

DEPARTMENT OF CONSUMER AFFAIRS  
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
**DIVISION 20. VETERINARY MEDICAL BOARD**

**NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:**

RVT Equivalent Experience and Education

**NOTICE IS HEREBY GIVEN** that the Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Person" in this notice.

**WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under "Contact Person" in this Notice, must be **received by the Board at its office no later than October 23, 2023 at 5:00 p.m.** or must be received by the Board at the hearing, should one be scheduled.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by section 4808 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section 4841.5 of said code, the Board is considering amending section 2068.5 of article 6 of division 20 of title 16 of the California Code of Regulations (CCR<sup>1</sup>).

**INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

BPC section 4800.1 mandates that the protection of the public shall be the highest priority of the Board 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 shall be paramount. BPC section 4808 authorizes the Board, in accordance with the Administrative Procedure Act (Government Code

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<sup>1</sup> All CCR references are to title 16 unless otherwise noted

section 11400 et seq.), to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Veterinary Medicine Practice Act (Practice Act) (BPC section 4800, et seq.).

BPC section 4841.5 requires a registered veterinary technician (RVT) to furnish satisfactory evidence of one of the following: (1) graduation from at least a two-year accredited program, (2) combined education and clinical practice experience, or (3) certification of completing the education equivalency through the American Association of Veterinary State Boards' Program for the Assessment of Veterinary Education Equivalence for Veterinary Technicians. The Board has promulgated regulations that provide minimum standards for RVT students to complete their combined education and clinical practice experience (also known as the alternate route program).

This regulatory proposal will amend CCR section 2068.5 regarding RVT students and alternate route programs and remove barriers to licensure by making clarifications to instructor qualification requirements and removing the restrictions that individuals complete their clinical practice of 4,416 hours within five years, but not less than two years, to give RVT students greater flexibility to complete the experience requirement, so long as a California-licensed veterinarian verifies the experience.

### **Anticipated Benefits of Proposal**

The Board anticipates that RVT students in the alternate route pathway will benefit from Board clarification of instructor requirements in alternate route veterinary technician programs and from the Board allowing RVT applicants to earn their registration without restrictions to complete coursework or experience requirements within specific timeframes.

The Board anticipates RVT instructors will benefit from clarifying the necessary qualifications, and RVT students will benefit from the removal that the requirement that coursework and experience must be completed within designated timeframes. This proposal is anticipated to reduce barriers to licensure by eliminating the requirement that an applicant retake already completed coursework and complete their directed clinical experience hours within certain timeframes, which will provide greater access to veterinary care to consumers by increasing the amount of RVTs in the workforce.

### **Evaluation of Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board has conducted and search of any similar regulations of these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

### **FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** The Board anticipates a minor

decrease in Board costs as a result of amending the section identified in the regulatory proposal. By revising these requirements, instructor qualifications are made clearer, and coursework and experience will not have to be completed within designated timeframes.

The Board estimates approximately 426 applicants will be impacted per year. It takes a Program Technician II approximately 30 minutes to review an individual's education and experience history at estimated costs of \$32 per application, which results in annual costs (savings) of approximately \$13,600 per year.

The regulations do not result in costs or savings in federal funding to the state.

**Nondiscretionary Costs/Savings to Local Agencies:** None

**Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement:** None

**Significant Effect on Housing Costs:** None

## **BUSINESS IMPACT ESTIMATES**

The Board has made the initial determination that this proposal will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, as the proposal only clarifies RVT instructor qualifications and removes the requirement that coursework and experience must be completed within designated timeframes.

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

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS**

The Board has determined that this regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it does not impose requirements for businesses to hire or eliminate RVTs.
- It will not create new business or eliminate existing businesses within the State of California because RVTs must work under a licensed veterinarian to practice in California.
- It will not affect the expansion of businesses currently doing business within the State of California because it does not impose additional requirements for a managing licensee (veterinarian) or owner of a veterinary premises.

This regulatory proposal has the following benefits:

- It affects the health and welfare of California residents because it helps to improve access to veterinary care for Californians and their animals by eliminating unneeded time limitations placed on RVT students to complete education requirements; it may help increase the number of RVTs in California.
- It does not affect worker safety because it does not involve worker safety.
- It does not affect the state's environment because it does not involve the environment.

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

**Benefits of Regulation:** The regulatory proposal benefits the health and welfare of California consumers and their animals because the proposed regulations would clarify RVT instructor qualifications and remove the requirement that coursework and experience must be completed within a designated amount of time. The regulatory proposal would also benefit RVT applicants and consumers to address the access to veterinary care issue related to veterinary staffing shortages in the state. By removing time restrictions regarding the completion of the education and experience requirements, Board staff can more quickly approve RVTs applications for registration. The regulatory proposal may positively affect the health and welfare of California residents by reducing barriers to licensure for RVTs and increasing the number of RVTs available to help California consumers and their animals.

**Business Reporting Requirements:** The regulatory action does not require businesses to file a report with the Board.

**Effect on Small Business:** The Board has made an initial determination that the proposal will not affect small businesses, as the proposal only clarifies RVT instructor qualifications and removes the requirement that coursework and experience must be completed within designated timeframes.

## CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulatory proposal or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1747 North Market Blvd., Suite 230, Sacramento, California

95834 during the written comment period, or at the hearing if one is scheduled or requested.

### **AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the Contact Persons named in this Notice.

### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1747 North Market Blvd., Suite 230, Sacramento, California 95834.

### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described in this Notice, or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Persons and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

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

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

Once it has been prepared, a copy of the Final Statement of Reasons may be obtained by making a written request to the Contact Persons named below or by accessing the website listed below.

### **CONTACT PERSONS**

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

Name: Jeffrey Olguin

Address: Veterinary Medical Board  
1747 North Market Blvd., Suite 230  
Sacramento, CA 95834  
Telephone No.: 916-282-6893  
Fax No.: 916-928-6849  
E-Mail Address: jeffrey.olguin@dca.ca.gov

The backup contact person is:

Name: Kim Phillips-Francis  
Address: Veterinary Medical Board  
1747 North Market Blvd., Suite 230  
Sacramento, CA 95834  
Telephone No.: 916-282-6907  
Fax No.: 916-928-6849  
E-Mail Address: kim.phillips-francis@dca.ca.gov

#### **AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Regulatory Action, Initial Statement of Reasons, and Proposed Regulatory Language of the regulations can be accessed through the Board's website at [https://www.vmb.ca.gov/laws\\_regs/proposed\\_regs.shtml](https://www.vmb.ca.gov/laws_regs/proposed_regs.shtml).