



## MEMORANDUM - REVISED

<b>DATE</b>	October 16, 2020
<b>TO</b>	Veterinary Medical Board
<b>FROM</b>	Justin Sotelo, Lead Administrative & Policy Analyst
<b>SUBJECT</b>	<b>Agenda Item 9.F. Section 2069, Article 6, Division 20, Title 16 of the CCR Regarding Emergency Animal Care</b>

### **Background**

The Registered Veterinary Technician (RVT) Emergency Animal Care regulatory proposal was originally approved by the Board at its October 2017 meeting. It was then brought back to the Board in February 2018 for further discussion, and re-approved by the Board at its May 2018 meeting. On March 28, 2019, the regulatory package was submitted to the Department of Consumer Affairs (DCA) for Legal Affairs Division and Budget Office concurrent review. On February 14, 2020, the package was approved by the DCA Director and submitted to the Business, Consumer Services, and Housing Agency (Agency).

On May 18, 2020, the package was approved by Agency. The package was then submitted to the Office of Administrative Law (OAL) on May 26, 2020, and [published](#) on June 5, 2020. The 45-day public comment period closed on July 20, 2020, and the Board received three comments (two comments in support of the proposed language (**Attachment 1**), and one comment with concerns (**Attachment 2**)). Upon addressing the comment of concern, Board staff will prepare the Final Statement of Reasons (FSR), which will be included in the final rulemaking package.

### **Summary of Concerns with the Proposal and Proposed Responses**

In accordance with Government Code section [11346.9](#), subdivision (a)(3), the Board, in its final statement of reasons supporting the rulemaking, must summarize each objection or recommendation made regarding the specific adoption, amendment, or repeal proposed, together with an explanation of how the proposed action has been changed to accommodate each objection or recommendation, or the reasons for making no change.

The Board received several comments from one individual (**Attachment 2**) expressing concerns with the proposal. The Board is asked to review the concerns and proposed responses thereto for inclusion in the Board's FSR for this rulemaking.

**Concerns:** Summarized below are the concerns raised in the one public comment received by the Board during the 45-day public comment.

- There are no definitions of the terms "emergency" and "direct communication."
- The proposal creates a legal bypass to the veterinarian-client-patient relationship (VCPR) and any form of examination or consultation with a licensed veterinarian by giving the RVT the legal authority to perform an examination, establish a diagnosis, develop and implement a treatment plan, and prescribe controlled substances.
- The proposal allows for the business model of an absentee veterinarian.
- The consumer would be making a non-informed decision regarding treatment, including, but not limited to, pain management and euthanasia.
- The proposal would pave the way for the following scenarios:
  - at-home euthanasia services to send RVTs to perform euthanasia following communication with veterinarian;
  - at-home euthanasia services to have RVTs answering phones, and if "unable to communicate" with the veterinarian, the RVT goes out to perform the euthanasia in accordance with written protocols;
  - national home-euthanasia services would be able to employ RVTs throughout the state, instead of veterinarians, to perform their services;
  - physical therapy establishments could have an absentee veterinarian, provided written protocols exist.

The public comment also asserted that an RVT should not have the ability to diagnose and prescribe; the consumer deserves the protection associated with services provided by a licensed veterinarian.

**Proposed Response:** Pursuant to Business and Professions Code (BPC) section [4840.5](#), an RVT is authorized to provide lifesaving aid and treatment to an animal patient under conditions of an emergency. BPC section [4840.5](#) defines "emergency" to mean that "the animal has been placed in a life-threatening condition where immediate treatment is necessary." Pursuant to BPC section [4840.5](#), the Board adopted California Code of Regulations (CCR), title 16, section [2069](#) to prescribe the lifesaving aid and treatment that may be provided by an RVT.

Prior to 2017, BPC section [4840.5](#) authorized an RVT, under conditions of an emergency, to render lifesaving aid and treatment as may be prescribed under regulations adopted by the Board. "Emergency" was defined to mean the animal has been placed in a life-threatening condition where immediate treatment is necessary to sustain life. However, in Senate Bill (SB) 547 (Hill, Chapter 429, Statutes of 2017), the

California State Legislature broadened the scope of emergency treatment an RVT could provide by deleting the term “to sustain life.”

The proposed amendments revise CCR, title 16, section [2069](#) to further clarify the lifesaving aid and treatment that an RVT may provide in an emergency. CCR, title 16, section [2069](#) currently begins with the phrase “Under conditions of an emergency as defined in Section 4840.5,” and this proposal only clarifies that reference to mean section [4840.5](#) of the BPC. Since “emergency” is defined in the statute this regulation currently cross-references, the Board found it unnecessary to reiterate a definition of “emergency” in the proposed text.

Subdivision (a)(2) of the existing regulation requires that the RVT attempt to establish direct communication with a licensed veterinarian or veterinarian authorized to practice in California before the RVT can administer pharmacological agents to prevent or control shock. The phrase “direct communication” has been in regulation without raising any concerns that clarification is needed since at least 1984. When the Board’s Multidisciplinary Advisory Committee (MDC) deliberated and approved the recommendation on July 25, 2017, the Board had not received any reports of RVTs in an emergency situation improperly bypassing the VCPR. Further, when the Board reviewed the proposal at their October 2017, February 2018, and May 2018 meetings, there were no reports of RVTs improperly bypassing the VCPR under the existing regulation. Rather, the proposal was intended to address the California State Legislature’s recommendation that the Board address the lack of veterinary care available at rodeo events.

To address the lack of veterinary care available at rodeo events, the California State Legislature recommended to the Board authorizing an RVT to be present at a rodeo event, with the supervising veterinarian on-call. At its April 20, 2016 meeting, the Board grappled with the lack of clarity in the Legislature’s recommendation, and the Board’s ability to influence access to veterinary care at rodeos, which are regulated primarily by local jurisdictions where the rodeos are held. Rodeo animal advocates presented a number of findings of rodeo injuries that went untreated by a veterinarian, many of which were not reported to the Board as required under BPC section [4830.8](#). Advocates argued that the injuries suffered by the rodeo animals were emergencies requiring immediate veterinary treatment.

