised. If allegations are substantiated and the compromised member participated in DEC decisions involving probationers, the probationer could claim a violation of the APA and seek to void those DEC decisions in which the member participated.

Legislative Request: The Board recommends adding provisions allowing for the suspension of DEC members pending an investigation into allegations of existing alcohol or drug addiction. In addition, the Board recommends adding authority to remove a member if the allegations are substantiated. Since there is no exemption in the Bagley-Keene Open Meeting Act for such discussions, the Board also recommends delegating this authority to the Board President.

New Issue #7. Program Costs vs. Diversion Program Registration Fees

The Legislature created the Board's Diversion Program in order to "seek ways and means to identify and rehabilitate veterinarians and registered veterinary technicians with impairment due to abuse of dangerous drugs or alcohol, affecting competency so that veterinarians and registered veterinary technicians so afflicted may be treated and returned to the practice of veterinary medicine in a manner that will not endanger the public health and safety." (BPC § 4860.)

Participants in the program are enrolled for a minimum of three years, but it can extend based on individual needs and level of rehabilitation. The current Board cost for the program is \$4,560 per participant and rises 3% annually. In addition, program participants pay a flat fee of \$2,000 (CCR, tit. 16, § 2070). Thus, the minimum cost for a three-year program is roughly \$16,000, with the Board covering \$14,000 (88%) of the costs. While the Board may increase the participants' flat fee to \$4,000 (BPC § 4873), the initial and ongoing Board costs continue to increase annually.

Historically, program participation has always been low. Since 2003, there have been 24 total participants, and only one is currently participating. The low participation may be due to the lack of knowledge in the industry that the program exists. The Board would like to develop an outreach campaign in order to educate licensees about the program.

However, there is significant concern that the Board's fund condition would not be able to sustain the program if more participants enrolled.

Legislative Request: In order to sustain the fund if/when more participants join the program, the Board recommends amending BPC section 4873 to increase the amount participants pay to participate in the Diversion program. The Board recommends participants pay the administrative costs for the program rather than a flat fee.

New Issue #8. Abandoned Applications

With the limited exception of CCR section 2015.5, the Board currently does not have authority to abandon applications if the applicants pay the applicable fee but fail to fulfill any deficiencies. This proves problematic, since pending applications that may be several years old remain on any statistical reports to the DCA, Legislature, the Board, etc. All pending applications require staff to store and monitor. As time passes, multiple reviews may occur before the license/registration/permit is granted (if ever). While the initial application fee is to cover the costs for eligibility review, if there are multiple reviews over an indefinite period of time, this endeavor becomes incredibly costly and time consuming for the Board.

The problem is exacerbated with the Veterinary Assistant Controlled Substance Permit (VACSP) applicants, many of whom have a criminal conviction history requiring more information prior to determining whether to grant the permit. Often times, the Board will request additional information from the applicant and never receive a response. As time goes by, it becomes more difficult to locate the applicants as they often move to other locations. Many times, the veterinary hospital manager submits the application on behalf of veterinary assistants employed at the premises, and the applicant never receives and/or never responds to the Board inquiries, and these applications remain pending.

Legislative Request: To ensure the Board's limited resources are spent more efficiently, the Veterinary Medicine Practice Act should be revised to authorize the Board to abandon applications. At least three other license application types (private patrol officers, locksmiths, and alarm company operators) authorize the licensing agency to abandon the application. (BPC §§ 6980.25, 7583.28, 7599.9.) Many other practice acts include abandonment provisions in their regulations. In conformity with those license application abandonment authorities, the Board recommends the following language be placed in statute:

If an applicant fails to complete his or her application within one year after it has been filed, the application shall be considered to be abandoned and the application fee forfeited. An application submitted subsequent to the abandonment of a former application shall be treated as a new application.

With this ability to consider an application abandoned after one year, the Board will be able to decrease its application backlog and continue processing active applications.

New Issue #9. Change of Applicant Address

The Veterinary Medicine Practice Act requires veterinarians, registered veterinary technicians, and VACSP holders to inform the Board of changes to their mailing or employer addresses within 30 days of the change. (BPC §§ 4836.4, 4842.7, 4852.) However, there is no requirement for applicants to advise the Board when their mailing or employer addresses change. As noted above, the inability of Board staff to locate VACSP applicants due to changes in mailing or employer address has created an unnecessary backlog of pending applications.

Legislative Request: To address these problems, the Board recommends that veterinarian license, veterinary technician, and VACSP applicants be required to notify the Board of any changes in their mailing or employment address.

New Issue #10. Veterinarians Claiming to be ‘Specialists’

Currently, in California, there is no differentiation in the eyes of the Board between veterinarians that are general practitioners and recognized Boarded specialists. While veterinarians themselves understand the difference between GP and specialist (years of residency training focusing on the area of expertise, publications, examinations and Board certification), the public is largely unaware. The public, in general, does not know the difference between a veterinarian calling themselves a ‘veterinary specialist’ versus a veterinarian saying they have a special interest in that field .

It is important that the public fully understands the qualifications of the veterinarians providing services and are not misled by false “specialty” claims. This misleading information puts patients at risk.

Currently, a veterinarian can advertise that they are certified by a private or public board or agency or make a statement that the practitioner limits their practice to specific fields. (BPC § 651(h)(5)(A).) Notably, several other healthcare licensees can only make a “specialty” claim if they are certified by a private or public board or parent association recognized by the licensing board or designated by statute. (BPC § 651(h)(5)(B)-(D).)

Legislative Request: To clarify for consumers the veterinarian’s specialty qualifications, the Board recommends that a new violation of the Veterinary Medicine Practice Act be added to BPC section 4883 for making any statement, claim, or advertisement that the licensee or registrant is a veterinary specialist or “board certified” unless they are certified by an American Veterinary Medical Association Recognized Veterinary Specialty Organization.

New Issue #11. Drug Compounding

It is imperative for veterinarians to be able to compound medications and dispense those compounded medications to their clients for use on their animal patients. The reasons for compounding and the method of administering compounding medications are vastly different than human medicine and should not be held to the same compounding rules that are written primarily for human medicine.

Senate Bill (SB) 1193 (Hill, Chapter 484, Statutes of 2016) authorized veterinarians and registered veterinary technicians to provide limited compounding by animal patients BPC, § 4826.5). In October 2017, the Board adopted compounding regulations as required by BPC section 4826.5, and those regulations are currently in the rulemaking review process. The Board worked with the California State Board of Pharmacy (Board of Pharmacy) to determine the parameters of veterinary in-office compounding.

The United States Pharmacopeia (USP), a non-profit organization that establishes standards for medication and guidelines for compounding products, is currently revising their guidelines to eliminate simple, moderate, and complex compounding, which will therefore restrict clinicians from performing certain compounding. These updated guidelines, which were used in part to develop the standards for veterinary compounding regulations, will make it difficult for veterinarians to provide compounding services at veterinary premises due to the limited compounding services provided.

Recently, Assembly Bill (AB) 973 (Irwin, Chapter 184, Statutes of 2019) made clear under California law that the Board of Pharmacy licenses and regulates the practice of pharmacy by pharmacists and pharmacy corporations (not veterinarians or RVTs), and the compounding of drug preparations by a pharmacy shall be consistent with the USP-National Formulary (See AB 973, Legislative Counsel’s Digest; BPC § 4126.8).

Importantly, the Board is concerned about the Board of Pharmacy’s proposed regulation, CCR section 1751, subsection (d), which would authorize a pharmacy to only compound a compounded sterile preparation (CSP) after the pharmacy has received a valid patient specific prescription document or prepare and provide a limited quantity of CSPs to a veterinarian based on a contract between the pharmacy and veterinarian for office use administration only. According to its September 24, 2019 meeting materials, the Board of Pharmacy is promulgating its own regulations predicated on the newly revised (but not yet adopted) USP 797 and other relevant state and federal law.

Recent proposed revisions to USP 797 would greatly affect the practice of veterinary medicine and the ability to receive sterile compounded preparations from pharmacies to dispense to animal patients. Veterinarian stakeholders have submitted an appeal to the USP to better provide for veterinarian compounding/dispensing.

The Board is concerned that CCR section 1751, subsection (d) goes too far in limiting a veterinarian’s ability to treat patients and creates a new contract provision that would require the veterinarian to provide the pharmacy with the records documenting the dose administered to each patient or destruction record of CSPs. The proposal would prohibit a pharmacy from providing the same CSP to the veterinarian until the pharmacy has received and evaluated the records for compliance with the proposed regulation. However, the records requirement would force a veterinarian to be in violation of BPC section 4857, which prohibits disclosure of animal patient records, as specified. In addition, the contract requirements are unclear as to whether the limited quantity would only be dispensed to the veterinarian on a patient-by-patient basis, requiring more than one contract, or by batch, requiring a contract for each batch or one ongoing contract.

At the Board's October 2019 meeting, the California Veterinary Medical Association (CVMA) stated that Board of Pharmacy is using USP 797 to make several substantive changes to their regulations. This is because [AB 973](#) established under the Pharmacy Law that the compounding of drug preparations by a pharmacy shall be consistent with the USP-National Formulary. (See AB 973, Legislative Counsel's Digest; BPC § 4126.8.)

However, according to CVMA, the Board of Pharmacy regulation is aimed at stopping compounders from manufacturing drugs. Compounders are not held to the same high practice standards as manufacturers. FDA approved drugs have to go through the high practice standards; compounders do not. For veterinarians, some drugs that are not FDA approved can only be obtained from compounders. Veterinarians are stuck in a situation that in order to provide continuity of care for their animal patients, they are being told by the Board of Pharmacy that there will be a minimum of a 14-day gap. The Board of Pharmacy regulations would make the only way the veterinarian could obtain a sterile compound is pursuant to a contract, and the veterinarian would have to keep extensive records to be given to the pharmacy for a BOP audit; this is a new recordkeeping requirement. The regulation also says that under no circumstances could the veterinarian give the sterile compounded treatment to the client to use on the animal at home. CVMA asserts that the Board of Pharmacy has created a gap in the ability for veterinarians to treat animal patients and will intensify the suffering and harm of animals and harm consumers; the regulation in effect overrides the Veterinary Medicine Practice Act.

An example of how the Board of Pharmacy regulation will harm animal patients is an animal patient who has an autoimmune fungal eye problem; the only treatment is sterile compounded eye drop treatment. The animal must be treated four to six times daily with the sterile compound. The veterinarian can treat the animal in-office to a limited degree. Once the animal patient goes home, the Board of Pharmacy's solution is the veterinarian has to write a prescription for the client to fill at a pharmacy. It takes a minimum of 14 days to compound a sterile preparation for animal use, during which time the animal needing the sterile compound will lose both of its eyes.

A member of the Board's Multidisciplinary Advisory Committee (MDC), a member of the Board, and a CVMA representative attended the September 24, 2019 Board of Pharmacy Compounding Committee meeting and communicated these concerns; no advance notice of the meeting was provided to the Board. According to the MDC member, the Board of Pharmacy Compounding Committee was very receptive to discussing these issues. The Board and MDC members and CVMA will monitor the Board of Pharmacy's progress and attend the Board of Pharmacy meetings.

While the Board of Pharmacy's compounding committee recommended delaying any rulemaking in light of the USP delaying their guidelines, the issue of veterinarians being included in legislation and rulemaking aimed at human medicine will continue to remain.

Section 13 – Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).

Attachment A

Board's administrative manual.



Veterinary Medical Board

State of California



Board and Committee Member

Administrative Procedure Manual

Rev. October 2018

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CHAPTER 1**Introduction****Mission**

The mission of the Veterinary Medical Board (VMB) is to protect consumers and animals by regulating licensees, promoting professional standards, and diligent enforcement of the California Veterinary Medicine Practice Act (Practice Act).

Vision

The vision of the VMB is to create an environment in which Californians have access to high-quality veterinary care for all animals.

Overview

The VMB was created in 1893 as a licensing program. Licensing is used to regulate veterinarians and protect the public in all fifty states, territories, and Canada.

The VMB is one of a number of boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), part of the Business, Consumer Services, and Housing Agency under the auspices of the Governor. DCA is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While DCA provides administrative oversight and support services, the VMB sets its own policies, procedures, and regulations.

The VMB is comprised of eight members. Four licensed veterinarians, three public members and one registered veterinary technician (RVT). The Governor appoints four veterinarian members, one RVT and one public member. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. Board members may serve up to two full four-year terms. In addition to the two full four-year terms, Board members may serve the partial term of the vacant position to which they are appointed and up to a one-year grace period after a term expires. Board members fill non-salaried positions but are paid per diem for each Board meeting, committee meeting and other meetings approved by the President of the Board. Travel expenses are also reimbursed.

This procedure manual is updated as necessary and provided to VMB board and committee members as a ready reference of important laws, regulations, DCA policies and VMB policies. It is designed to help guide the actions of the Board and committee members and ensure effectiveness and efficiency.

CHAPTER 2

Board Meeting Procedures

Frequency and Location of Meetings

Business and Professions (B&P)
 Code section 4808
 Board policy - The requirement to meet is in B&P Code. The frequency of the meetings is determined by the Board.

The Board meets at least four times annually to make policy decisions and review committee recommendations. Special meetings may be called at any time by the Board President or by any four members of the Board, upon notice of such time and in such manner as the Board may provide.

The Board endeavors to hold meetings in different geographic locations throughout the state when possible as a convenience to the public and licensees.

In accordance with B&P Code section 101.7 boards shall meet at least two times each calendar year and at least once in northern California and once in southern California.

Board Member Attendance at Board Meetings

Board Policy

Board members must attend each meeting of the Board. If a member is unable to attend, he/she is asked to contact the Board President or the Executive Officer and ask to be excused from the meeting for a specific reason. For purposes of petition hearings, Board members are required to be physically present at the Board meeting and are unable to participate via teleconference.

Board Member Participation

Board Policy

The Board President may contact members who have missed three consecutive meetings to determine the reason they have been absent and whether or not the member is able to continue serving as an active member of the Board. In some cases, the President may suggest that the member consider resigning.

The Board, by resolution, may request in writing to the appointing authority that a member be replaced. The member shall be notified in writing of such proposed action and be given the opportunity to present to the Board his/her written or oral arguments against such action prior to the Board adopting the resolution.

Public Notice/Information at Board Meetings

Government (Gov.) Code
 section 11120 et. seq.

Meetings are subject to all provisions of the Bagley-Keene Open Meeting Act. This act governs meetings of the State regulatory boards and meetings of committees of those boards where the committee consists of more than two members. It specifies meeting notice and agenda requirements and prohibits discussing or taking action on matters not included in the agenda. Any general discussion of exams or disciplinary procedures shall be held in public.

