



# MEMORANDUM

<b>DATE</b>	July 11, 2022
<b>TO</b>	Veterinary Medical Board (Board)
<b>FROM</b>	Jessica Sieferman, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 10. Update, Discussion, and Possible Action on 2021/2022 Legislation Impacting the Board, DCA, and/or the Veterinary Profession</b>

Legislation is amended, statuses are updated, and analyses are added frequently; thus, hyperlinks, identified in [blue, underlined text](#), are provided throughout this document to ensure Board members and the public have access to the most up-to-date information. The information below was based on legislation, statuses, and analyses (if any) publicly available on [July 8, 2022](#).

## A. Priority Legislation for Board Consideration

### 1. Assembly Bill (AB) [189](#) (Committee on Budget, 2021) State Government

Status: Senate Floor

Analysis: 06/28/22- Assembly Floor Analysis  
 06/28/22- Senate Floor Analyses  
 06/26/22- Senate Committee On Budget And Fiscal Review  
 02/24/21- Assembly Floor Analysis

**Summary**: This trailer bill, among other things, would reinstitute through July 1, 2023, the remote meeting provisions of the Bagley-Keene Open Meeting Act that were in place during the pandemic. Since this is a trailer bill, the changes would take effect immediately upon signing by the Governor.

In summary, and as a reminder of what was previously allowed during the pandemic, AB 189 would permit remote meetings under the following conditions:

- Notices do not need to state where any board member attending by teleconference will be physically located.
- All board members may attend meetings by teleconference and from private locations not available to the public.

- No board members need to be physically present at a location noticed for public attendance and participation in the meeting, if such a location will be provided.
- No physical location needs to be provided for the public to attend or participate in the meeting if they are allowed to participate by teleconference or other electronic means.

#### Requirements Still in Place:

- All public meetings must comply with all other notice requirements, including timing requirements (e.g., most meetings must be noticed at least 10 days in advance).
- Additionally, boards utilizing teleconference or other electronic means for public participation must describe those means (i.e., teleconference number, videoconference link, etc.) by which members of the public may observe the meeting and offer public comment in any notice and/or agenda that gets published.
- For upcoming meetings that have already been noticed – or for any meeting where the means of electronic participation changes – boards shall advertise the means (i.e., teleconference number, videoconference link, etc.) using “the most rapid means of communication available at the time.” Posting the teleconference/videoconference information to the Board’s website is sufficient for meeting this requirement. Please note this means that even if a Board is less than 10 days away from their regular public meeting, they may still notify the public of a new or alternative teleconference/videoconference option for public participation and keep the meeting at the originally scheduled date/time (i.e., a new 10-day notice is not required when only the means of electronic participation are altered).
- A public location may be made available for the public to attend in-person to both observe the meeting (which may just be listening to the teleconference or WebEx) and give public comment, but this is not required for any meeting. If a public location is to be provided, the location must be disclosed on the notice for the meeting. If the location changes, the meeting must be re-noticed at least 10 days before the meeting will be held. But if the meeting is merely changed to a teleconference/videoconference format, such change may be made less than 10 days before the meeting, so long as the information on how to participate is posted on the Board’s website.

- For any Board meeting where the public is allowed to observe and participate telephonically or by other electronic means, the Board must implement a procedure for receiving and swiftly resolving requests for reasonable modification/accommodation from those with disabilities in compliance with the Americans with Disabilities Act. The procedure must be advertised each time any notice is provided to the public about how they can participate by teleconference/videoconference.
- The physical location – if any will be provided – and opportunities to offer public comment must still be made available in a manner consistent with the Americans with Disabilities Act.

On June 30, 2022, the Governor signed Senate Bill [189](#), which contained identical language to AB 189. Since SB 189 was also a trailer bill, it became effective immediately up on signature.

**2. [AB 1662](#) (Gipson, 2022) Licensing boards: disqualification from licensure: criminal conviction**

**Amended: 4/27/22**

**Board Position: OPPOSE**

Status: Senate Appropriations Committee

Analysis: 06/25/22- Senate Public Safety

06/09/22- Senate Business, Professions and Economic Development

05/20/22- Assembly Floor Analysis

05/16/22- Assembly Appropriations

04/22/22- Assembly Business and Professions

Hearing Date: 8/1/22

**Summary**: This bill would require a board to establish a process by which prospective applicants may request a preapplication determination as to whether their criminal history could be cause for denial of a completed application for licensure by the board.