As animals involved in rodeo events may experience more than shock, as currently provided for under the existing regulation, but may also experience pain and suffering, the regulation proposes amendments to allow an RVT to render emergency treatment in those additional circumstances. In addition, one of the potential treatments for injured rodeo animals is euthanasia, which may be necessary to perform immediately to relieve the suffering of a critically injured animal. The Board discussed at their October 2017 and February 2018 meetings the potential to authorize an RVT to provide euthanasia services in such an emergency. It was noted that CCR, title 16, sections [2036](#) and [2069](#) already provide authority to an RVT to administer controlled substances under the indirect supervision of a veterinarian. With the authority in section [2036](#), coupled with the amendments to section [2069](#) relative to emergency

animal care at a rodeo or other sporting event, the proposal is intended to address situations where an RVT needs to be able to administer controlled substances necessary to euthanize an animal injured at a rodeo or other sporting event pursuant to the responsible veterinarian's instructions. The proposal is also necessary to address the California State Legislature's recommendation to the Board to address the lack of veterinary care available at rodeo events.

The rulemaking proposal clarifies existing law that authorizes an RVT to administer aid or treatment without the presence of a veterinarian under conditions of an emergency, as defined in statute. The rulemaking does not create a legal bypass to the VCPR and any form of examination or consultation with a licensed veterinarian by giving the RVT the legal authority to perform an examination, establish a diagnosis, develop and implement a treatment plan, or give the RVT the ability to prescribe controlled substances. Rather, the authority for RVTs to act as set out in the statute, BPC section [4840.5](#), is the basis for the rulemaking.

The rulemaking does not allow for a new business model of an absentee veterinarian, because the proposal does not change the other statutory **and regulatory** requirements that an RVT be supervised by a veterinarian, **who must examine the animal patient before designating an animal health care task to an RVT.** (BPC §§ [4836](#), [4836.1](#), [4840](#), subd. (a); CCR, tit. 16, § [2035](#), subs. (c).) The proposal clarifies the existing statutory authority that an emergency situation must exist for the RVT to render lifesaving aid or treatment without the presence of a veterinarian. To administer drugs or controlled substance treatment, the RVT first must establish direct communication with the supervising veterinarian. If the RVT is unable to establish that communication, the RVT may perform the task in accordance with written instructions established by the veterinarian. These provisions provide a sufficient safeguard against improper use of the proposed regulation. If an RVT or veterinarian attempted to misuse the proposed regulation to establish a new business model for absentee veterinarian practice, both the veterinarian and RVT would be subject to discipline under the Practice Act, on a case-by-case basis and depending upon the statutes and/or regulations alleged to be violated.

The proposal does not require a consumer to utilize an RVT in an emergency situation. Rather, the proposal, by clarifying the existing emergency animal care statute, authorizes an RVT to act when the veterinarian is not personally present to provide care to the animal patient. In this way, the proposal supports the ability of consumers in an emergency situation to access additional veterinary staff to assist an animal patient. If the consumer wants additional information on which to base their decision regarding treatment, the consumer could contact the veterinarian directly or transport the animal patient to a facility where a veterinarian could examine the animal and provide an assessment of the animal's condition. Importantly, the statute, and this proposal, are intended to provide emergency treatment for an ailing animal when transport of the animal for veterinarian examination is not possible or advisable.

With respect to the assertion that the proposed regulation will pave the way for at-home euthanasia services to utilize RVTs to perform euthanasia on animals instead

of veterinarians, the use of an RVT instead of a veterinarian could only be justified in an emergency situation. Emergency situations are determined on a case-by-case basis, rather than determined on a general basis. As discussed above, an RVT is required to be supervised by a California licensed veterinarian; thus, a service attempting to utilize RVTs without veterinarians likely would be providing those services in violation of the Practice Act. An RVT performing euthanasia services without veterinarian supervision subjects their Board registration to disciplinary action. The Board has not reviewed any complaints of such practices.

The concern raised that the regulatory proposal would pave the way for physical therapy establishments to have an absentee veterinarian appears misplaced relative to this proposal. The regulatory proposal addresses emergency treatment by an RVT supervised by a licensed veterinarian. There is no provision in the proposal to authorize physical therapy establishments to have an absentee veterinarian. In order to perform physical therapy on animal patients, the establishment must be registered with the Board as a premises with a licensed veterinarian identified as the responsible licensee manager who is to act for and on behalf of the premises. (BPC § [4853](#).) Accordingly, existing statutes prohibit a physical therapy establishment not registered with the Board from operating without a licensed veterinarian managing the premises; this proposal does not alter these limitations.

Further, existing law requires veterinarian supervision for an RVT to perform animal health care tasks and administer controlled substances. (BPC §§ [4836](#), [4836.1](#), [4840](#), subd. (a); CCR, tit. 16, § [2036](#)). Except for an RVT administering sodium pentobarbital for euthanasia of animals by an RVT employed by an animal control shelter or its agencies or humane society (see BPC §§ [4827](#), subd. (d), [4840](#), subd. (c)), an RVT only has access to controlled substances under a supervising veterinarian's license issued by the federal Drug Enforcement Agency (DEA). If an RVT attempts to practice veterinary medicine without direct or indirect supervision of a veterinarian, or prescribe and administer controlled substances obtained from a source other than the supervising veterinarian, the RVT would be in violation of the Practice Act and be subject to discipline.

### **Action Requested**

The Board is asked to consider and approve the proposed responses to the written comment received during the 45-day public comment period, and direct staff to incorporate the responses into the FSR and proceed with the final rulemaking package.