The Board may meet in closed session to discuss examinations, deliberate on enforcement cases, review examination issues where a public discussion would compromise the integrity of the examination, a disciplinary

case, or a personnel issue. If the agenda contains matters that, on advice of legal counsel, are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

Quorum

B&P Code section 4807

Five members of the Board constitute a quorum for transaction of business at any meeting of the board. At a meeting duly held at which a quorum of five members is present, a concurrence of three members of the Board present shall be necessary to constitute an act or decision of the Board.

Agenda Items

Board Policy

Agenda items are generally discussed and agreed upon at a full board meeting. Additional agenda items for a Board meeting from any source, including Board members, must be submitted to the Executive Officer at least 21 days prior to the meeting. The Executive Officer may confer with the Board President prior to adding items to the meeting agenda.

Notice of Meetings

Gov. Code section 11120 et. seq.

According to the Open Meeting Act, meeting notices (including agendas for Board meetings) must be sent to persons on the Board's mailing list and posted on the Board's Web site at least ten (10) calendar days in advance. The notice must include a staff person's name, work address, and work telephone number to provide further information prior to the meeting.

Record of Board Meetings

Board Policy

The minutes are a detailed summary of each Board meeting, not a transcript. Board minutes must be approved at the next scheduled meeting of the Board. Once approved, the minutes serve as the official record of the meeting.

Webcast

Gov. Code section 11124.1 et. seq.

Whenever feasible, the Board shall webcast its meetings. An archive of the meeting shall be available for review on the DCA Web site. If webcast is not feasible at a particular meeting site, the Board will post minutes of the meeting on its Web site once the minutes are approved by the Board.

Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the Board shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

Meetings Rules

Board Policy

The Board will use Robert's Rules of Order to the extent that it does not conflict with State law (e.g., Bagley-Keene Open Meeting Act), as a guide when conducting the meetings.

The Vice President of the Board may serve as meeting parliamentarian.

CHAPTER 3

Travel & Salary Policies/Procedures

Travel Approval

DCA Memorandum 91-26

Board members must have Board President approval for all travel, including out-of-state travel, except for regularly scheduled Board and Committee meetings to which the Board member is assigned.

The Board President and the Executive Officer must use the Board’s annual budget and DCA Travel Guidelines when considering travel requests.

Travel Arrangements

Board Policy

Board members should attempt to make their own travel arrangements, including airfare, lodging, and rental cars. Board members should use the State contract airline, Southwest, whenever possible. Once appointed and all paperwork is completed by DCA, Board Members will be assigned a CalATERS login. Board Administrative Staff will assist in setting up a profile for each member through the Statewide Travel Program “Travel Store”.

Out-of-State Travel

SAM section 700 et seq.

All out-of-state travel for all persons representing the State of California must be approved by the Board President and is ultimately controlled and approved by the Governor. Once approved for out-of-state travel, Board members will be reimbursed actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Travel prior to approval by the Governor is at the individual Board or Committee member’s own risk and reimbursement may be denied.

Salary Per Diem and Travel Reimbursement

B&P Code section 103
Board Policy

Board members attending meetings or events to perform a substantial Board-related service are paid salary per diem and reimbursed for travel-related expenses. Attendance at gatherings, events, hearings, conferences or meetings other than official Board or Committee meetings shall be approved in advance by the Board President and the Executive Officer.

Board members are paid such time as is expended from the commencement of a Board or Committee meeting to the conclusion of that meeting. Where it is necessary for a Board member to leave early from a meeting, the Board President shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses.

Unless it is an unanticipated emergency, Board members must get prior approval from the Board President to leave a meeting early. Because the Board only meets four times a

year, Board members are expected to make every effort to stay for the duration of the meeting and make their travel arrangements accordingly.

For Board-specified work, Board members are compensated for actual time spent performing work authorized by the Board President. That work includes authorized attendance at other gatherings, events, meetings, hearings, or conferences.. Compensation does not include case review and Board meeting preparation.

Members must submit time sheet summary forms for actual work performed outside a Board meeting in order to be compensated.

CHAPTER 4

Other Policies/Procedures

Board Member Disciplinary Actions

Board Policy

A member may be censured by the Board if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner.

The Board President shall sit as chair of the hearing unless the censure involves the President's own actions, in which case the Board Vice President shall sit as chair. In accordance with the Public Meeting Act, the censure hearing shall be conducted in open session.

Removal of Board Members

B&P Code sections 106 and 106.5

The Senate, Assembly, and Governor has the power to remove from office at any time any member of any board appointed by him/her for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct.

The Senate, Assembly, and Governor may also remove from office a board member who directly or indirectly discloses examination questions to an applicant for examination for licensure.

Resignation of Board Members

Gov. Code section 1750

In the event that it becomes necessary for a Board member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the director of the Department, the Board President, and the Executive Officer.

Officers of the Board

B&P Code section 4804

The Board shall elect from its members a President and a Vice President to hold office for one or two years, or until their successors are duly elected and qualified.

Election of Officers

Board Policy	<p>The Board may elect the officers at its Fall meeting to serve a term of one year, beginning on January 1. Officers may be re-elected for one consecutive term. All officers may be elected on one motion or ballot as a slate of officers unless objected to by a Board member. Elections are usually scheduled for the Fall Board meeting with new officers assuming office in at the next regularly scheduled board meeting.</p>
Board Policy	<p>Officer Vacancies</p> <p>If the Office of the President becomes vacant, the Vice President assumes the office as the interim President and the Board holds an election for both positions at the next scheduled Board meeting.</p>
Board Policy	<p>Access to Board Files and Records</p> <p>No Board member may access a licensee, applicant, or complaint file without the Executive Officer's knowledge and approval of the conditions of access. Records or copies of records must not be removed from the Board's office.</p>
Board Policy	<p>Communications with Other Organizations/Individuals</p> <p>The Executive Officer, his or her designee, or the Board President serve as spokesperson to the media on Board actions, policies, or any communications that is deemed sensitive or controversial, to any individual or organization. Any Board member who is contacted by any of the above should terminate the contact and inform the Executive Officer or the Board President.</p>
Board Policy	<p>Legal Opinions – Requests from Outside Parties</p> <p>The Board does not provide legal services for persons or entities outside the Board staff. Requests for legal opinions from outside entities are to be discussed with the Board President and Legal Counsel to determine whether it is an issue over which the Board has jurisdiction and the opinion, if prepared, could be posted on the Board's Web site and benefit the general public rather than one individual. Persons making such requests would be notified that the Board will not be responding directly to their request but will post the opinion on the Internet when it is final.</p>
DCA Reference Manual	<p>Board Staff</p> <p>Employees of the Board, with the exception of the Executive Officer, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by a myriad of civil service laws and regulations and often by collective bargaining labor agreements. Because of this complexity, it is most appropriate that the Board delegate all authority and responsibility for management of the civil service staff to the Executive Officer.</p>
DCA Reference Manual	<p>Board Administration</p> <p>Board members should be concerned primarily with formulating decisions on Board policies rather than decisions concerning the means for carrying out a specific course of</p>

action. It is inappropriate for Board members to become involved in the details of program delivery. Strategies for the day-to-day management of programs and staff shall be the responsibility of the Executive Officer under the supervision of the Board President.

Examination Preparation

Each person having access to examination content shall sign a security agreement.

B&P Code section 110

Correspondence

Originals of all correspondence received must be maintained in the Board’s office files. Copies of such correspondence must be given to the Executive Officer and/or Board members as required.

Board Policy

Training

All required training for continuing and new Board members will be accomplished in accordance with state employment law and DCA policies.

Board Policy

Contact with Licensees

Board members must not intervene on behalf of a licensee for any reason. They should forward all contacts or inquiries to the Executive Officer.

DCA Reference Manual

Contact with Complainant/Respondent

Board members should not directly participate in complaint handling and resolution or investigations. To do so would subject the Board member to disqualification in any future disciplinary action against the licensee. If a Board member is contacted by a complainant/respondent or his/her attorney, they should refer the individual to the Executive Officer or Board staff.

Board Policy

Gifts from Candidates

Gifts of any kind to Board or Committee members or the staff from candidates for licensure with the Board are not permitted.

Gov. Code section 87100

Conflict of Interest

No Board member may make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Any Board member who has a financial interest shall disqualify himself/herself from making or attempting to use his/her official position to influence the decision. Any Board member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the Executive Officer or Board President.

CHAPTER 5

Board President

The duties of the Board President include, but are not limited to:

B&P Code section 4804.5
 Board Policy

Supervision of Executive Officer

The Board may appoint a person exempt from civil service who shall be designated as an Executive Officer and who shall exercise the powers and perform the duties delegated by the Board and vested in him or her.

The incoming Board President assumes all delegated duties at the next quarterly meeting, including supervision of the Executive Officer.

The Board President is the immediate supervisor of the Executive Officer. Specific instructions for work on Board policy matters by the Executive Officer from Board members shall be coordinated through the Board President.

It is critical that individual Board members not intervene or become involved in specific the day-to-day board office operations. However, it is also critical that the board hold the Executive Officer accountable for supervising these operations, including workload issues, staff vacation and sick leave balances, labor/personnel disputes, personnel actions, budgets, etc.

Tracking the Executive Officer's performance and accountability throughout the year is accomplished by direct and frequent oral, written, and in person communications between the Executive Officer and the Board President. In addition, the Executive Officer is responsible for keeping the full Board informed throughout the year (when appropriate) as to occurrences and information that come to the office in between meetings.

Performance Appraisal of Executive Officer

Gov. Code section 11126(a)(4)
 Board Policy

The Board evaluates its Executive Officer on an annual basis. At the Spring Board meeting, the Board President, or his/her designee, requests that each Board member complete and submit an "Executive Management Appraisal" document as input to the Executive Officer's annual performance appraisal. The completed forms shall be mailed directly back to the Board President or his/her designee. The input from individual members shall be used to prepare a draft appraisal for review at the first meeting of the fiscal year.

The written summary performance appraisal is presented to the Board and the Executive Officer at its Summer Board meeting. Following review and discussion by the full Board, the appraisal shall be discussed with the Executive Officer. Actions requiring corrective measures shall include specific remedies and reporting timeframes.

Matters relating to the performance of the Executive Officer are discussed by the Board in closed session unless the Executive Officer requests that it be discussed in open session.

CHAPTER 6

Executive Officer

B&P Code section 4804.5

Appointment

The Board appoints an Executive Officer who is exempt from civil service and serves at the pleasure of the Board.

California Code of Regulations (CCR) section 2003

Role

The Executive Officer implements the policies developed by the Board and carries out the tasks delegated by the Board.

Board Policy

Recruitment

The Board may institute an open recruitment plan to obtain a pool of qualified Executive Officer candidates. It may also utilize proven equal employment opportunity and personnel recruitment procedures.

Gov. Code section 11125

Board Policy

Selection

A qualified candidate for Executive Officer must demonstrate the ability to supervise employees, handle conflict resolution and complaint mediation, and conduct public speaking. The Executive Officer must also demonstrate effective written and verbal communication skills and knowledge and expertise in the areas of legislation, regulations, administration, examination, licensing, enforcement, legislation and budgets. The selection of a new Executive Officer is included as an item of business, which must be included in a written agenda and transacted at a public meeting.

CHAPTER 7

Board Committees

Board Policy

Standing Committees

The committee meetings are held as needed at the direction of the full Board and are fully within the scope of the Open Meeting Act. In light of the Board's limited resources, these meetings are a cost-efficient and legal means of gathering information for discussion by the full Board, which enhances the process of the Board's public meetings and addresses the needs of the profession and consumers in California.

Board Policy

Committee Appointments

The Board President establishes committees, whether ad hoc or special, as he or she deems necessary. The Board President determines committee composition and member appointments, including, but not limited to, liaison appointments. When necessary, committee members may make recommendations for new members.

Ad hoc committees may include the appointment of non-Board members. When appointing non-Board members, all impacted parties should be represented.

Gov. Code section 11122.5(c)(6)

Attendance at Public Committee Meetings

Non-committee Board members may sit in the audience and participate in meeting discussions, unless there is a quorum of Board members in the room. If there is a quorum present of five members, non-committee Board members may sit in the audience, but may not participate in the meeting discussions.

Board Policy

Gov. Code section 11122(c)

Meeting Rules

Committee meetings are conducted under Robert’s Rules of Order to the extent that it does not conflict with the Bagley-Keene Open Meeting Act.

Committees with two members can meet as necessary without a public notice and can hold teleconference meetings with the designated staff person participating in the teleconference as necessary.

Committee meetings involving three or more members are subject the Open Meeting Act Requirement and must be noticed as a public meeting.

Committee Meeting Agendas/Public Notice (3 members)

Agendas should focus on the specific tasks assigned by the Board and include:

Board Policy

- Public comment
- Time for committee members to recommend new areas of study to be brought to the Board’s attention for possible assignment.
- Only those information items dealing with subjects assigned to the respective committee.

If more than two Board members attend a Committee meeting, the agenda shall contain the statement: “Notice of a Board meeting indicates that three or more members of the Board are present. While the law requires the Board to notice this meeting as a Board meeting, it is not the intent to take action as a Board at this meeting.”

Record of Committee Meetings

Board Policy

As with the Board meetings, the minutes are a summary, not a transcript, of each committee meeting. Committee minutes may be approved at the next scheduled Board meeting and serve as the official record of the meeting.

Approved minutes of the open session are available for distribution to the public and shall be posted on the Board’s Web site.

Recruitment

Board Policy

The Board members may assist in recruiting interested persons to serve on committees, e.g., examination item writing, item reviewing, and Angoff workshops.

Board Policy **Staff Participation**
 The Executive Officer and Staff Service Managers (SSM) will provide advice, consultation and support to Committees.

Board Policy

Board Policy **Executive Committee**
 The Executive Committee shall consist of the President and the Vice President. The Executive Committee handles time-sensitive policy issues related to budgets, legislation, and regulatory issues that may surface necessitating immediate Board input. The Executive Committee shall report any action it takes on a particular matter to the full Board at the next Board meeting.

Board Policy

Advisory and Ad Hoc Board Committees
 Board committees are advisory in nature, recommend actions to the Board, and are established by the Board as needed. Committee recommendations and reports shall be submitted to the Board for consideration and possible action.

B&P Code section 4809.8

Multidisciplinary Advisory Committee
 The Veterinary Medicine Multidisciplinary Advisory Committee (MDC) is a statutory committee that was created to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of the Practice Act and to assist the Board in its examination, licensure, and registration programs.

The MDC consists of nine (9) members: four licensed veterinarians, two registered veterinary technicians, one public member, and two liaisons of the Board, a veterinarian and the registered veterinary technician. The public member shall not be a licentiate of the Board or of any other board under this division or of any board referred to in Sections 1000 and 3600.

The members of the MDC hold office for a term of three years and shall be staggered. Committee members may serve up to two full three-year terms. In addition to the two full three-year terms, Committee members may serve the partial term of the vacant position to which they are appointed and up to a one-year grace period after a term expires. Committee members fill non-salaried positions but are paid per diem and travel expenses for each committee meeting and other meetings approved by the President of the Board.