The bill would provide that the preapplication determination, among other things, may be requested by the prospective applicant at any time prior to the submission of an application and would require the board to include specified written information regarding the criteria used to evaluate criminal history and how the prospective applicant may challenge a denial by the board.

The bill would provide that a preapplication determination does not constitute a denial or disqualification of an application and would prohibit requiring a preapplication determination for licensure or for participation in any education or training program.

The bill would require a board to publish information regarding its process for requesting a preapplication determination on its internet website and authorize a board to charge a fee, as specified, to be deposited by the board into the appropriate fund and available only upon appropriation by the Legislature.

This bill would also authorize a board, as specified, to require a prospective applicant to furnish a full set of fingerprints for purposes of conducting a criminal history record check as part of a preapplication determination.

**Staff Comments:** The Board opposed this bill during its April 2022 Board meeting. The position letter is attached for reference.

After the April Board meeting, the Board's Executive Officer (EO) met with Assembly Member Gipson's staff to explain the Board's position and discuss concerns raised by the Board. The EO shared the Board's appreciation for the bill, but explained the non-absorbable workload costs, duplicative investigations, and the potential for differing determinations that would hinder the Board's ability to fulfill its consumer protection mandate.

In addition, the Board's EO shared concerns with the April 27, 2022 amendments that would authorize boards to charge a fee "in an amount not to exceed the lesser of fifty dollars (\$50) or the reasonable cost of administering this section" and authorize the Board to require applicants to furnish full sets of fingerprints. While the intent is appreciated, to charge a fee and require the fingerprints, the Board must promulgate regulations. This would increase the costs associated with implementing the bill and significantly delay when the bill could be implemented.

Since the prior concerns raised by the Board and additional concerns raised by the EO remain unaddressed, Board staff recommends maintaining its position or considering an oppose unless amended position.

The following DCA Boards have opposed this bill:

- Board of Registered Nursing
- Board of Vocational Nursing and Psychiatric Technicians
- Board of Psychology
- Dental Hygiene Board of California
- Naturopathic Medical Committee
- Physical Therapy Board of California
- Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board
- Veterinary Medical Board

3. **AB 1733 (Quirk, 2022) State bodies: open meetings**

**Board Position:** SUPPORT

**Status:** Assembly Governmental Organization Committee; Hearing postponed by committee

**Analysis:**

**Summary:** This urgency bill would specify that a “meeting” held under the Bagley-Keene Open Meeting Act includes a meeting held entirely by teleconference, as defined, so long as the state body adheres to certain specified requirements such as: ensuring the public has the means to hear, observe, and address the state body during the meeting; providing the public with at least one physical location where they can participate; posting the meeting agendas online and at the physical meeting location with information indicating how the meeting can be accessed; and ensuring that if a means of remote participation fails, the meeting must adjourn.

**Staff Comments:** The Board voted to support this bill during its April 2022 meeting. The position letter is attached for reference. Unfortunately, the bill was held in committee and the bill was unsuccessful.

The main reason this bill was held was because the Assembly Governmental Organization Committee wanted the language amended to require a quorum of the Board at the physical meeting location. Since that would essentially defeat the purpose of the bill, the Author’s office did not agree to those changes.

Fortunately, with SB 189 passing, the Board can continue following the same meeting protocols it did when the COVID-19 waivers were in place. Staff anticipates another bill mirroring AB 1733 being proposed next legislative session.