### **Attachments:**

1. Comments in Support from: (1) Bryan D. Halteman, President, DVM, MBA on behalf of California Veterinary Medical Association; and (2) Nancy Ehrlich, RVT, Regulatory/Legislative Advocate on behalf of California Registered Veterinary Technicians Association
2. Comment with Concerns from Stephanie Schneider, DVM
3. [Notice of Proposed Changes](#)
4. [Initial Statement of Reasons](#)
5. [Proposed Language](#)

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June 10, 2020

Justin Sotelo  
Veterinary Medical Board  
1747 North Market Blvd., Suite 230  
Sacramento, CA 95834

RE: Comments on Proposed Regulations  
CCR 16, Section 2069

The California Veterinary Medical Association, representing over 7,800 veterinary professionals in the state, including veterinarians, registered veterinary technicians, and veterinary students, supports the proposed regulatory amendments to the California Code of Regulations, Title 16, Section 2069 concerning emergency animal care by registered veterinary technicians (RVTs).

The CVMA was present for numerous discussions on expanding RVT emergency animal care. The proposed regulation provides protection for animals and consumers by ensuring that RVTs performing emergency care are doing so either after direct communication with a California licensed veterinarian or pursuant to written protocols by a supervising veterinarian. This includes emergency care tasks that RVTs may provide at rodeo events.

The CVMA supports the Board's effort to advance the role of the RVT in providing emergency care to animals.

Sincerely,



Bryan D. Halteman, DVM MBA  
CVMA President

**Support for Amending Sec. 2069**

CaRVTA<info@carvta.org>

Mon 6/15/2020 1:02 PM

To:

- Sotelo, Justin@DCA

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June 15, 2020

Veterinary Medical Board  
1747 N Market Blvd. Ste 230  
Sacramento CA 95834

Re: Support for Proposed Changes to Emergency Animal Care

Dear VMB:

I am writing on behalf of the California Registered Veterinary Technicians Association in support of the proposed changes to Section 2069 of the California Veterinary Medicine Practice Act.

The proposed changes will benefit our animal patients by allowing RVTs to administer appropriate drugs in an emergency to treat pain as well as to sustain life.

Yours truly.

*Nancy Ehrlich, RVT*  
Regulatory/Legislative Advocate, CaRVTA

Stephanie Schneider<drstephanieschneider@gmail.com>  
Tue 6/9/2020 12:03 PM

To:

- Sotelo, Justin@DCA

Cc:

- Rodda, Timothy@DCA

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Dear Gentlemen,

I am writing to you out of concern over the proposed RVT Emergency Animal Care Regulation.

My concerns are as follows:

- 1) There is no definition of the term "emergency".
- 2) There is no definition of "direct communication".
- 3) It creates a legal bypass to the VCPR and any form of examination or consultation with a licensed veterinarian by giving the RVT the legal authority to perform an exam, establish a diagnosis, develop and implement a treatment plan.
- 4) It gives the RVT the ability to prescribe controlled substances.
- 5) Allows for the business model of an absentee veterinarian.
- 6) Ultimately, the consumer would be making a non-informed decision regarding treatment, including but not limited to pain management and euthanasia.

In practical terms, the proposed changes would pave the way for the following scenarios:

- 1) At-home euthanasia services to send RVTs to perform euthanasia following communication with veterinarian.
- 2) At-home euthanasia services to have RVTs answering phones, and if "unable to communicate" with the veterinarian, the RVT goes out to perform the euthanasia in accordance with written protocols.
- 3) National home-euthanasia services are now able to employ RVTs throughout the state, instead of veterinarians, to perform their services.
- 4) Physical therapy establishments to have an absentee veterinarian provided written protocols exist.

This is by no means an exhaustive list.

I implore you to reconsider this broad change. An RVT should NOT have the ability to diagnose and prescribe. The consumer deserves the protection associated with services provided by a licensed veterinarian.

Sincerely,

Stephanie Schneider



**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
DIVISION 20. VETERINARY MEDICAL BOARD**

**NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
EMERGENCY ANIMAL CARE, § 2069**

**NOTICE IS HEREBY GIVEN** that the Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest.

**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 his or her 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, 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 July 20, 2020**, or must be received by the Board at the hearing, should one be scheduled.

**AVAILABILITY OF MODIFICATIONS**

The Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below 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 will be available for 15 days prior to its adoption from the person designated in this Notice as the Contact Person 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.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 4808 and 4836 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 4836.1 and 4840.5 of said code, the Board is considering amending section 2069 of article 6 of division 20 of title 16 of the California Code of Regulations (CCR)<sup>1</sup>.

**INFORMATIVE DIGEST**

BPC section 4836, subdivision (a) requires the Board to adopt regulations establishing animal health care tasks and an appropriate degree of supervision required for those tasks that may be performed only by a registered veterinary technician (RVT) or licensed veterinarian. BPC section 4836.1 authorizes an RVT to administer a drug, including but not limited to, a drug that is a controlled substance, under the direct or indirect supervision of a licensed veterinarian when done pursuant to the order, control, and full professional responsibility of a licensed veterinarian. BPC section 4840.5 authorizes an RVT, under conditions of an emergency, to render lifesaving aid and treatment to an animal; however, if the emergency aid and treatment is not rendered in the presence of a licensed veterinarian, the treatment may only be continued under the direction of a licensed veterinarian. The statute defines "emergency" to mean that the animal has been placed in a life-threatening condition where immediate treatment is necessary.

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

The Board seeks to clarify BPC section 4840.5, by revising CCR section 2069, which provides the conditions under which an RVT may provide emergency treatment and the emergency treatment that may be provided, to clarify an RVT's authority to administer drugs or controlled substances.