The Committee meets at least two times per year unless otherwise approved by the Board.

Vacancies to non-liaison members of the MDC are filled by appointment by the Board. The veterinarian liaison member is appointed by the Board President and the registered veterinary technician liaison is appointed by default (as the sole registered veterinary technician Board member). The Board will remove from office at any time any member of the MDC for continued neglect of any duty, conflict of interest, incompetence, or unprofessional conduct.

Recruitment efforts for upcoming vacancies on the MDC shall begin at least 12 months prior to the expiration of the said term. The Board shall advertise vacancies on its website and shall work with professional associations and other consumer groups to notify the public of the recruitment process. All new applicants seeking a position on the MDC shall submit a letter of interest, along with a resume, curriculum vitae (CV), or both, to the Board. Upon receipt of a letter of interest, Board staff will perform a prospective committee member compliance evaluation to ensure that potential appointees adhere to California's various statutory and regulatory requirements. Interviews may be conducted by telephonic means at the Board's discretion, provided the telephonic participation is duly noticed on the meeting agenda. Upon a majority vote of the Board, the Board may establish an Elections Committee comprised of the Board President and Vice President, to hold interviews for the purpose of making recommendations to the full Board. The selection of an MDC member shall be made at a Board meeting. MDC members seeking reappointment are required to be interviewed.

Webcast

Whenever feasible, the MDC shall webcast its meetings. An archive of the meeting shall be available for review on the DCA Web site. If webcast is not feasible at a particular meeting site, the MDC will post minutes of the meeting on its Web site once the minutes are approved by the Board.

Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the Board shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

Diversion Evaluation Committee

The Veterinary Medicine Diversion Evaluation Committee (DEC) is a statutory committee that was created to identify and rehabilitate veterinarians and registered veterinary technicians with impairment due to abuse of dangerous drugs

B&P Code section 4860 et. seq

or alcohol, affecting competency so that veterinarians and registered veterinary technicians so afflicted may be treated and returned to the practice of veterinary medicine in a manner that will not endanger the public health and safety.

The DEC consists of five (5) members: three licensed veterinarians and two public members. Each person appointed to the DEC shall have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse.

The members of the DEC hold office for a term of four years. There is no limit to the number of terms each Committee member may serve. Committee members may serve the partial term of the vacant position to which they are appointed and up to a one-year grace period after a term expires. Committee members fill non-salaried positions but are paid per diem and travel expenses for each committee meeting and other meetings approved by the President of the Board. In addition, a Board staff manager serves as the Diversion Program Manager to administer the program and serve as a liaison between the Board and the DEC.

The DEC meets three times per year unless otherwise approved by the Board.

Vacancies occurring are filled by appointment by the Board. The Board will remove from office at any time any member of the DEC for continued neglect of any duty, conflict of interest, incompetence, or unprofessional conduct.

Recruitment efforts for upcoming vacancies on the DEC shall begin at least 12 months prior to the expiration of the said term. The Board shall advertise vacancies on its website and shall work with professional associations and other consumer groups to notify the public of the recruitment process. All new applicants seeking a position on the DEC shall submit a letter of interest, along with a resume, curriculum vitae (CV), or both, to the Board. Upon receipt of a letter of interest, Board staff will perform a prospective committee member compliance evaluation to ensure that potential appointees adhere to California's various statutory and regulatory requirements. Interviews may be conducted by telephonic means at the Board's discretion, provided the telephonic participation is duly noticed on the meeting agenda. Upon a majority vote of the Board, the Board may establish an Elections Committee comprised of the Board President and Vice President, to hold interviews for the purpose of making recommendations to the full Board. The selection of an DEC member shall be made at a Board meeting. DEC members seeking reappointment are not required to be interviewed, unless requested by the Board.

CHAPTER 8

Association Membership

AAVSB

Board policy

The Board maintains membership in the American Association of Veterinary State Boards (AAVSB). The Board also strives to maintain representation on the Executive Board of the AAVSB by supporting members interested in participating as an AAVSB board member and attending the annual AAVSN meeting to represent the interests of California.

Board policy

ICVA

The Board strives to maintain representation on the International Council for Veterinary Assessment. Membership on this board is critical to California since it provides representation in the development and administration of the North American Veterinary Licensing Examination (NAVLE).

CHAPTER 9**Enforcement and Information****Complaint Disclosure**

Board Policy

CCR section 2043(f)

Complaints are not subject to disclosure. In a citation and fine action, the Board shall provide the public, upon request, with a copy of a final Citation and Fine document. Citations are public information for five (5) years from the date of resolution and are then purged, unless the citation is part of a formal disciplinary matter within five (5) years immediately following the citation order at which part the citation may become part of the permanent enforcement record.

The Board will post citations on the website.

Disciplinary Actions

Board policy

The Board provides information regarding formal discipline/accusations only after the case has been transferred to the Office of the Attorney General. Board staff makes the following disclosure statement: "An investigation has been conducted and the case has been forwarded to the Attorney General's Office for consideration of possible action. At this time, there has been no determination of wrong-doing."

An "accusation" is the first public document in any case. The accusation is prepared and filed by the Deputy Attorney General (DAG). Once the accusation is filed, it is a public document and available on written request. If the accusation results in a final order/decision, once the decision is final, it is also available to the public upon written request.

All final decisions by the Board following formal disciplinary proceedings of alleged violations of the Practice Act shall be published on the Board's Web site and in its newsletter after the effective date of the decision. Final decisions shall be reported to the National Disciplinary Database within 30 days of the effective date.

Directory of Licensees

DCA/Board Policy

A directory of all licensees containing, name, address, type of license, license number, and expiration date shall be published on the Board's Web site.

Board Policy

Licensee Disciplined in Other States

The Board considers enforcement action against California licensees who have been disciplined in other states in accordance with B&P Code section 4883(n).

The Board's enforcement staff determines if there are grounds for disciplinary action in California and take appropriate action.

Board Policy

Holding or Rejecting a Stipulated Settlement or Proposed Decision

As a general rule, most stipulated settlements and proposed decisions are well reasoned, consistent with the board's disciplinary guidelines, and may be adopted consistent with sound public policy. If they are not, consider rejecting (or "nonadopting") such decisions. If it is difficult to make that determination, however, stipulated settlements and proposed decisions should be held for closed session discussion.

Consider rejecting a Stipulated Settlement or an ALJ's Proposed Decision in these circumstances:

1. The stipulated settlement or Proposed Decision does not provide sufficient public protection given the nature of the violations. For example, important terms of probation are missing, the probationary period is too short, probation is not appropriate, or other significant unexplained deviations from your board's disciplinary guidelines.
2. The ALJ made an error in the Proposed Decision in applying the relevant standard of practice for the issues in controversy at the hearing.
3. The ALJ made an error in interpreting law and/or regulations in the Proposed Decision.

Consider holding a case for closed session discussion when:

1. You are unsure whether the stipulated settlement or proposed decision protects the public and would like to discuss the merits with other board members.
2. You are unsure about the ALJ's reasoning and description. (Proposed Decision)
3. If you believe a discussion of the practice issues with licensee members may make it easier for you to make a decision.
4. If you are unsure whether the ALJ's decision is consistent with the law. (Proposed Decision)
5. After discussion with the assigned board attorney, you still have questions about the case.

Typically, a vote to hold any Proposed Decision for closed session discussion requires a hold vote by two (2) or more Board members.

Gov. Code section 11521
Board Policy

Petition for Reconsideration

Eligibility to Petition for Reconsideration is limited to Proposed Decisions. A Petition for Reconsideration is the first step available to a party in contesting a final order. The Board may order Reconsideration of all or part of the case on its own motion or on Petition of any party.

The process, generally, is as follows:

- Petition for Reconsideration is submitted to the Board by Respondent.
 - If additional time is needed to evaluate the Petition filed prior to the expiration of the applicable periods provided under Government Code section 11521(a), the Executive Officer will issue a 10-day Stay of Decision.
- The Board reviews the Petition to determine if it will issue an Order Granting Reconsideration or Order Denying Reconsideration.

Denial of a Petition for Reconsideration

- If the Board takes no action on the Petition, votes to DENY the Petition, or if there are insufficient votes to reach a quorum in favor of the petition, the Decision and Order will remain as issued and will become effective as originally ordered.

Grant of a Petition for Reconsideration

- If the Board votes to GRANT the Petition for Reconsideration, the Decision and Order will NOT become effective.
 - When granting the Petition, the Board determines whether to receive oral or written argument or additional evidence. The Board may reconsider the case or remand it to an ALJ.
 - The Order Granting Reconsideration will be sent to the parties, stay the effective date of the Decision indefinitely, and advise the parties whether written or oral argument or additional evidence may be submitted by the parties.
 - Board staff will order transcripts from the hearing.
 - Upon receipt of the transcripts, the Board President will issue an Order Fixing Time for Submission of Written/Oral Argument .

B&P Code section 4887
and Gov. Code section 11522

- Only the Board President has the authority to extend the deadline for submission of Written/Oral Argument.
 - Upon close of the Fixed Time for Submission of Written/Oral Argument and receipt of hearing transcripts, the Petition is sent to the Board for review.
 - Written/Oral Argument (Board may choose to accept either or both)
 - Argument/New Evidence (Board may choose to accept either or both)
 - The matter will be discussed in closed session at the next regularly scheduled Board meeting during which the Board can decide to:
 - uphold the original decision
 - Order prepared by DCA Legal Counsel
 - reduce the penalty
 - Order prepared by DCA Legal Counsel
 - remand the matter back to the ALJ for taking and evaluation of further evidence
 - Other options according to Government Code Section 11517

Petition for Modification of Penalty or Reinstatement

In petitioning for Modification of Penalty or Reinstatement under B&P Code section 4887 and under Government Code section 11522, the petitioner has the burden of demonstrating that he or she is fit to safely engage in the practice of veterinary medicine within the scope of current law and accepted standards of practice.

A Petition for Modification of Penalty or Reinstatement may be filed one year or more from the effective date of the disciplinary decision. However, in accordance with B&P Code section 4887, the Board may deny without a hearing or argument any petition filed within a period of two years from the effective date of the prior decision following a hearing.

The process for filing of a Petition for Modification of Penalty or Reinstatement is as follows:

- Petitioner files the Petition accompanied by all supporting documentation.
- The matter is referred to the Division of Investigation for investigation (Petition for Reinstatement).
- The Petition and investigation report are referred to the Office of the Attorney General for assignment to a Deputy Attorney General.
- The matter is set for hearing before the Board in open session at the next regularly scheduled Board meeting.

- The hearing takes place in open session before the Board and an Administrative Law Judge.
- The Board considers and decides the matter in closed session.
- The Decision and Order is prepared by the Administrative Law Judge.
- The Decision and Order is forwarded to DCA Legal Counsel for review.
- DCA Legal Counsel forwards the Decision and Order to the Board for review and confirmation that the document accurately represents the Board's Decision.
- The Decision and Order is served on Respondent via regular and certified mail.

When the Board considers reinstating the license or registration or modifying a penalty, it may impose terms and conditions as it determines necessary, in accordance with the Disciplinary Guidelines. To reinstate a revoked license or registration or to otherwise reduce a penalty or modify probation shall require a vote of five (5) of the Board members.

CHAPTER 10

Continuing Education (CE)

Board policy

CE Course Evaluation/Waiver Requests

Board and/or committee members may assist staff in evaluating the information provided for CE courses and for a waiver request for purposes of possible denial of license or disciplinary action.

Board members who assist staff in reviewing CE information may need to recuse from voting on any case they reviewed that results in discipline. The information in waiver requests is confidential and care must be taken to return all documentation to the Board office.

CHAPTER 11

Abbreviations and Acronyms

Agencies

VMB	Veterinary Medical Board
MDC	Veterinary Medicine Multidisciplinary Advisory Committee
DCA	Department of Consumer Affairs
OAH	Office of Administrative Hearings
OAL	Office of Administrative Law
OPES	DCA Office of Professional Examination Resources

Codes

B&P Code	Business and Professions Code
CAC	California Administrative Code
CCR	California Code of Regulations
Gov. Code	Government Code

Organizations

AAVSB	American Association of Veterinary State Boards
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AVMA	American Veterinary Medical Association
CVMA	California Veterinary Medical Association
CPIL	Center for Public Interest Law
ICVA	International Council for Veterinary Assessment
RACE	Registry of Accredited Continuing Education
VIVA	Veterinary Information Verifying Agency

CHAPTER 12**Conclusion**

The Board and Committee Member Administrative Procedure Manual serves as a reference for important laws, regulations, DCA policies and Board policies. Its function is to guide the actions of the Board members and ensure Board effectiveness, efficiency, and consistency. Although reviewed by legal counsel, it is not a legal opinion.

CHAPTER 13**References**

Many of the procedures in this manual are specific to the Board. Others are generic for all boards and bureaus within DCA consistent with State law. References for additional information are:

Board Member Orientation and Reference Manual, DCA

Veterinary Medicine Practice Act, B&P Code sections 4800-4917, and CCR sections 2000-2082. Gov. Code sections 1750, 11120 et seq., 11340 et seq., and 11146 et seq.