4. **AB 1885 (Kalra, 2022) Cannabis and cannabis products: animals: veterinary medicine**

**Amended:** 5/19/22

**Board Position:** SUPPORT

**Status:** Senate Appropriations Committee

**Analysis:** 06/17/22- Senate Business, Professions and Economic Development  
05/24/22- Assembly Floor Analysis  
05/02/22- Assembly Appropriations  
04/16/22- Assembly Business and Professions

Hearing Date: 8/1/22

**Summary:** This bill would prohibit the Board from disciplining a veterinarian solely for discussing or recommending the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes. The bill

would expand the existing Board authority to deny, revoke, or suspend a license for recommending cannabis for use with a client while the veterinarian is employed by or has an agreement with a cannabis licensee, as specified. The bill would require the Board to adopt guidelines, by January 1, 2024, for veterinarians to follow when recommending cannabis within the veterinarian-client-patient relationship and would require the Board to post the guidelines on its internet website.

In addition, this bill would amend the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to revise the definitions of “cannabis products,” “cannabis concentrate,” and “edible cannabis product” to include products intended to be used for therapeutic effect, health supplementation, or consumption by, an animal. The bill would exclude from the definition of “animal,” for these purposes, livestock and food animals, as specified. The bill would require that cannabis products intended for therapeutic effect or health supplementation use on, or for consumption by, an animal to conform with additional relevant standards, including but not limited to, an alternative standardized concentration established by the Department of Cannabis Control.

**Staff Comments:** During its April 20, 2022 meeting, the Board heard from stakeholders and discussed the issues regarding authorizing veterinarians to recommend the use of cannabis on an animal for potential therapeutic effect or health supplementation, as well as concerns regarding the sale by adult use (recreational, A-license) retailers of medicinal cannabis for use on animals, rather than requiring a veterinarian recommendation for sale only at medicinal use (M-license) retailers. Board members also noted their opposition to prior iterations of this bill that did not provide research funding for the use of cannabis on animals.

In addition, it was noted that, although the Board appreciated the stakeholder concerns with allowing pet owners, without any veterinarian consultation, let alone a recommendation, to purchase cannabis for use on animals at adult-use retailers, and the Board wishes animal cannabis research funding could be obtained, the Board took a support position on AB 1885.

Ultimately, the Board supported AB 1885 because pet owners are increasingly purchasing cannabis products for their pets to treat a variety of ailments. While veterinarians currently are allowed to discuss with pet owners the use of cannabis on an animal for medicinal purposes, veterinarians are not authorized to make any recommendations for the appropriate use and safe dosage for the pet. This leads to pet owners either guessing appropriate dosages to treat their pet’s medical conditions or seeking product recommendations from cannabis dispensary clerks, who likely are not educated or trained in the use of cannabis on animal patients.

The Board’s position letter is attached for reference.

5. **AB 2606 (Carrillo, 2022) Cats: declawing procedures: prohibition; and Any Other Potential Legislation Related to Prohibiting Cat Declawing Board Position: OPPOSE**

**Status:** Dead; Senate Business, Professions and Economic Development Committee; Hearing canceled at the request of author

**Analysis:** 06/17/22- Senate Business, Professions and Economic Development  
05/20/22- Assembly Floor Analysis  
05/16/22- Assembly Appropriations  
04/23/22- Assembly Business and Professions

**Summary:** This bill would amend the Food and Agricultural Code to prohibit a person from performing surgical claw removal, declawing, or a tendonectomy on any cat or otherwise altering a cat's toes, claws, or paws to prevent or impair the normal function of the cat's toes, claws, or paws, except for procedures performed solely for a therapeutic purpose. The bill would subject a person that violates that prohibition to specified civil penalties.

**Staff Comments:** During the April 2022 meeting, the Board opposed AB 2606. The position letter is attached for reference.

The CVMA and the Board's EO testified as the lead opposition to AB 2606 during the April 26, 2022 Assembly Business and Profession Committee hearing. Subsequently, the EO met with the Author's office, the bill's sponsor ([The Paw Project](#)), and their lobbyist to discuss the Board's concerns with the bill (as outlined in the Board's position letter). During that meeting, the Board EO was asked multiple questions related to how the Board came to their position, including what data the Board used to conclude declaw procedures have declined and that unlicensed activity would occur if veterinarians are prohibited from providing the procedure. The Board EO was also asked about the Board's lack of position on prior legislation over ten years ago regarding declawing wild cats and cropping cattle tails and how the Board's current position aligns with the Board's mission.