The proposal would also implement recent statutory changes to BPC section 4840.5 made by Senate Bill (SB) 547 (Hill, Chapter 429, Statutes of 2017), which deleted the restriction of RVTs to render emergency aid to only circumstances where immediate treatment was necessary to sustain life, and address RVT health care tasks performed at sanctioned rodeos or other sporting events. The Board anticipates that the health, safety, and welfare of animals in emergency situations will be better protected by clarifying an RVT's ability to administer drugs and controlled substances.

The Board is proposing the following changes:

#### Amend CCR Section 2069 – Emergency Animal Care

The proposed regulation would amend CCR section 2069, subsection (a), to make minor and technical revisions and authorize an RVT to provide either lifesaving aid or emergency treatment to an animal. The proposal would also amend CCR section 2069, subsection (a)(2), to strike the terms for administration of pharmacological agents and instead provide, in new subsection (b), that an RVT may only perform administration of a drug or controlled substance after direct communication with a veterinarian licensed or otherwise authorized to practice in this state to prevent or control shock, manage pain or sedate an animal for examination or to prevent further injury, and to prevent suffering of an animal, up to and including euthanasia. The proposal would also adopt CCR section 2069, subsection (c), to address circumstances when an RVT cannot establish direct communication with a licensed or authorized veterinarian, and authorize the RVT to administer the drug or controlled substance in accordance with written instructions established by the supervising veterinarian or, in the case of a sanctioned rodeo or other sporting event, the veterinarian charged with the responsibility to provide treatment to the animals at the rodeo or event.

#### **POLICY STATEMENT OVERVIEW/ANTICIPATED BENEFITS OF PROPOSAL**

The primary mission of the Board is to protect consumers and animals through the development and maintenance of professional standards. The proposed regulations would allow the Board to continue carrying out this mandate through its licensing and regulatory efforts by clarifying the authority of an RVT to administer drugs and controlled substances to animals in need in emergency circumstances. By updating CCR section 2069, the Board will be ensuring the RVT is still receiving the proper level of supervision and communication for these emergency services, while also allowing for animals in immediate danger to receive the appropriate level of care and to alleviate animal suffering. The Board anticipates that consumers and their animals will benefit from clarified provisions for RVTs rendering emergency treatment to animals.

#### Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

#### **FISCAL IMPACT ESTIMATES**

The Board will be required to ensure compliance with the proposed regulations through its inspections program. Any enforcement-related workload and costs are anticipated to be minor and absorbable within existing resources.

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 - 17630 Require Reimbursement: None

Business Impact:

The Board has made the initial determination that this proposal will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal clarifies existing law regarding an RVT's ability to administer drugs and controlled substances to animals in emergency situations.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

**EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulations would not affect small businesses. The proposal clarifies existing law regarding an RVT's ability to administer drugs and controlled substances to animals in emergency situations.

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

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 or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

The Board has determined that this proposal will benefit the health, safety, and welfare of California consumers and their animals by clarifying that an RVT can administer drugs and controlled substances after direct communication or in accordance with written instructions established by a supervising veterinarian; this will allow RVTs to provide better immediate aid to animals in an emergency. This proposal may benefit worker safety as the proposal provides for an RVT administering drugs or controlled substances to an animal in pain or to sedate an animal, who may be dangerous to itself, as well as to rodeo and sporting event workers and veterinary medical personnel. This proposal does not affect the state's environment.

**CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation 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 that 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.

**INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

**TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, any document incorporated by reference, 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 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.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the Contact Person named below or by accessing the website listed below.

**CONTACT PERSON**

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

Name:	Justin Sotelo
Address:	Veterinary Medical Board 1747 North Market Blvd., Suite 230 Sacramento, CA 95834
Telephone No.:	916-515-5238
Fax No.:	916-928-6849
E-Mail Address:	Justin.Sotelo@dca.ca.gov

The backup contact person is:

Name:	Timothy Rodda
Address:	Veterinary Medical Board 1747 North Market Blvd., Suite 230 Sacramento, CA 95834
Telephone No.:	916-515-5227
Fax No.:	916-928-6849
E-Mail Address:	Timothy.Rodda@dca.ca.gov

**Website Access:** Materials regarding this proposal can be found at [www.vmb.ca.gov](http://www.vmb.ca.gov).

**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
DIVISION 20. VETERINARY MEDICAL BOARD**

**INITIAL STATEMENT OF REASONS**

**Hearing Date:** No hearing has been scheduled for the proposed action.

**Subject Matter of Proposed Regulations:** RVT Emergency Animal Care

**Sections Affected:** Section 2069, Article 6, Division 20, Title 16 of the California Code of Regulations (CCR)<sup>1</sup>

**Background and Problem Statement:**

Business and Professions Code (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. The Board enforces the Veterinary Medicine Practice Act (Act) and oversees veterinary licensees, registered veterinary technicians (RVTs), veterinary premises, and veterinary assistant controlled substance permit holders (VACSPs).

BPC section 4836, subdivision (a) requires the Board to adopt regulations establishing animal health care tasks and an appropriate degree of supervision required for those tasks that may be performed only by an RVT or licensed veterinarian. BPC section 4836.1 authorizes an RVT to administer a drug, including but not limited to, a drug that is a controlled substance, under the direct or indirect supervision of a licensed veterinarian when done pursuant to the order, control, and full professional responsibility of a licensed veterinarian. BPC section 4840.5 authorizes an RVT, under conditions of an emergency, to render lifesaving aid and treatment to an animal; however, if the emergency aid and treatment is not rendered in the presence of a licensed veterinarian, the treatment may only be continued under the direction of a licensed veterinarian. The statute defines “emergency” to mean that the animal has been placed in a life-threatening condition where immediate treatment is necessary.