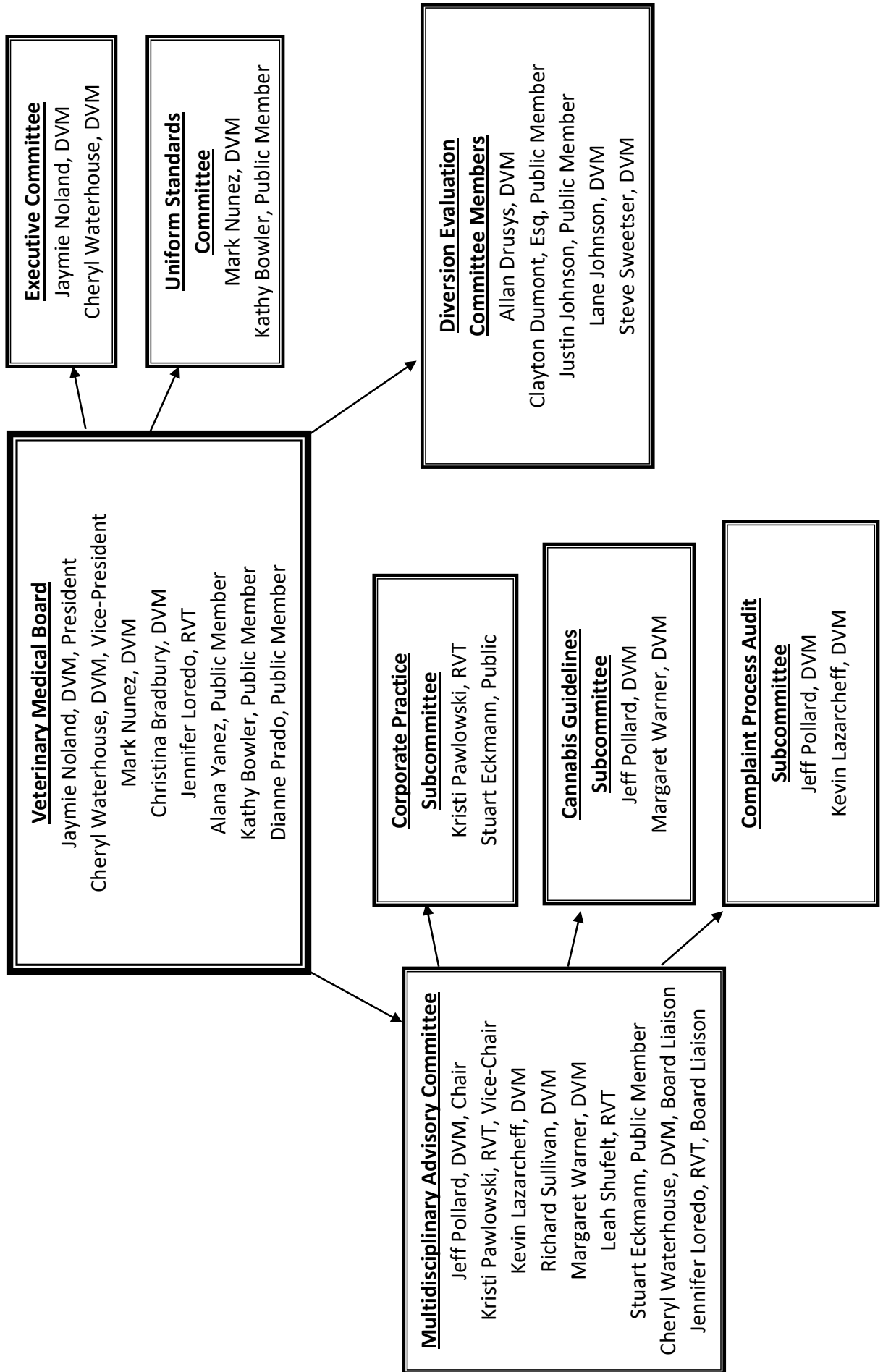
Attachment B

Current organizational chart showing relationship of committees to the Board and membership of each committee (cf., Section 1, Question 1).



Veterinary Medical Board and Committees

November 4, 2019



Attachment C

Major studies, if any
(cf., Section 1, Question 4).



California Department of Consumer Affairs— Veterinary Medical Board



Mission

Protecting consumers and animals through development and maintenance of professional standards, licensing of veterinarians, registered veterinary technicians, and premises, and diligent enforcement of the California Veterinary Medicine Practice Act.

Capital Accounting Partners, LLC
July 2017



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INTRODUCTION AND SCOPE

The mission of the Veterinary Medical Board is to protect consumers and animals through development and maintenance of professional standards, licensing of veterinarians, registered veterinary technicians, and premises, and diligent enforcement of the California Veterinary Medicine Practice Act. The Board's vision is an environment in which Californians have access to high-quality veterinary care for all animals. Thus, the Board places a high priority on safeguarding consumers and the health of animals by preventing unlicensed, illegal, incompetent and unprofessional practices in veterinary medicine. This is done by making certain that only qualified individuals are issued licenses to practice veterinary medicine and by providing a strong inspection program for their facilities. This fee audit aligns with the mission, vision, and values of the Board by assessing the full costs of issuing licenses. This analysis and the resulting adoption of a new fee schedule will insure the long-term sustainability of the Board.

This report summarizes the processes, procedures, and findings of the Board's fee audit. It details the analysis that resulted in calculations of cost for individual and institutional licenses issued by the Board for licensees operating in the State of California.

As part of a plan to maintain its fiscal integrity, the Board engaged Capital Accounting Partners to prepare a detailed cost analysis of its fees. The Board's objectives for the study were to ensure that the Board is fully accounting for all of its costs and recovering adequate revenues to be reimbursed for its expenses. The Board's only sources of revenue are fees charged for each of the various licenses. Thus, the Board is fully self-supporting so it is vital that the fees charged to licensees fully recover the costs of the program.

The scope of this study included the following objectives:

- Calculate full cost of licenses;
- Determine a fair and equitable method of allocating non-fee expenses, such as enforcement, to each license type; and
- Develop revenue projections for 10 years out to set the statutory fee cap.

The process used for collecting and analyzing the data required active participation by the Board's management and staff. We want to take this opportunity to recognize their participation, time, and effort to collect the data and discuss the analysis, results, and recommendations.

SUMMARY OF COSTING METHODOLOGIES

DRIVER-BASED COSTING MODELS

Developing a driver-based costing model is a detailed and robust method of calculating the cost of a specific service. It is based on the principles of activity-based costing so it seeks to understand cost at an operational level. This means it relies on understanding the time staff invests in core business processes to process licenses and certificates as well as enforcement and administrative services.



Step 1: Collect Data – This first step involves discussions with staff to identify those positions within each work unit that provide and support direct services. It also involves collecting program budget and expenditure data, identifying the salary and benefits for each position, and identifying non-personnel expenditures, as well as any program and Board overhead. Specifically, the steps involve the following:

- **Identifying staff positions** – This includes identifying both position titles and names.
- **Calculating the number of productive hours** – Frequently we will calculate the actual number of productive hours available on an annual basis. However, in this project we used the DCA pre-calculated number of 1,776 hours.
- **Identifying and allocating non-personnel costs** – Costs for materials and supplies are allocated to the salary and benefits for each position.
- **Assigning any other expenses that are budgeted in other areas** – There are often expenses that should be included with the total cost of services. Examples of such costs might include amortized capital expenses for vehicles and technology.
- **Identifying core business processes or activities** – This step also involves discussions with staff to understand, at an operational level, the work of the operating unit. Core business processes used to provide services are identified and then defined by the tasks that are involved. Processes are also organized by direct and indirect categories.
- **Direct processes and activities** – Those processes that directly contribute to the processing of an application are first identified. Evaluation of the license application is the most notable example.
- **Indirect processes and activities** – Those processes that support, but do not directly apply to the processing of a specific license. An example of an indirect activity is customer service and cashiering.

Step 2: Building cost structures – This second step involves significant interaction with staff and the development of time estimates for both direct and indirect processes in each program area. Specifically, this step is at the core of the analysis. There are four processes that comprise this step:

- **Gathering time estimates for direct processes** – By interviewing staff in individual and group meetings, an estimate of time was assigned to each service by the process that is indicated. The sum of all the process steps is the total time that is required to provide that specific service.
- **Assigning indirect time** – An annual time estimate is gathered from staff for those indirect or support processes in which they are involved. These include Board as well as program administration, customer service, and subject matter experts.
- **Calculating fully loaded hourly rates and the cost of service** – Once the total time for each direct and indirect service is estimated, the cost of service is calculated by using the fully loaded hourly rates for each staff member or position that is involved with the service. The fully loaded hourly rate for each employee is based on the employee's salary and benefit costs plus a share of non-personnel and Board overhead costs divided by the employee's available work hours (i.e. 2,080 hours minus all leave hours). Thus, the direct and indirect cost by activity also includes work unit and Board overhead as well as non-labor costs.



- **Gathering activity or volume data** – A critical element in the analysis is the number of times a given license or certificate is issued on an annual basis. This is critical data for three reasons:
 - It allows a calculated projection of current revenue based on current prices. This is compared with actual revenue to see if there is a close match as the data should match.
 - It allows for a calculated projection of revenue at full cost. This is compared to actual expenditures to see if there is a close match as the data should match.
 - It allows for a calculation of total hours consumed. Hours consumed must closely match actual hours available.

If any of the three calculations do not approximate actual numbers, then time estimates and/or volume data need to be re-evaluated. These are critical quality checks for costing accuracy.

Step 3: Allocating enforcement and other support activities – This third step allocates enforcement activities to arrive at the full cost of service for each direct license or certificate. Thus, the final cost layers are brought together to establish the full cost of service. For the Board, this is a significant step as a high percentage of its costs are centered in enforcement and investigation activities.

Step 4: Set revenue recovery policy – Depending on Board policies and other considerations, the level of revenue recovery is a decision that should be made for each type or group of licenses. For example, the Board may want to subsidize some types of licenses with revenue from others.

Step 5: Set fees

Fees should be based on generating revenues equal to the Board's cost structure and enough to create reserves or fund balances consistent with statute. This will provide a strong and sustainable future.



SUMMARY OF FINDINGS

PRIMARY DATA SOURCES

For this project, there are three primary sources of data that have driven the analysis:

1. Budgeted expense data (fiscal 2017), which includes:
 - a. Salaries and benefit expenditures;
 - b. Services and supplies;
 - c. Overhead, including both Department and State pro rata allocations; and
 - d. External enforcement costs from the Office of the Attorney General (AG), the Office of Administrative Hearings, and evidence / witness fees.
2. Time estimates for staff to process each license type, broken down by core processes or activities. These included such activities as:
 - a. Reviewing applications for completeness;
 - b. Cashiering;
 - c. Program administration; and
 - d. Enforcement.
3. Activity data such as the annual number of licenses issued/processed by type is an important data source. The following table is an example of these data (projected for fiscal 2016).

License Type	Licenses Issued/Processed Annually
VET Initial License Fee >1 year	575
VET Premise Registration	300
TEC Initial License Fee >1 year	475

These data are critical to the analysis for two reasons:

- The annual number of licenses issued in a year, multiplied times the hours assigned to process each license allows us to assign only the numbers of hours available. For example, if the License and Exam work unit, the unit processes each license), has 5000 hours available then the model can only assign 5000 hours. If more hours are assigned then too much cost is being injected into the cost structure. If too few hours are assigned, then too little cost is being assigned into the cost structure.



- The annual number of licenses issued in a year allows us to project revenues by individual license type and for all licenses. This also allows for a comparison between current revenue as well as future revenue if full cost were to be adopted.

QUALITY ASSURANCE

Assuring the accuracy and quality of results is an important function of the analysis. Our approach builds on the concept that a quality process assures a quality outcome. Besides focusing on a quality process, we also incorporate quantitative checks of our results. These quantitative checks include:

1. Are the total costs that we have coming into the model (the budget) equal to the total costs coming out of the model (projected revenues)?
2. Are the total number of staff hours available fully accounted for in the model?
3. Does the projection of annual revenues (current) built into the cost model reasonably match actual or projected revenues by the DCA budget office?

When our results fall into reasonable ranges, we are assured of quality results. The following graphic reflects the results of our quality assurance checks.

Revenues Vs. Expenses	
Resources Available (Budget)	\$ 4,824,255
Resources Assigned (Projected Revenues at Full Cost)	\$ 4,978,280
Other costs and revenues	\$ (154,141)
Total Cost (annual)	\$ 4,824,139
Difference	\$ (116)
Hours Available Vs. Hours Assigned	
Total Hours Available	39,897
Total Hours Assigned	39,897
Difference	-
Projected Model Revenue Vs. Projected Revenue (DCA)	
Revenue Projected From Fees at Current Prices	\$ 4,074,813
Projected Fiscal Year 16-17 Revenue From Fees (including misc income, citations, etc)	\$ 4,221,000
Difference	\$ (146,188)
Percentage Difference (acceptable = plus or minus 5%-10%)	-3.5%
Target: Pricing Model (includes reserves)	\$ 5,324,001



ASSUMPTIONS USED IN THE COSTING MODEL

EXPENSE DATA – CURRENT BUDGET

In all cases, the analysis has used expense data based on fiscal year 2017-2018 budget. Therefore, the results are based on the assumption that all of the budget will be consumed in the services of the Board. From our analysis, the Board has been spending all of its allowable resources while revenues have not kept pace. This is creating a significant shortfall and imbalance which cannot be sustained in the long-term. For example, the fund balances are declining rapidly and are projected to fall below what is required by statute in fiscal 2018-2019.

In addition, costs for occupational analysis, which occurs periodically, has been included even though it is not a budgeted expense for this fiscal year. Therefore, we have prorated an annual amount of \$57,000 and included it in the analysis.

REVENUES – CONSISTENT ACTIVITY DATA

A significant component of the analysis is dependent upon annual activity data. Specifically, the number of times each license is processed on an annual basis. This is important to the analysis for two reasons:

- Activity data drives the total consumption of staff hours. If the activity data is not correct it will either over assign staff time or under estimate staff time relative to the total time that is available.
- Projecting revenue. If the number of applications for licenses vary wildly on an annual basis, projecting revenue will be challenging. However, if the number of applications for licenses is stable, then revenues will be stable.

DIRECT VS. INDIRECT ALLOCATED COSTS

For this analysis, direct costs are being defined as the direct time required to process a specific application type. This is driven off a calculation of a productive hourly rate for each staff position. This rate includes salaries, benefits, and a prorated amount for services and supplies. Then indirect costs are layered on top of the direct costs to establish the full cost of issuing the license. The reader will note that the largest component of costs are those that support the programs associated with enforcement and not the processing of licenses.