During the Board’s 2015 Sunset Review, animal welfare groups raised concerns regarding immediate veterinary care to animals injured in a rodeo or sporting event. The animal welfare groups asserted that there are more animal injuries and deaths at rodeo events than are being reported to the Board; accordingly, the groups requested that a veterinarian be required to be present at every rodeo event to provide immediate veterinary care to injured animals, or, as an alternative, an RVT could be utilized if under the appropriate supervision of a veterinarian. The Background Paper for the Board’s Legislative Oversight Hearing recommended that the on-call veterinarian requirement be considered insufficient to provide for appropriate oversight and the immediate treatment of injured animals at rodeo events must be performed by a licensed veterinarian present on-site or an RVT who is under the appropriate degree of supervision by the veterinarian.

To comply with the Legislature’s recommendation to address RVT supervision in providing emergency animal care at rodeos, the proposal would clarify BPC section 4840.5, by revising CCR section 2069, which provides the conditions under which an RVT may provide emergency treatment and the emergency treatment that may be provided, to clarify an RVT’s authority to

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

administer drugs or controlled substances to animals in an emergency. The proposal would also implement recent statutory changes to BPC section 4840.5 made by Senate Bill (SB) 547 (Hill, Chapter 429, Statutes of 2017), which deleted the restriction of RVTs to render emergency aid to only circumstances where immediate treatment was necessary to sustain life, and address RVT health care tasks performed at sanctioned rodeos or other sporting events. The Board anticipates that the health, safety, and welfare of animals in emergency situations will be better protected by clarifying an RVT's ability to administer drugs and controlled substances.

**SPECIFIC PURPOSE, ANTICIPATED BENEFIT, AND RATIONALE:**

**A. Amend section 2069, subsection (a) of Article 6 of Division 20 of Title 16 of the CCR**

1. **Purpose:** The purpose of this proposal is to make minor grammatical and clarifying changes to the section by adding "of the code," replacing the term "life saving" with "lifesaving," and specifying that "emergency" treatment is also allowed to provide consistency with the Act and clarity in the regulation.
2. **Anticipated Benefit:** The Board anticipates that consumers and their animals, veterinarians, and RVTs will benefit from the minor, technical clarifying revisions in this proposal as the revisions would conform the terms used in the regulation to the terms used in the corresponding statutes and provide consistency between the statutes and regulation. Further, if a consumer, veterinarian, or RVT seeks to understand what emergency animal care an RVT can provide under this section, adding the phrase "of the code" clarifies that the Section 4840.5 referred to is in the Business and Professions Code. This saves consumers, veterinarians, and RVTs time and confusion, as presently, there is no CCR, title 16, section 4840.5, and determining this is time-consuming. If a consumer, veterinarian, or RVT seeks to understand what services an RVT can render during a condition of emergency, the amendments correcting "life saving" to the proper grammatical form of the adjective "lifesaving" and adding the phrase "or emergency" to better clarify the treatment an RVT can render. Consumers, veterinarians, and RVTs would all benefit when this regulation is amended to be more quickly and easily understood.
3. **Rationale:** The proposal is necessary to clarify ambiguous terms in the existing regulation. CCR section 2069 currently references Section 4840.5, but it does not clarify that section is found in the BPC, rather than the regulations. CCR section 2002 defines the term "code" to mean the BPC, so the proposal would add the term "code" after section 4840.5 for clarity. In addition, the proposal is necessary to clarify the term "life saving" by correcting that term to "lifesaving," which conforms to BPC section 4840.5 and the use of "lifesaving" in that statute, which is the statute this regulation clarifies. The proposal also adds the term "or emergency" treatment to conform to BPC section 4840.5, which uses both the terms "lifesaving aid and treatment" and "emergency aid and treatment." Additionally, BPC section 4840.5 defines "emergency" to mean that an animal has been placed in a life-threatening condition where immediate treatment is needed, so the proposal is necessary to conform to the terms used in the statute that the regulation clarifies.

**B. Repeal section 2069, subsection (a)(2) of Article 6 of Division 20 of Title 16 of the CCR**

1. **Purpose:** The purpose of this proposal is to remove this subsection to instead incorporate RVT administration of pharmacological agents in new subsection (b).

2. Anticipated Benefit: The Board anticipates that consumers and their animals will benefit from repealing CCR section 2069, subsection (a)(2) because the proposal will clarify, in new subsections (b) and (c), the supervision requirements for administration by an RVT of drugs or controlled substances, as provided in new subsection (b), or pursuant to written instructions, as provided for in new subsection (c). The Board anticipates that RVTs and veterinarians will also benefit from the repeal of subsection (a)(2) in favor of clarified provisions for RVT supervision in the administration of controlled substances and drugs. Further, the Board anticipates that RVTs and veterinarians will benefit from striking the term “pharmacological agents,” which is not otherwise defined in regulation, and replacing that term in subsection (b) with “drugs and controlled substances,” which is used throughout the laws and regulations relating to veterinary medicine practice.
3. Rationale: The proposal is necessary to clarify an RVT’s authority to administer drugs and controlled substances in lifesaving or emergency situations. Currently, the regulation only provides for RVT administration of pharmacological agents to prevent or control shock. The Veterinary Medical Board’s Multidisciplinary Advisory Committee (MDC) researched this issue and determined it is necessary to expand RVT administration of drugs to manage pain, to sedate an animal for examination, to prevent further injury, and to prevent suffering of an animal, up to and including euthanasia. The original concern of animal welfare groups was to address animals in distress at rodeo events. As animals involved in rodeo events may experience more than shock, as currently provided for under the existing regulation, but may also experience pain and suffering, the regulation must be amended to allow an RVT to render emergency treatment in these additional circumstances. Accordingly, the additional circumstances are being added to new subsection (b), and the existing provision to administer pharmacological agents to prevent or control shock is being removed along with all of existing subsection (a)(2).