California Veterinary Medical Board

Fee Description	Time Assigned	Productive Hourly Rate	Direct Cost Assignment
Veterinary Premise Registration License			
Initial processing and distributes to appropriate analyst	0.05	\$ 48.54	\$ 2.43
Review by analyst Premise - new	0.5	\$ 48.42	\$ 24.21
Total Direct Cost Assigned			\$ 26.63

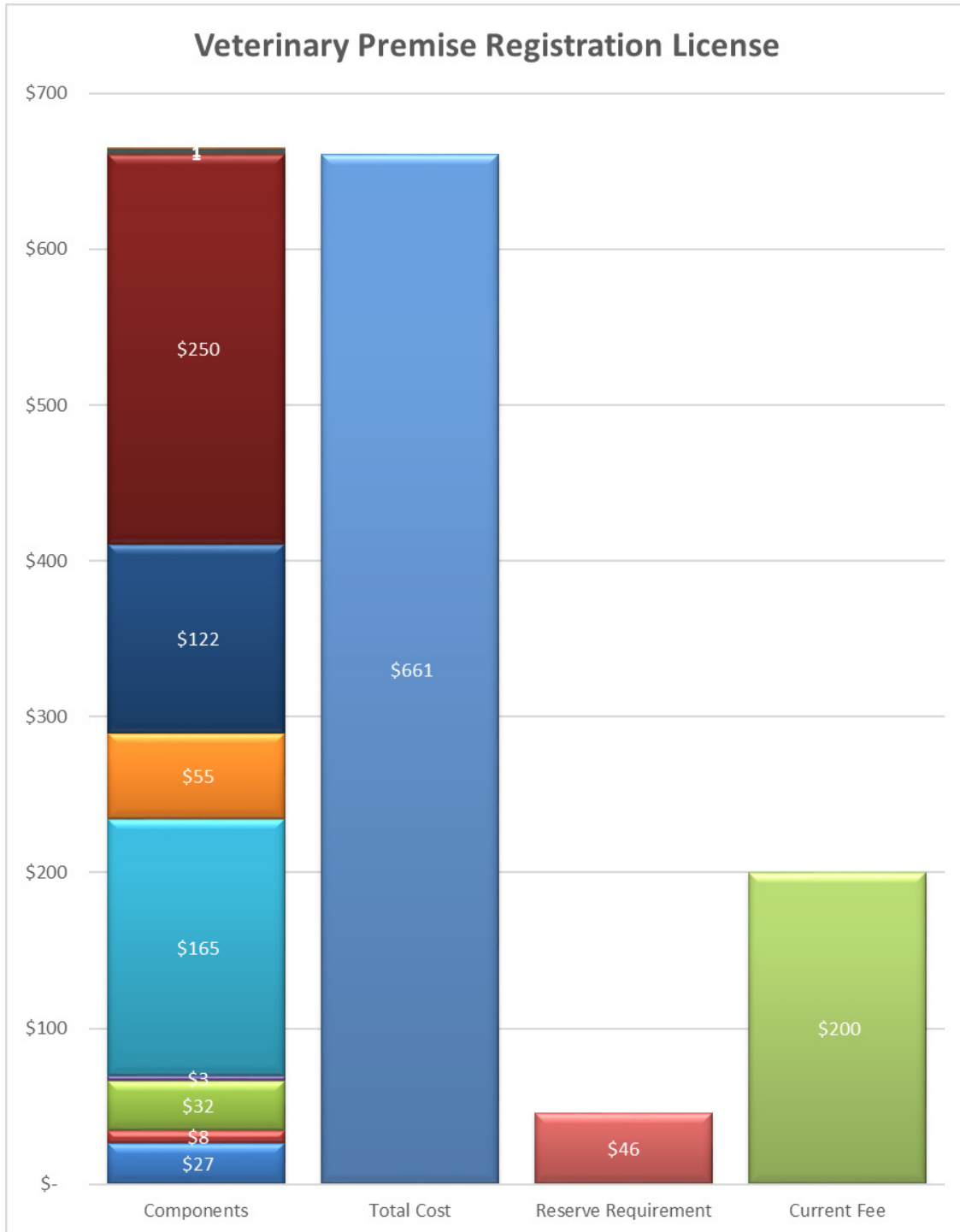
Sources of Indirect Cost	Allocated Costs
Dept./State Prorata	\$ 8
Board Management and Administration	\$ 32
Cashiering	\$ 3
Administer Premise Inspection and Enforcement Activities	\$ 165
Process Complaints and Accusations	\$ 55
Attorney General & Associated Costs	\$ 122
Conduct an inspection	\$ 250
Total Indirect Cost	\$ 634

Total Cost of the License	\$ 661
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Current Price	\$ 200
Difference	\$ (461)

Note: data does not include additional costs required to rebuild reserves.

The following graphic illustrates the same data but adds an amount required to rebuild reserves.



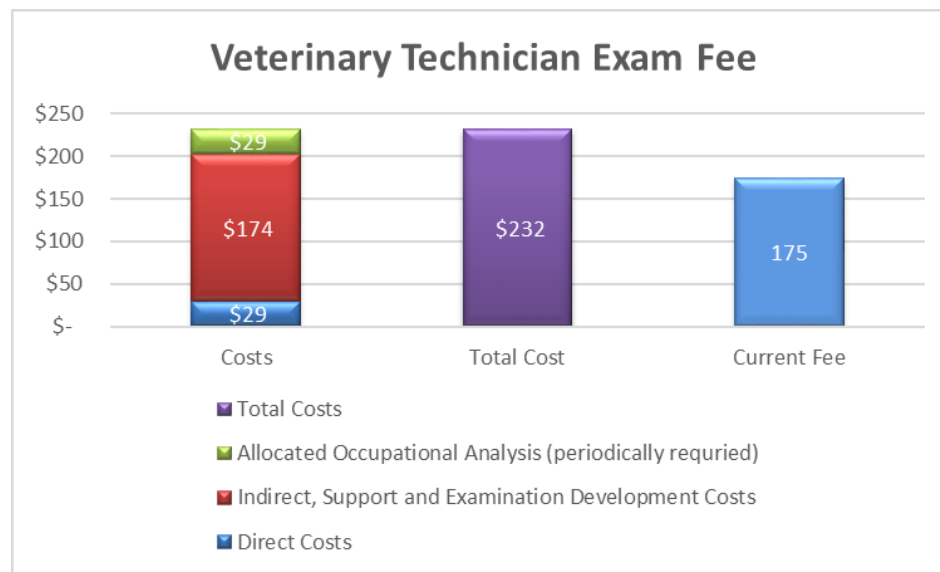
Please see the following discussion on how enforcement costs are allocated.

Capital Accounting Partners, LLC



VETERINARY TECHNICIAN EXAM FEES

Administering exams for professional licensing is an important function of the Board, as it is for many the Boards and Bureaus of the Department. From our experience, it is also an area where the prices charged for the exams is less than full cost. The following graphic illustrates the major components of costs for this service and compares it to the current price that is charged.

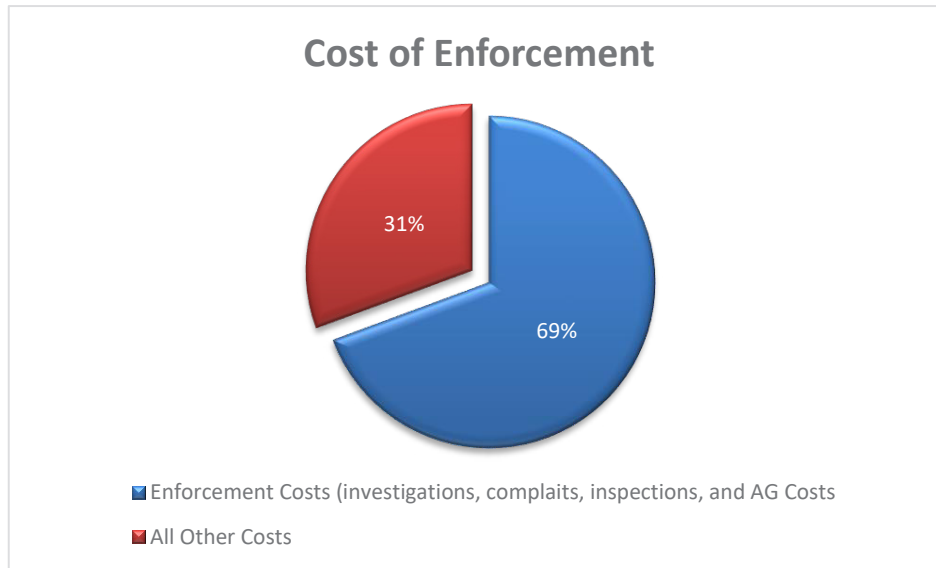


ALLOCATING COSTS OF ENFORCEMENT

Enforcement costs are a significant cost of total Board expenditures. Enforcement costs come in two primary types:

1. Costs associated with internal investigations, processing complaints, and inspections; and
2. Costs associated with the AG, Office of Administrative Hearings, and evidence / witness fees.

In total, enforcement (with all overhead and supports costs allocated), accounts for 69 percent of total budgeted costs as the following graph will illustrate.



ALLOCATION METHODOLOGIES

This ratio of enforcement costs to total costs is consistent among the Boards and Bureaus of DCA that we have reviewed. Because enforcement activities are such a large component of total cost, the method of allocating these costs is important.

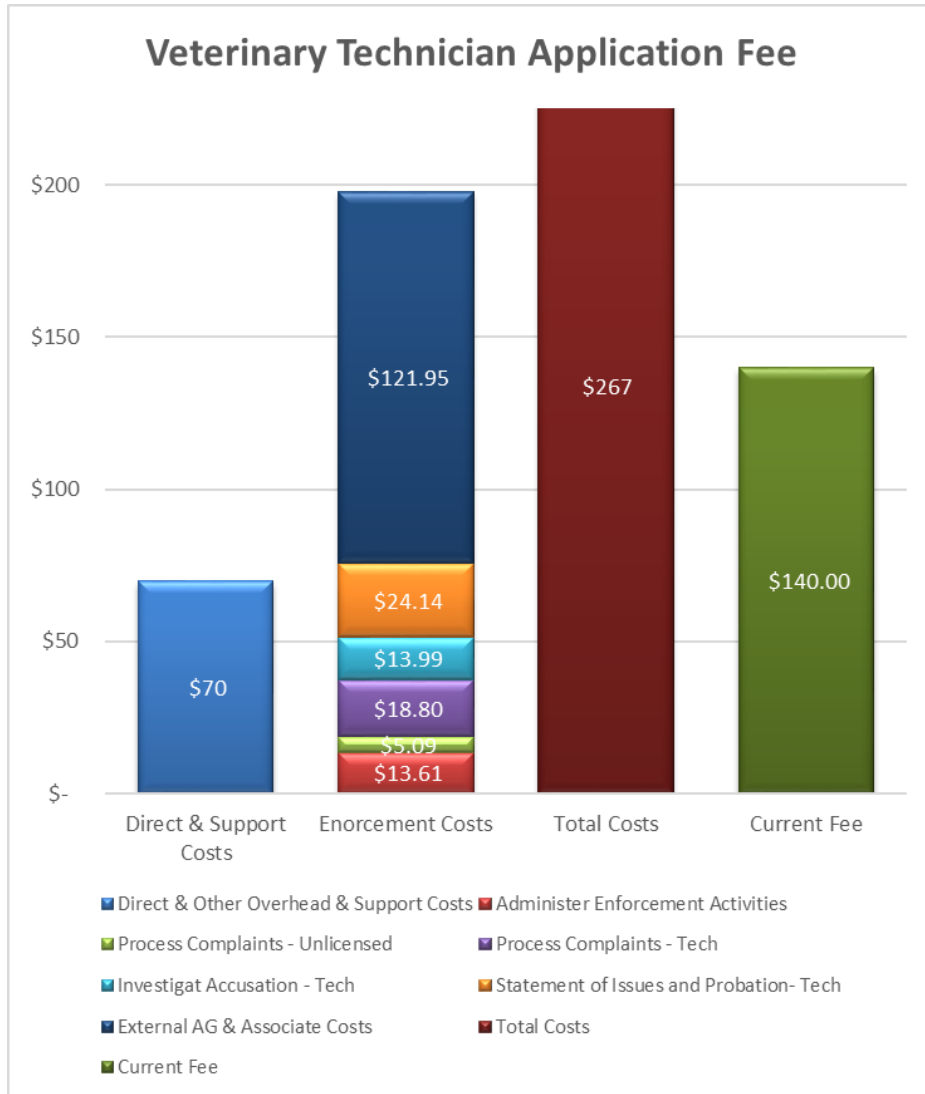
There are several potential methods of allocating these costs. Among these are:

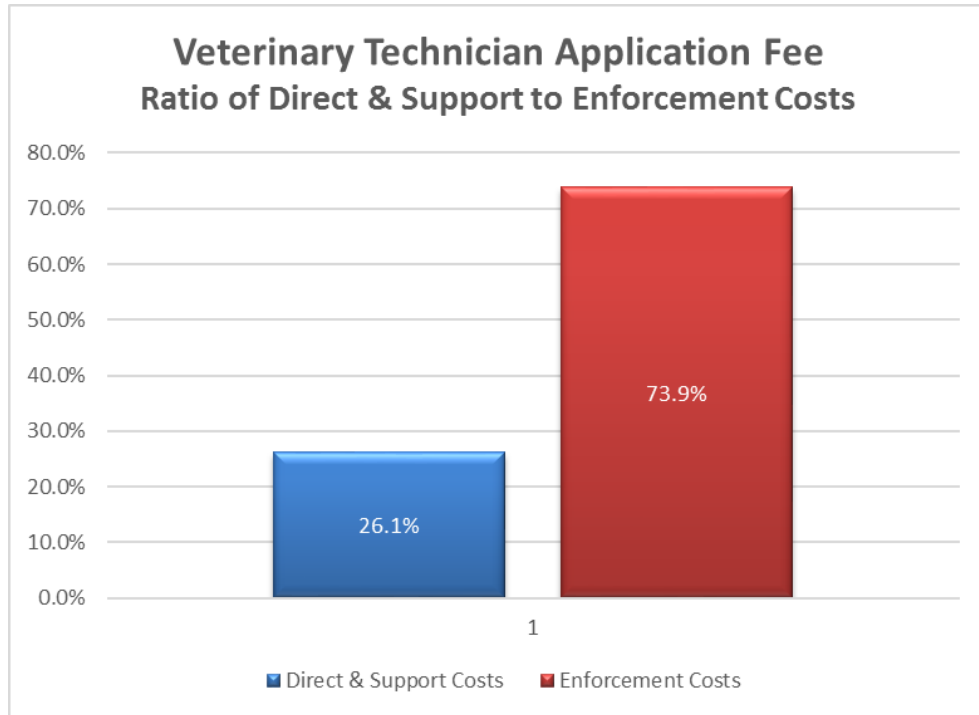
1. Allocating enforcement costs on the basis of direct cost of each license;
2. Allocating enforcement costs on the basis of the number of complaints and investigations each licensee type creates; and
3. Calculating a flat cost per license.

For this analysis, we used a combination of #1 and #2 above. For example, in the previous example of the Veterinary Premise Registration, enforcement costs were first broken down by the various types of enforcement activity. This was done by data supplied by the Board that showed who and how enforcement activities are triggered. As an example, this allowed us to calculate the total cost of processing complaints triggered against premises. This total cost was then allocated to the two premise registration fees based on a prorated amount.

EXAMPLE OF IMPACT OF ENFORCEMENT COSTS

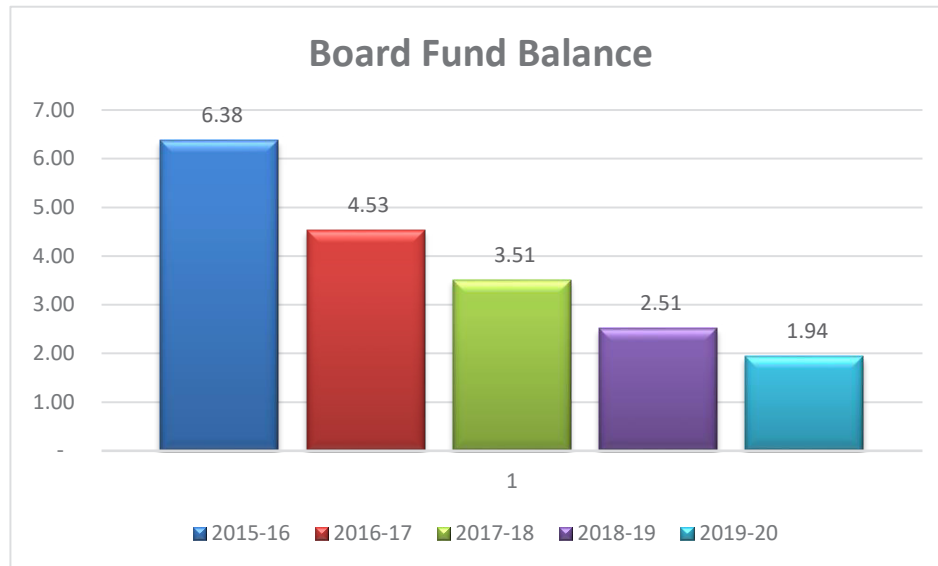
A good illustration of the impact of the cost of Enforcement is in the Veterinary Technician Application fee. The total cost is \$267. Of this amount, 73.9% is allocated Enforcement costs, as the following graphs will illustrate.