**C. Amend section 2069, subsection (a)(3) through (8) of Article 6 of Division 20 of Title 16 of the CCR**

1. Purpose: The purpose of this section is to amend subsection (a)(3) through (8), to renumber these provisions as (a)(2) through (7) following the deletion of subsection (a)(2).
2. Anticipated Benefit: The Board anticipates that consumers and veterinary professionals will benefit from renumbering subsection (a)(3) through (8), which will provide clarity and consistency to the section.
3. Rationale: This proposal is necessary to maintain consistency throughout the regulation; by deleting subsection (a)(2), there would be a gap between (a)(1) and (3). This proposal renumbers (a)(3) through (8) to fill the gap and become subsection (a)(2) through (7).

**D. Adopt section 2069, subsection (b) of Article 6 of Division 20 of Title 16 of the CCR**

1. Purpose: The purpose of this subsection is to maintain the existing requirement under subsection (a)(2) that administration of drugs or controlled substances by an RVT to an animal in an emergency may only be performed after direct communication with a licensed veterinarian or veterinarian authorized to practice in this state.
2. Anticipated Benefit: The Board anticipates that the health, safety, and welfare of consumers and their animals will be better protected through a carefully tailored provision to authorize an RVT, after direct communication with a veterinarian, to

administer drugs and controlled substances to relieve the animals from shock, pain, further injury, and suffering.

3. Rationale: The proposal is necessary to clarify an RVT's authority to administer drugs and controlled substances to an animal in an emergency. Following the Legislature's recommendation to the Board to authorize an RVT to address emergency animal treatment at rodeos, the Board referred the matter to the MDC (see Tab. D.2). The MDC discussed the existing statutory authority in BPC section 4840.5 of an RVT to provide emergency care and treatment at rodeos, and the emergency conditions clarified in CCR section 2069. The MDC's meeting materials indicated that the presence of the RVT at a rodeo event should not be a substitute for the requirement that a veterinarian be on-call for any professionally sanctioned or amateur rodeo. Rather, if an RVT would be present at the event to provide emergency care and treatment, a veterinarian should be on call to provide direction to the RVT until such time as the injured animal may be transported to a veterinary hospital as deemed necessary.

Through the process of deliberations, the MDC and the Board determined that additional circumstances for the administration by an RVT of drugs or controlled substances to animals in an emergency situation needed to be included. Current subsection (a)(2) only authorizes administration of a pharmacological agent to prevent or control shock. This proposal is necessary to expand emergency treatment to include pain management and sedation and prevent animal suffering as described further below.

This proposal is also necessary to clarify the term "pharmacological agents" used in existing subsection (a)(2). The original term "pharmacological agents" must be amended to instead refer to "a drug or controlled substance" to maintain the consistent use of a "drug or controlled substance" used in the Act, the Pharmacy Law, the California Uniform Controlled Substances Act, and other relevant state and federal laws applicable to veterinary medicine.

**E. Adopt section 2069, subsection (b)(1) of Article 6 of Division 20 of Title 16 of the CCR**

1. Purpose: The purpose of this subsection is to incorporate the existing authority of an RVT under subsection (a)(2) to administer a drug or controlled substance to an animal in an emergency to prevent or control shock.
2. Anticipated Benefit: The Board anticipates that the health, safety, and welfare of consumers and their animals will be better protected through a carefully tailored provision to authorize an RVT, after direct communication with a veterinarian, to administer drugs and controlled substances in an emergency to relieve animals from shock.
3. Rationale: Following the Legislature's recommendation to the Board to authorize an RVT to address emergency animal treatment at rodeos, the Board referred the matter to the MDC. The MDC discussed the existing statutory authority in BPC section 4840.5, which allows an RVT to provide emergency care and treatment at rodeos, and the emergency conditions clarified in CCR section 2069. The MDC determined that the existing provision authorizing an RVT to administer drugs or controlled substances to prevent or control shock of an animal in an emergency is still necessary. Accordingly, the proposal maintains the ability of an RVT to administer a drug or controlled substance to prevent or control shock.



**F. Adopt section 2069, subsection (b)(2) of Article 6 of Division 20 of Title 16 of the CCR**

1. Purpose: The purpose of this subsection is to provide for administration by an RVT of a drug or controlled substance to an animal in an emergency to manage pain or sedate an animal to prevent further injury.
2. Anticipated Benefit: The Board anticipates that the health, safety, and welfare of consumers and their animals will be better protected through a carefully tailored provision to authorize an RVT, after direct communication with a veterinarian, to administer drugs and controlled substances to relieve the animals from pain or further injury.
3. Rationale: The proposal is necessary to address emergency situations where an animal needs immediate relief from pain or to prevent further injury to the animal. At the Board's April 20-21, 2016 meeting, the Board heard from a veterinarian who served as an on-call veterinarian at rodeo events for 22 years. In that time, he was only called to an emergency at a rodeo three times, and by the time he got to the animal, the animal had passed away. To manage the animal's pain in times when the veterinarian is not on-site during an emergency, the MDC determined it necessary to add to the regulation the ability for an RVT to administer a drug or controlled substance to provide immediate pain relief to the animal.

During deliberation of the pain management and sedation provision of the proposal, concern was raised as to the ability of an RVT to transport controlled substances from the veterinary hospital to a rodeo. At the MDC's April 18, 2017 meeting, the MDC determined that federal and state law authorize an RVT, acting as a mid-level practitioner registered with the Board and authorized to administer controlled substances, or as an employee of the veterinarian and acting under the veterinarian's controlled substances registration, to transport and dispense a controlled substance at a site other than the supervising veterinarian's principal place of business and under the direct or indirect supervision of the licensed veterinarian.

**G. Adopt section 2069, subsection (b)(3) of Article 6 of Division 20 of Title 16 of the CCR**

1. Purpose: The purpose of this subsection is to clarify that an RVT may administer a drug or controlled substance to an animal in an emergency to prevent suffering of an animal, up to and including euthanasia.
2. Anticipated Benefit: The Board anticipates that the health, safety, and welfare of consumers and their animals will be better protected through clarity in this subsection that an RVT is able to prevent suffering of an animal, up to and including euthanasia, by administering a drug or controlled substance to the animal.
3. Rationale: The proposal is necessary to address emergency situations where an animal is so injured that immediate euthanasia is necessary to relieve the animal from suffering. At the Board's February 21-22, 2018 meeting, the Board discussed whether an RVT could euthanize an animal in an emergency (see Tab D.9). Under CCR section 2036, an RVT can administer controlled substances under the indirect supervision of a veterinarian. With the authority provided in section 2036, coupled with the amendments to section 2069 relative to emergency animal care at a rodeo or other sporting event, an RVT would be able to administer controlled substances necessary to euthanize an animal injured at the rodeo or other sporting event pursuant to the responsible veterinarian's instructions. Accordingly, the Board determined it necessary to specifically

include in the regulation and make clear an RVT's authority to administer drugs or controlled substances to prevent an animal from suffering, up to and including euthanasia, in an emergency under the direct supervision of a supervising veterinarian.

**H. Adopt section 2069, subsection (c) of Article 6 of Division 20 of Title 16 of the CCR**

1. Purpose: The purpose of this subsection is to allow for an RVT to provide emergency services if direct communication with the supervising or responsible veterinarian cannot be obtained.
2. Anticipated Benefit: The Board anticipates that the health, safety, and welfare of consumers and their animals will be better protected through clarity in this subsection that an RVT can administer drugs or controlled substances to animals in an emergency if the RVT is in direct communication with the supervising or responsible veterinarian, or if that cannot be established, by following the written instructions of the supervising or responsible veterinarian.
3. Rationale: The proposal is necessary to maintain the existing ability in subsection (a)(2) of an RVT to act under the written instructions of the supervising veterinarian. This provision ensures that animals who are suffering will receive immediate treatment from the RVT.

In addition, the Background Paper for the Board's Legislative Oversight Hearing recommended that the on-call veterinarian requirement be considered insufficient to provide for appropriate oversight, and that the immediate treatment of injured animals at rodeo events must be performed by a licensed veterinarian present on-site or an RVT, who is under the appropriate degree of supervision of the veterinarian (see Tab D.1). This proposal responds to the Legislature's recommendation to provide for immediate emergency treatment by providing, in addition to the on-call veterinarian, for both RVT supervision by a veterinarian, as well as RVT supervision by the veterinarian charged with the responsibility to provide treatment to animals at the rodeo or event. In this way, the proposal clarifies that both a veterinarian and an RVT are available to provide emergency treatment to animals and provides appropriate supervision and instruction to the RVT by requiring either direct communication with a supervising veterinarian or written instructions of the supervising or responsible veterinarian.

Further, the Board determined it necessary to incorporate the emergency treatment of animals at rodeos or other sporting events to clarify for consumers, event personnel, veterinarians, and RVTs the ability of an RVT to administer a drug or controlled substance to an animal in an emergency. During the Board's 2015 Sunset Review, animal welfare groups raised concerns regarding immediate veterinary care to animals injured in a rodeo or sporting event (see Tab D.1). Pursuant to Penal Code 596.7, the management of any professionally sanctioned or amateur rodeo that intends to perform in any city or county in California must ensure that there is a licensed veterinarian present at all times during the performances of a rodeo or that a licensed veterinarian is "on-call" and able to arrive at the rodeo within one hour after a determination has been made that there is an injury that requires veterinary treatment. The animal welfare groups asserted that there are more animal injuries and deaths at rodeo events than are being reported to the Board; accordingly, the groups requested that the veterinarian be required to be present at every rodeo event to provide immediate veterinary care to injured animals, or, as an alternative, an RVT could be utilized if under the appropriate supervision of a veterinarian.

The proposal is also necessary to avoid redundancy in the regulation. When the MDC initially determined that a new provision for sedation and pain management was needed, the provision was added as new subsection (b) and contained identical provisions for direct communication and written orders as existing subsection (a)(2) (see Tab D.4). To avoid redundancy in creating three separate subsections for the administration of a drug or controlled substance pursuant to direct communication or under written instructions, this subsection is necessary and applies to each of the three circumstances listed in subsection (b)(1) through (3) when an RVT is unable to establish direct communication with the supervising veterinarian (see Tab D.7).

### **Underlying Data**

- March 14, 2016 Senate Committee on Business, Professions and Economic Development and Assembly Committee on Business and Professions Oversight Hearing Background Paper for the Board
- April 20-21, 2016 Board Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- October 18, 2016 MDC Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- January 17, 2017 MDC Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- January 18-19, 2017 Board Meeting Agenda (inadvertently dated January 18-19, 2016); Relevant Meeting Materials; and Meeting Minutes
- April 18, 2017 MDC Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- July 25, 2017 MDC Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- October 18-19, 2017 Board Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- February 21-22, 2018 Board Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes
- May 23-24, 2018 Board Meeting Agenda; Relevant Meeting Materials; and Meeting Minutes

### **Business Impact**

The Board has made the initial determination that this proposal will not have a significant adverse economic impact directly affecting businesses because it clarifies the existing ability of an RVT to render emergency treatment to animals.

### **Economic Impact Analysis**

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the regulation clarifies existing law for RVTs rendering emergency treatment to animals.
- It will not create new businesses or eliminate existing businesses within the State of California because the regulation clarifies existing law for RVTs rendering emergency treatment to animals.
- It will not affect the expansion of businesses currently doing business with the State of California because the regulation clarifies existing law for RVTs rendering emergency treatment to animals.

- It will improve the health, safety, and welfare of consumers and their animals because it clarifies that an RVT can administer drugs or controlled substances to animals in an emergency through either direct communication or written instructions.
- It may benefit worker safety as the proposal provides for an RVT to administer drugs or controlled substances to an animal in pain or to sedate an animal, who may be dangerous to itself, as well as to rodeo and sporting event workers and veterinary medical personnel.
- It does not affect the state's environment.