RESERVES OR “FUND BALANCES”

Financial reserves are an essential part for long-term organizational sustainability. The Department Budget Office monitors these reserves, or what are called “Fund Balances”. The Budget Office also translates the projected dollar amount into a “months in reserve”. The following graph will illustrate the “months in reserve” analysis provided by the Budget Office.



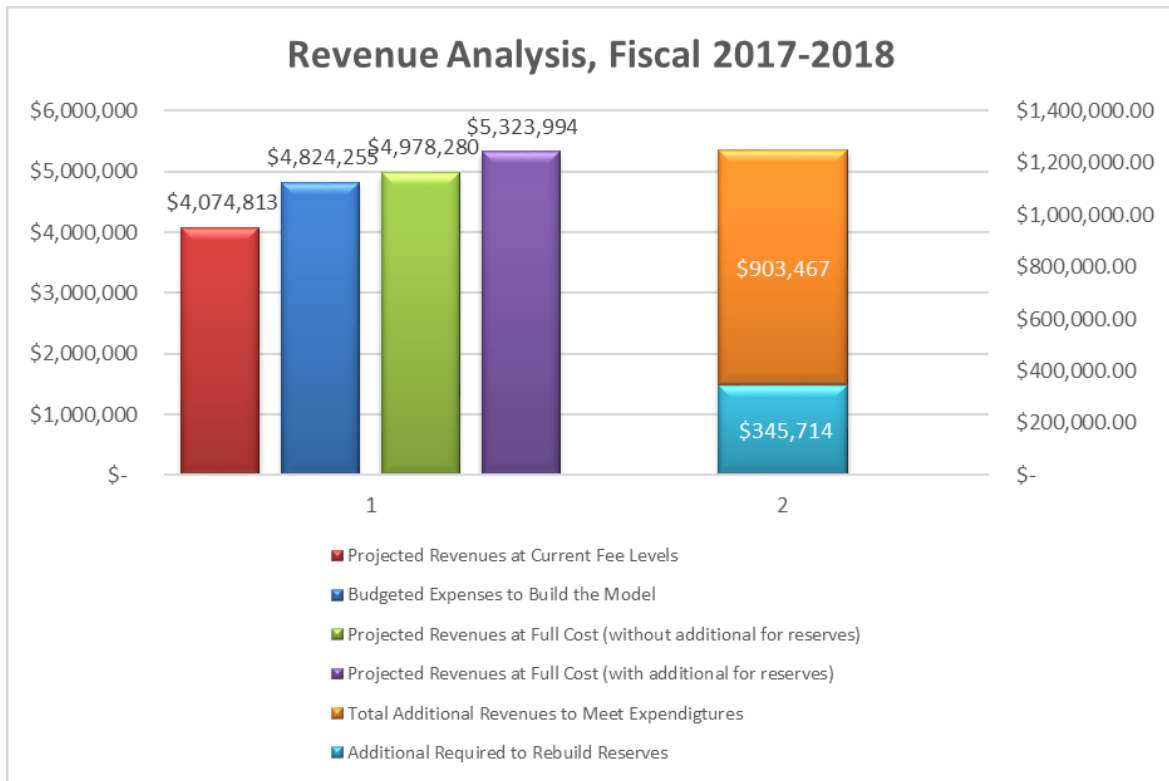
The reader will note, that the projected fund balance for fiscal year end, 2017-2018 is 3.51 months and will drop to 2.51 months fiscal year end 2018-2019. Therefore, as part of the analysis we have established a reserve fund build up plan that will strengthen the long-term sustainability of the Board. In doing so, we have targeted rebuilding the reserves which are 3-10 months of operating reserves as required by statute. For this analysis, we are targeting rebuilding the fund balance six months but doing so over three years. The following table illustrates:

Months in Reserve Analysis	
Target Months in Reserve	6.00
Projected fund balance year end 17/18	3.50
# Of months to replace	2.50
Costs Required to Rebuild Reserves	
Total Annual Expenses	\$ 4,978,280
Monthly Expenses	\$ 414,857
# Months Target (2.5)	\$ 1,037,142
Additional "cost" for 3 Year Build Up	\$ 345,714



REVENUE SUMMARY

Based on budgeted expenses and our projection of revenues for fiscal 2017-2018 we would expect to see a revenue shortfall of \$903,467. In addition, to rebuild the fund balance to six months of operating expenses in reserves there will need to be an additional \$345,714 of revenue required. The following graph illustrates these data.





OBSERVATIONS AND RECOMMENDATIONS

GENERAL OBSERVATIONS

The primary observation is that the Board has a history of conservative fiscal management and is taking a proactive step to insure the long-term sustainability of the Board. This will strengthen its ability to fully execute its mission and vision for the people of California. However, a projected loss of \$903,467 (without an accounting for rebuilding reserves) is significant and is a threat to the sustainability of the Board.

SPECIFIC RECOMMENDATIONS

MOVE TO RECOMMEND ADJUSTMENT TO FEE SCHEDULE

While we applaud the Board for being proactive in conducting a fee audit, we would recommend the Board take appropriate steps to adjust fees to full cost plus the additional revenues to rebuild reserves or fund balances. Without this action, the Board's long term sustainability and ability to execute its mission is in jeopardy.

SET CAP AND ADJUST FEES REGULARLY

In our view, one of the most important outcomes of a study of fees is a policy to adjust fees regularly. Staff receive regular cost of living adjustments, Veterinary workers and establishments adjust their prices based on inflationary and market forces, therefore, in our view fees should be adjusted regularly as well.

We have provided a 10 year forward projection of fees based on an annual increase of 4.5% annual increase. We would recommend working with the State Legislature to set the cap at the 10 year projected maximum. Then adjusting fees annually or at least bi-annually to maintain alignment of revenues and expenditures. We would also recommend a formal audit of fees at the 5 year mark as processing and regulatory requirements can change dramatically within this time frame.



APPENDICES

Cost and Pricing Report Table

- Pages 1-2 shows the analysis of cost for each individual fee item and the comparison of revenues at full cost and at current prices;
- Pages 3-4 shows two important components of the analysis
 - The impact on individual fees of including costs to rebuild reserves; and
 - A 10 year forward projection of fees assuming a 4.5% annual escalator.

California Veterinary Board
Licensing and Fees



Account Code				Fee Name				Notes				Actual Work Volume				Recovered Revenue Volume				Unit Cost Summary						Annual Cost Calculations (At Actual Costs Calculated)		
Account Code	Fee Name	Notes	Actual Work Volume	Recovered Revenue Volume	Direct Unit Cost	Allocated Support Costs	Other Costs	Total Cost Assigned	Current Fee / Revenue	Unit Surcharge or (Subsidy)	Revenue at Full Cost of Services	Projection of Revenues at Current Fees	Annual Surplus (subsidy)															
125600 P	Failure to Rpt. Addr Chg	Collected year round.		420	\$ -	\$3	\$ 25.00	\$ 28	\$ 25	(\$3)	\$ 11,827.10	\$10,500	(\$1,327)															
125600 P	Dup. License/Cert.	Collected year round.		250	\$ -	\$3	\$ 25.00	\$ 28	\$ 25	(\$3)	\$ 7,039.94	\$6,250	(\$790)															
125600 P	Cite & Fine	Collected year round.			\$ -	\$ -	\$ -	\$ -	\$ 45,000	\$45,000	\$ -	\$ -	\$ -															
141,200	Sale of Docs* - Ltr Good Stdg	Collected year round.	700	700	\$ -	\$374	\$ 25.00	\$ 401	\$ 125	(\$276)	\$ 19,711.83	\$17,500	(\$2,212)															
125700 NS	VET App Fee	Collected year round.	700	700	\$ 27	\$241	\$ 29.23	\$ 267	\$ 125	(\$142)	\$ 280,688.45	\$87,500	(\$193,188)															
125700 QV-	TEC App Fee	Collected year round.	825	825	\$ 27	\$174	\$ 29.23	\$ 232	\$ 100	(\$132)	\$ 220,653.99	\$103,125	(\$117,529)															
125700 NW-	Vet Law Exam Fee	Collected year round.	475	475	\$ 29	\$174	\$ 29.23	\$ 232	\$ 175	(\$57)	\$ 110,248.20	\$47,500	(\$62,748)															
125700 QJ-	CA State Exam Fee - TEC	Collected year round.	825	825	\$ 29	\$174	\$ 29.23	\$ 232	\$ 200	(\$32)	\$ 191,483.71	\$144,375	(\$47,109)															
125700 NT-	Vet State Board Exam Fee	Collected year round.	650	650	\$ 29	\$174	\$ 29.23	\$ 232	\$ 200	(\$32)	\$ 150,865.96	\$130,000	(\$20,866)															
125700 PB-	VET Initial License Fee >1 year	Collected year round.	575	575	\$ 27	\$374	\$ 943	\$ 401	\$ 290	(\$111)	\$ 230,565.51	\$166,750	(\$63,816)															
125700 PD-	VET Temp App Fee - Reciprocity	Collected year round.	90	90	\$ 63	\$880	\$ 943	\$ 943	\$ 125	(\$818)	\$ 84,912.34	\$11,250	(\$73,662)															
125700 PG-	VET Temp App Fee - Intern	Collected year round.	30	30	\$ 63	\$880	\$ 943	\$ 943	\$ 125	(\$818)	\$ 28,304.11	\$3,750	(\$24,554)															
125700 NQ-	VET Temp License Fee - Reciprocity	Collected year round.	50	50	\$ 27	\$374	\$ 401	\$ 401	\$ 150	(\$251)	\$ 20,049.17	\$7,500	(\$12,549)															
125700 NP-	VET Temp License Fee - Intern	Collected year round.	25	25	\$ 27	\$374	\$ 401	\$ 401	\$ 150	(\$251)	\$ 10,024.59	\$3,750	(\$6,275)															
P 125700 NM-	VET Premise Registration Fee	Collected year round.	300	300	\$ 27	\$384	\$ 250.00	\$ 661	\$ 200	(\$461)	\$ 198,331.74	\$60,000	(\$138,332)															
125700 QX-	TEC Initial License Fee >1 year	Collected year round.	475	475	\$ 27	\$241	\$ 267	\$ 267	\$ 140	(\$127)	\$ 127,043.20	\$66,500	(\$60,543)															
125700 IV-	VET License Expire Fee 5+ years	Collected year round.	5	5	\$ 75	\$1,049	\$ 1,124	\$ 1,124	\$ 250	(\$874)	\$ 5,621.50	\$1,250	(\$4,371)															

California Veterinary Board
Licensing and Fees



Account Code	Fee Name	Notes	Actual Work Volume	Recovered Revenue Volume	Unit Cost Summary						Annual Cost Calculations (At Actual Costs Calculated)		
					Direct Unit Cost	Allocated Support Costs	Other Costs	Total Cost Assigned	Current Fee / Revenue	Unit Surcharge or (Subsidy)	Revenue at Full Cost of Services	Projection of Revenues at Current Fees	Annual Surplus (subsidy)
125700 IW-	TEC License Expire Fee 5+ years	Collected year round.	2	2	\$ 87	\$781		\$ 868	\$ 250	(\$618)	\$ 1,736.28	\$500	(\$1,236)
125800 6B-	VET Renewal Fee	Collected biennially.		5,600	\$ 11	\$155		\$ 166	\$ 290	\$124	\$ 929,072.66	\$1,624,000	\$694,927
125800 5Y-	TEC Renewal Fee	Collected biennially.		2,900	\$ 11	\$100		\$ 111	\$ 140	\$29	\$ 322,718.75	\$406,000	\$83,281
P 125800 6A-	HSP Renewal Fee	Annual		3,700	\$ 8	\$224	\$ 50.00	\$ 282	\$ 200	(\$82)	\$ 1,043,947.56	\$740,000	(\$303,948)
125800 6E-	VET Inactive Renewal Fee	Collected biennially.	150	150	\$ 27	\$374		\$ 401	\$ 290	(\$111)	\$ 60,147.52	\$43,500	(\$16,648)
125800 5Z-	TEC Inactive Renewal Fee	Collected biennially.	75	75	\$ 24	\$219		\$ 243	\$ 140	(\$103)	\$ 18,257.41	\$10,500	(\$7,757)
125900 XR	VET Delinquent Renewal Fee	Collected year round.	250	125	\$ -		\$ 82.95	\$ 83	\$ 25	(\$58)	\$ 10,369.11	\$3,125	(\$7,244)
P 125900 XT	HSP Delinquent Renewal Fee	Collected year round.	125	63	\$ -		\$ 141.07	\$ 141	\$ 25	(\$116)	\$ 8,817.12	\$1,563	(\$7,255)
125900 YC	TEC Delinquent Renewal Fee	Collected year round.	250	125	\$ -		\$ 55.64	\$ 56	\$ 25	(\$31)	\$ 6,955.15	\$3,125	(\$3,830)
					\$ -			\$ -			\$ -		
125700 VR-	Application - VACS (Veterinary Assistant Controlled Substances)	New fee	3,750	3,750	\$ 15	\$103		\$ 117	\$ 50	(\$67)	\$ 439,443.49	\$187,500	(\$251,943)
125700 VS-	Initial Permit - VACS (Veterinary Assistant Controlled Substances)	New fee	3,750	3,750	\$ 15	\$103		\$ 117	\$ 50	(\$67)	\$ 439,443.49	\$187,500	(\$251,943)
	VACS Renewal	Online renewal			\$ 10	\$69		\$ 79	\$ 50	(\$29)	\$ -		
	Duplicate Premise License	New fee			\$ -	\$3		\$ 3		(\$3)	\$ -		
		Current			\$ -	\$ -		\$ -			\$ -		

Annual Revenue Impacts		
Revenue at Full Cost of Services	\$ 4,978,280	\$ 4,074,813
Projection of Revenues at Current Fees		
Annual Surplus (subsidy)		(\$903,467)

California Veterinary Board
Licensing and Fees



Account Code	Fee Name	Reserve Requirements		Ten Year Projection of Fee Requirements (Scenario #1)									
		Six Months Reserve, 5 yr build up (additional)	Full Cost / Unit	Year #1	Year #2	Year #3	Year #4	Year #5	Year #6	Year #7	Year #8	Year #9	Year #10
		\$ 345,714		4.5% Annual Increase									
125600 P	Failure to Rpt Addr Chg	\$2	\$30	\$31	\$33	\$34	\$36	\$38	\$39	\$41	\$43	\$45	\$47
125600 P	Dup. License/Cert.	\$2	\$30	\$31	\$33	\$34	\$36	\$38	\$39	\$41	\$43	\$45	\$47
125600 P	Cite & Fine			\$47,025	\$49,141	\$51,352	\$53,663	\$56,078	\$58,602	\$61,239	\$63,995	\$66,874	\$69,884
125700 NS	Sale of Docs* - Ltr Good Stg	\$2	\$30	\$31	\$33	\$34	\$36	\$38	\$39	\$41	\$43	\$45	\$47
125700 NS	VET App Fee	\$28	\$429	\$448	\$468	\$489	\$511	\$534	\$558	\$584	\$610	\$637	\$666
125700 QV-	TEC App Fee	\$19	\$286	\$299	\$312	\$326	\$341	\$356	\$372	\$389	\$407	\$425	\$444
125700 NW-	Vet Law Exam Fee	\$16	\$248	\$259	\$271	\$283	\$296	\$309	\$323	\$338	\$353	\$369	\$385
125700 QU-	CA State Exam Fee - TEC	\$16	\$248	\$259	\$271	\$283	\$296	\$309	\$323	\$338	\$353	\$369	\$385
125700 NT-	Vet State Board Exam Fee	\$16	\$248	\$259	\$271	\$283	\$296	\$309	\$323	\$338	\$353	\$369	\$385
125700 PB-	VET Initial License Fee >1 year	\$28	\$429	\$448	\$468	\$489	\$511	\$534	\$558	\$584	\$610	\$637	\$666
125700 PD-	VET Temp App Fee - Reciprocity	\$66	\$1,009	\$1,054	\$1,102	\$1,151	\$1,203	\$1,257	\$1,314	\$1,373	\$1,435	\$1,499	\$1,567
125700 PG-	VET Temp App Fee - Intern	\$66	\$1,009	\$1,054	\$1,102	\$1,151	\$1,203	\$1,257	\$1,314	\$1,373	\$1,435	\$1,499	\$1,567
125700 NQ-	VET Temp License Fee - Reciprocity	\$28	\$429	\$448	\$468	\$489	\$511	\$534	\$558	\$584	\$610	\$637	\$666
125700 NP-	VET Temp License Fee - Intern	\$28	\$429	\$448	\$468	\$489	\$511	\$534	\$558	\$584	\$610	\$637	\$666
P 125700 NM-	VET Premise Registration Fee	\$46	\$707	\$739	\$772	\$807	\$843	\$881	\$921	\$962	\$1,005	\$1,051	\$1,098
125700 QX-	TEC Initial License Fee >1 year	\$19	\$286	\$299	\$312	\$326	\$341	\$356	\$372	\$389	\$407	\$425	\$444
125700 IV-	VET License Expire Fee 5+ years	\$78	\$1,202	\$1,256	\$1,313	\$1,372	\$1,434	\$1,498	\$1,566	\$1,636	\$1,710	\$1,787	\$1,867

California Veterinary Board
Licensing and Fees



Account Code	Fee Name	Reserve Requirements		Ten Year Projection of Fee Requirements (Scenario #1)									
		Six Months Reserve, 5 yr build up (additional)	Full Cost / Unit	Year #1	Year #2	Year #3	Year #4	Year #5	Year #6	Year #7	Year #8	Year #9	Year #10
125700 IW-	TEC License Expire Fee 5+ years	\$60	\$928	\$970	\$1,014	\$1,059	\$1,107	\$1,157	\$1,209	\$1,263	\$1,320	\$1,380	\$1,442
125800 6B-	VET Renewal Fee	\$12	\$177	\$185	\$194	\$202	\$212	\$221	\$231	\$241	\$252	\$264	\$276
125800 5Y-	TEC Renewal Fee	\$8	\$119	\$124	\$130	\$136	\$142	\$148	\$155	\$162	\$169	\$177	\$185
P 125800 6A-	HSP Renewal Fee	\$20	\$302	\$315	\$330	\$344	\$360	\$376	\$393	\$411	\$429	\$448	\$469
125800 6E-	VET Inactive Renewal Fee	\$28	\$429	\$448	\$468	\$489	\$511	\$534	\$558	\$584	\$610	\$637	\$666
125800 5Z-	TEC Inactive Renewal Fee	\$17	\$260	\$272	\$284	\$297	\$310	\$324	\$339	\$354	\$370	\$387	\$404
125900 XR	VET Delinquent Renewal Fee	\$6	\$89	\$93	\$97	\$101	\$106	\$111	\$116	\$121	\$126	\$132	\$138
P 125900 XT	HSP Delinquent Renewal Fee	\$10	\$151	\$158	\$165	\$172	\$180	\$188	\$196	\$205	\$215	\$224	\$234
125900 YC	TEC Delinquent Renewal Fee	\$4	\$60	\$62	\$65	\$68	\$71	\$74	\$77	\$81	\$85	\$88	\$92
125700 VR-	Application - VACS (Veterinary Assistant Controlled Substances)	\$8	\$125	\$131	\$137	\$143	\$149	\$156	\$163	\$171	\$178	\$186	\$195
125700 VS-	Initial Permit - VACS (Veterinary Assistant Controlled Substances)	\$8	\$125	\$131	\$137	\$143	\$149	\$156	\$163	\$171	\$178	\$186	\$195
	VACS Renewal	\$5	\$85	\$88	\$92	\$97	\$101	\$106	\$110	\$115	\$120	\$126	\$131
	Duplicate Premise License	\$0	\$3	\$4	\$4	\$4	\$4	\$4	\$4	\$5	\$5	\$5	\$5

Annual Revenue Impact	
Additional Revenue for Reserves	Total Annual Revenue
\$ 345,714	\$ 5,323,994

Annual Revenues (Projected)									
Year #1	Year #2	Year #3	Year #4	Year #5	Year #6	Year #7	Year #8	Year #9	Year #10
\$ 5,563,574	\$ 5,813,934	\$ 6,075,561	\$ 6,348,962	\$ 6,634,665	\$ 6,933,225	\$ 7,245,220	\$ 7,571,255	\$ 7,911,961	\$ 8,268,000

Attachment D

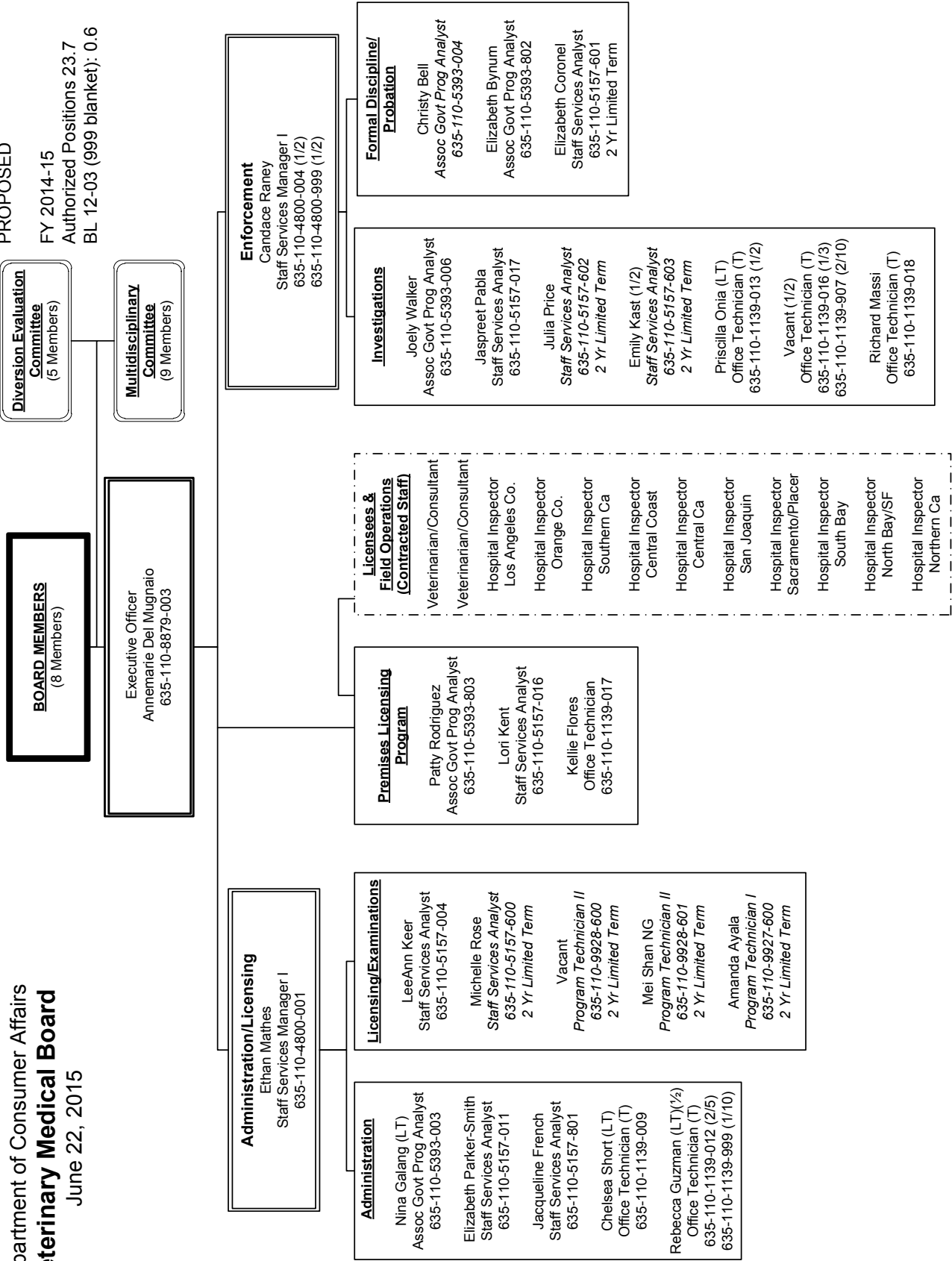
Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).



Department of Consumer Affairs
Veterinary Medical Board
 June 22, 2015

PROPOSED

FY 2014-15
 Authorized Positions 23.7
 BL 12-03 (999 blanket): 0.6



All Positions are
 CORI Designated

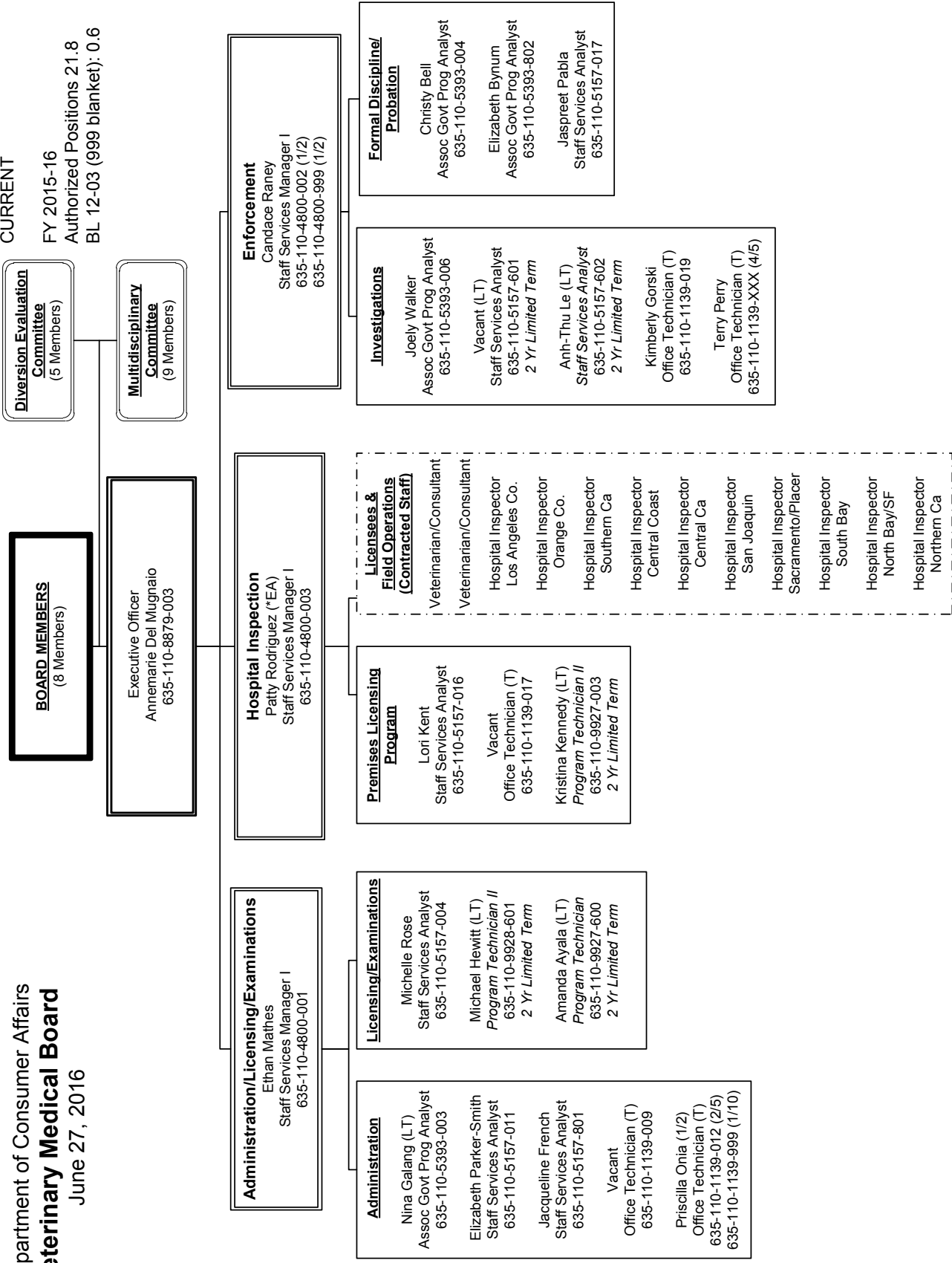
Annemarie Del Mugnaio, Executive Officer