### **Overview**

There are approximately 7,200 licensed RVTs and approximately 12,400 licensed veterinarians in California. The Board does not know how many rodeos or sporting events that involve animals are held in California. This proposal clarifies how RVTs may, in emergencies, treat pain as well as life-threatening injuries in animal patients with drugs or controlled substances under the direct supervision of a veterinarian, or in accordance with written instructions established by a supervising veterinarian. This proposal will impact California RVTs who may need to administer drugs or controlled substances to an animal in an emergency situation without veterinarian supervision, as well as veterinarians and rodeos and sporting events that involve animals. The Board is not able to estimate the number of RVTs, veterinarians, and rodeos or sporting events that involve animals that may be impacted by this proposal, nor can the Board estimate the number of RVTs, veterinarians, or rodeos or sporting events involving animals potentially impacted by this proposal that are small businesses. The Board does not anticipate the creation or elimination of businesses or any expansion of businesses in California as a result of the proposal.

### **Economic Impact Assessment of Benefits**

The Board has determined this proposal will benefit the health, safety, and welfare of California consumers and their animals by clarifying that, in emergencies, RVTs may treat pain as well as life-threatening emergencies in animal patients with drugs or controlled substances under specified conditions. This proposal may benefit worker safety as the proposal provides for an RVT to administer a drug or controlled substance to an animal in pain or to sedate an animal, who may be dangerous to itself, as well as to rodeo and sporting event workers and veterinary medical personnel. This proposal does not affect the state's environment. While difficult to quantify, this proposal also improves the quality of life in California for both animals in pain in emergency situations, and for the Californians who witness an animal in pain in an emergency.

- The benefits of this proposal are derived from the goals developed by the Board based on its broad statutory authority under BPC section 4808, which authorizes the Board to adopt and amend rules and regulations reasonably necessary to effectuate the Act. BPC section 4836, subdivision (a) requires the Board to adopt regulations establishing animal health care tasks and an appropriate degree of supervision required for those tasks that may be performed only by an RVT or a licensed veterinarian. BPC section 4836.1 authorizes an RVT to administer a drug, including and not limited to, a drug that is a controlled substance, under the direct or indirect supervision of a licensed veterinarian when done pursuant to the order, control and full professional responsibility of the licensed veterinarian. BPC section 4840.5 authorizes an RVT, under conditions of an emergency, to render lifesaving aid and treatment to an animal; however, if the emergency aid and treatment is rendered not in the presence of a licensed veterinarian, the treatment may only be continued under the direction of a licensed veterinarian. The statute defines "emergency" to mean that the animal has been placed in a life-threatening condition where immediate treatment is necessary. The Board seeks to

clarify BPC section 4840.5 by revising CCR section 2069, which provides the conditions under which an RVT may provide emergency treatment as well as the emergency treatment that may be provided, to clarify the an RVT's authority to administer drugs or controlled substances.

- The proposal also implements recent statutory changes to BPC section 4840.5 made by Senate Bill (SB) 547 (Hill, Chapter 429, Statutes of 2017), which deleted the restriction of RVTs to render emergency aid to only circumstances where immediate treatment was necessary to sustain life, and addresses RVT health care tasks performed at sanctioned rodeos or other sporting events involving animals. The Board anticipates that the health, safety, and welfare of animals in emergency situations will be better protected by clarifying an RVT's ability to administer drugs and controlled substances.

### **Requirements for Specific Technologies or Equipment**

This regulatory proposal does not mandate the use of specific technologies or equipment.

### **Consideration of Alternatives**

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

**California Code of Regulations  
Title 16. Professional and Vocational Regulations  
Division 20. Veterinary Medical Board**

PROPOSED LANGUAGE

Proposed amendments to the regulatory language are shown in single underline for new text and ~~single strikethrough~~ for deleted text.

**Amend Section 2069 of Article 6 of Division 20 of Title 16 of the California Code of Regulations as follows:**

§ 2069. Emergency Animal Care.

Emergency animal care rendered by registered veterinary technician.

(a) Under conditions of an emergency as defined in Section 4840.5 of the code, a registered veterinary technician may render the following ~~life-saving~~lifesaving aid and emergency treatment to an animal:

- (1) Application of tourniquets and/or pressure bandages to control hemorrhage.
- ~~(2) Administration of pharmacological agents to prevent or control shock, including parenteral fluids, shall be performed after direct communication with a licensed veterinarian or veterinarian authorized to practice in this state. In the event that direct communication cannot be established, the registered veterinary technician may perform in accordance with written instructions established by the employing veterinarian. Such veterinarian shall be authorized to practice in this state.~~
- (32) Resuscitative oxygen procedures.
- (43) Establishing open airways including intubation appliances but excluding surgery.
- (54) External cardiac resuscitation.
- (65) Application of temporary splints or bandages to prevent further injury to bones or soft tissues.
- (76) Application of appropriate wound dressings and external supportive treatment in severe burn cases.
- (87) External supportive treatment in heat prostration cases.

(b) The following tasks shall only be performed after direct communication with a veterinarian licensed or otherwise authorized to practice in this state:

- (1) Administration of a drug or controlled substance to prevent or control shock, including parenteral fluids.
- (2) Administration of a drug or controlled substance to manage pain or to sedate an animal for examination or to prevent further injury.
- (3) Administration of a drug or controlled substance to prevent suffering of an animal, up to and including euthanasia.

(c) In the event that direct communication cannot be established as required under subdivision (b), the registered veterinary technician may perform the task in accordance with written instructions established by the supervising veterinarian, or, in the case of a sanctioned rodeo or other sporting event, the veterinarian charged with the responsibility to provide treatment to the animals at the rodeo or event.

Note: Authority cited: Sections 4808 and 4836, Business and Professions Code.  
Reference: Sections 4836.1 and 4840.5, Business and Professions Code.