Classification and Pay Analyst

Department of Consumer Affairs
Veterinary Medical Board
 June 27, 2016

CURRENT

FY 2015-16
 Authorized Positions 21.8
 BL 12-03 (999 blanket): 0.6



All Positions Designated CORI

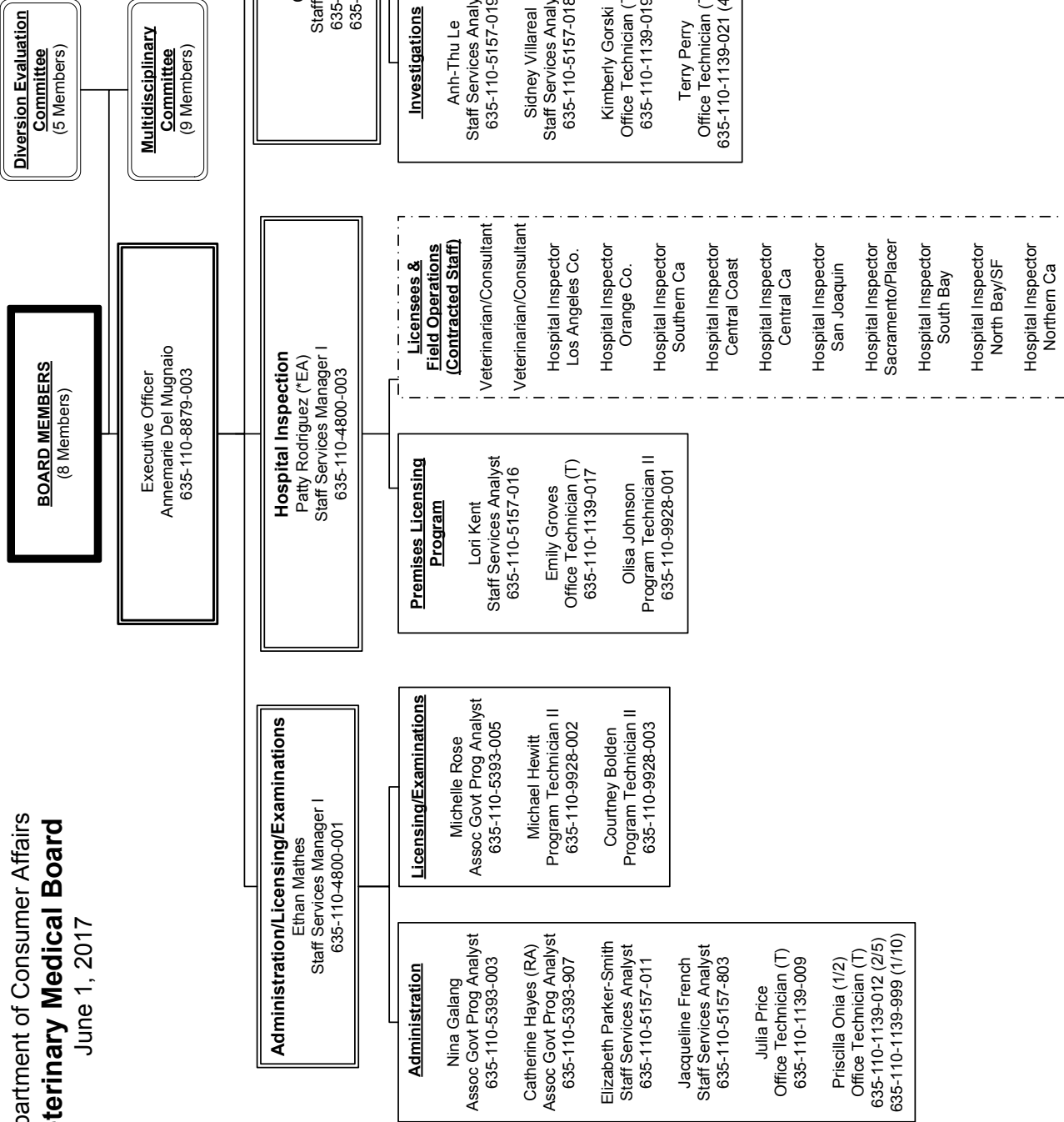
*EA - Exceptional Allocation

Annemarie Del Mugnaio, Executive Officer
 Classification and Pay Analyst

Department of Consumer Affairs
Veterinary Medical Board
 June 1, 2017

CURRENT

FY 2016-17
 Authorized Positions 20.7
 BL 12-03 (999 blanket): 0.6



All Positions Designated CORI

*EA - Exceptional Allocation

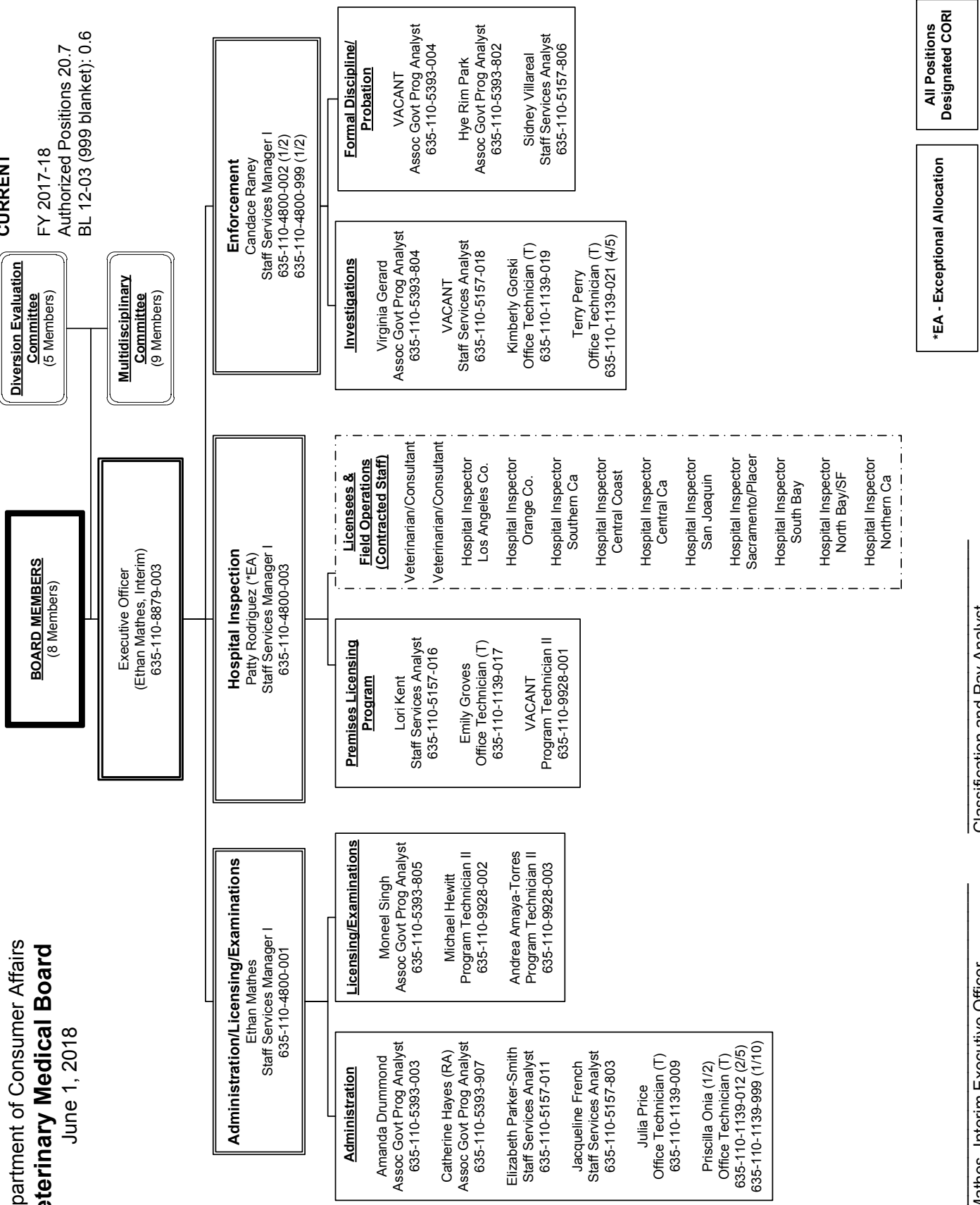
Annemarie Del Mugnaio, Executive Officer

Classification and Pay Analyst

Department of Consumer Affairs
Veterinary Medical Board
 June 1, 2018

CURRENT

FY 2017-18
 Authorized Positions 20.7
 BL 12-03 (999 blanket): 0.6



Ethan Mathes, Interim Executive Officer

Classification and Pay Analyst

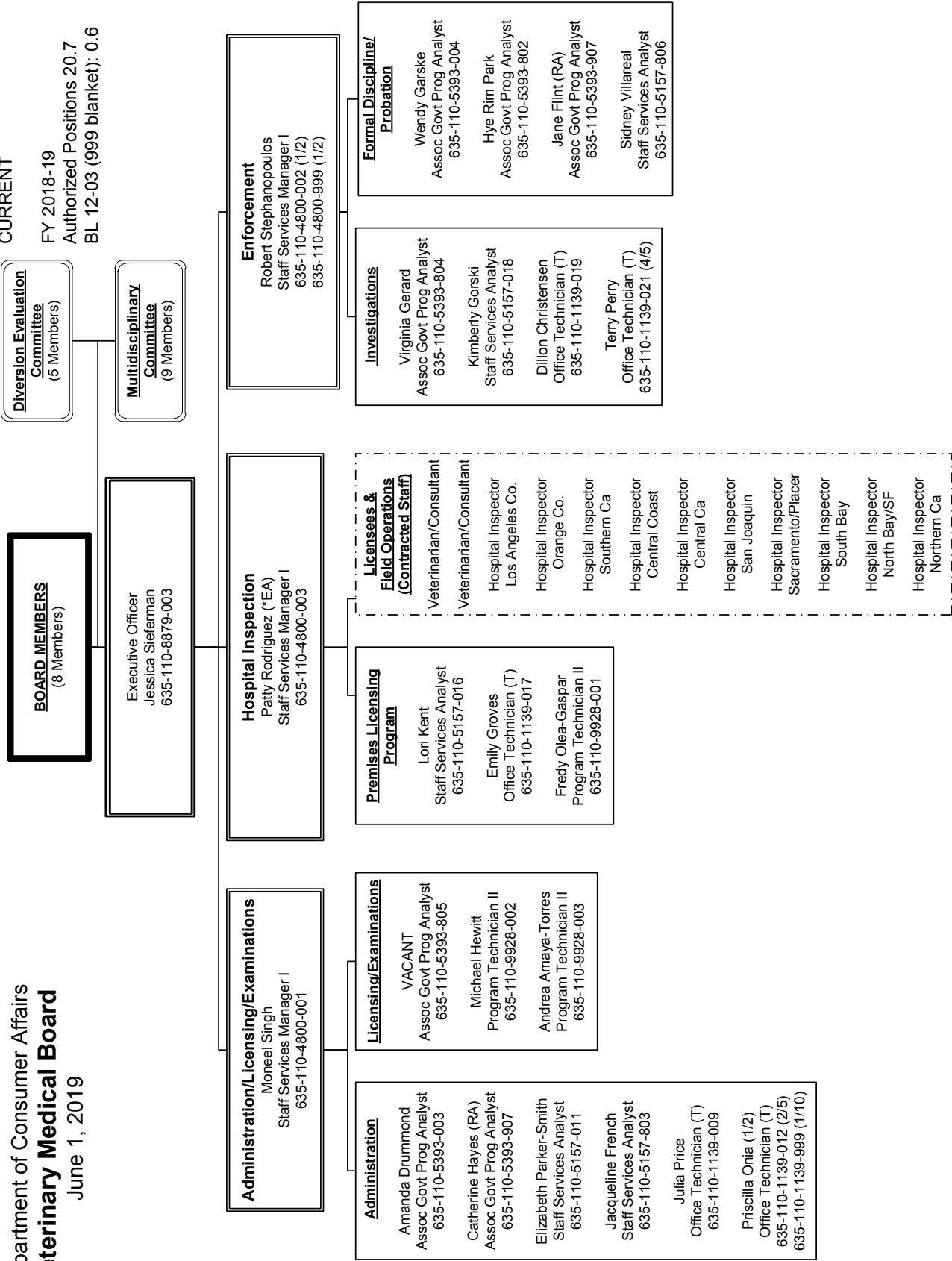
*EA - Exceptional Allocation

All Positions Designated CORI

Department of Consumer Affairs
Veterinary Medical Board
 June 1, 2019

CURRENT

FY 2018-19
 Authorized Positions 20.7
 BL 12-03 (999 blanket): 0.6



Classification and Pay Analyst

Jessica Sieferman, Executive Officer

Department of Consumer Affairs
Veterinary Medical Board
 November 1, 2019

CURRENT
 FY 2019-20
 Authorized Positions 24.3

Diversion Evaluation Committee
 (5 Members)

Multidisciplinary Committee
 (9 Members)

BOARD MEMBERS
 (8 Members)

Executive Officer
 Jessica Sieferman
 635-110-8879-003

Administration/Licensing/Examinations
 Moneel Singh
 Staff Services Manager I
 635-110-4800-001

Inspection
 Patty Rodriguez
 Staff Services Manager I
 635-110-4800-003

Enforcement
 Robert Stephanopoulos
 Staff Services Manager I
 635-110-4800-002

Administration
 VACANT
 Assoc Govt Prog Analyst
 635-110-5393-003
 Elizabeth Parker-Smith
 Staff Services Analyst
 635-110-5157-011
 Jacqueline French
 Staff Services Analyst
 635-110-5157-803
 Julia Price
 Office Technician (T)
 635-110-1139-009
 Priscilla Onia
 Office Technician (T)
 635-110-1139-012 (1/2)

Licensing/Examinations
 Kellie Flores
 Assoc Govt Prog Analyst
 635-110-5393-805
 Friedy Olea-Gaspar
 Program Technician II
 635-110-9928-001
 VACANT
 Program Technician II
 635-110-9928-002
 VACANT
 Program Technician II
 635-110-9928-003

Premises Licensing Program
 Lori Kent
 Staff Services Analyst
 635-110-5157-016
 Andrea Amaya-Torres
 Staff Services Analyst
 635-110-5157-020
 Joclynn July
 Staff Services Analyst
 635-110-5157-021
 Emily Groves
 Office Technician (T)
 635-110-1139-017
 VACANT BCP
 Office Technician (T)
 635-110-1139-022

Licenses Field Inspector (Contracted Staff)
 Los Angeles Co. (4)
 Orange Co.
 Southern CA (2)
 Central Coast
 Central CA
 San Joaquin
 Sacramento/Placer
 North Bay (2)
 South Bay
 East Bay
 Northern CA

Investigations
 Kimberly Gorksi
 Assoc Govt Prog Analyst
 635-110-5393-005
 Virginia Gerard
 Assoc Govt Prog Analyst
 635-110-5393-804
 VACANT
 Office Technician (T)
 635-110-1139-019
 Terry Perry
 Office Technician (T)
 635-110-1139-021 (4/5)

Licenses (Contracted Staff)
 Veterinarian Consultant (2)

Formal Discipline/ Probation
 Wendy Garske
 Assoc Govt Prog Analyst
 635-110-5393-004
 Sidney Villareal
 Assoc Govt Prog Analyst
 635-110-5393-806
 Dillon Christensen
 Staff Services Analyst
 635-110-5157-802

All Positions Designated CORI

Jessica Sieferman, Executive Officer

Classification and Pay Analyst



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Sacramento, CA 95834

vmb.ca.gov