The Board EO explained the role of the EO in the meeting was not to debate/argue policy, but to share the position of the Board and the concerns raised. The lobbyist informed the EO about the significant data they had proving the opposite of what the Board is concerned about. The Board's EO invited them to provide any data and/or information they felt was necessary for the Board to consider during their July meeting. As of the date of this memo, no such data/information was provided.

The bill was scheduled to be heard in the Senate Business, Professions and Economic Development Committee on June 20. However, the Board's EO was informed the Author was unwilling to accept the suggested amendments

in the June 17, 2022 Senate Business, Professions and Economic Development Analysis, and instead, canceled the hearing.

While AB 2606 failed to pass, the Board's EO was informed this issue will return in the near future. Given the fact the Board will not meet again until October, the Board may want to consider giving the Board's Executive Committee the authority to oppose any potential legislation this session that prohibits veterinarians from performing any cat declawing procedures.

**6. Senate Bill (SB) [1031](#) (Ochoa Bogh, 2022) Healing arts boards: inactive license fees**

**Board Position:** OPPOSE

**Status:** Dead; Senate Appropriations Committee; Held under submission

**Analysis:**

**Summary:** This bill would require the renewal fee for an inactive license issued by a healing arts board to be 1/2 of the amount of the fee for a renewal of an active license unless the board establishes a lower fee.

**Staff Comments:** If enacted, the Board would lose roughly \$104,475 in revenue each renewal cycle. Due to the Board resources required to maintain inactive licenses and the negative impact to the Board's fund if enacted, the Board opposed this bill during the April 2022 meeting. The position letter is attached for reference.

**7. SB [1495](#) (Committee on Business, Professions and Economic Development, 2022) Professions and vocations**

**Amended: 6/29/2022**

**Board Position:** SUPPORT

**Status:** Assembly Appropriations Committee

**Analysis:** 06/24/22- Assembly Business and Professions

05/21/22- Senate Floor Analyses

05/06/22- Senate Appropriations

04/14/22- Senate Business, Professions and Economic  
Development

Hearing Date: 8/3/22

**Summary:** This bill, among other things, deletes an obsolete provision in the Veterinary Medicine Practice Act relating to continuing education hours earned by attending courses sponsored or cosponsored by those entities between January 1, 2000, and January 1, 2001.

The Veterinary Medicine Practice Act authorizes the board to deny, revoke, or suspend a licensee or registrant or assess a fine if a licensee or registrant makes a statement, claim, or advertisement that they are a veterinary specialist



or board certified unless they are certified by an American Veterinary Medical Association-Recognized Veterinary Specialty Organization.

This bill would add the National Association of Veterinary Technicians in America-Recognized Veterinary Specialty Organization.

**Staff Comments:** The Board took a Support position on this bill during the April 2022 meeting. The position letter is attached for reference. Since then, the bill was amended to include NAVTA recognized specialty organizations, as the Board requested. This bill now has two of four amendments the Board hoped to have included in an omnibus bill this legislative session. The remaining two amendments include the following:

- a. Add one RVT member to the Board composition (BPC, § 4800); and,
- b. Amend BPC section 4825.1 and add section 4826.3 to define Teleconsultation, Telehealth, Telemedicine, and Telerriage and specify how/when each can be used in practice.

The Board will need to pursue legislation next session for the remaining amendments.

## **B. Other Board-Monitored Legislation**

### **8. AB [225](#) (Gray, 2021) Department of Consumer Affairs: boards: veterans: military spouses: licenses**

**Status:** Dead; Senate Business, Professions and Economic Development Committee; Hearing postponed by committee

**Analysis:** 05/25/21- Assembly Floor Analysis  
05/11/21- Assembly Appropriations  
04/26/21- Assembly Military and Veterans Affairs  
04/02/21- Assembly Business and Professions

**Summary:** This bill would expand the provisions of the military spouse temporary licensure program to apply to military veterans who have been other-than-dishonorably discharged and active duty military members with orders for separation in 90 days.

### **9. AB [1604](#) (Holden, 2022) The Upward Mobility Act of 2022: boards and commissions: civil service: examinations: classifications**

**Amended: 6/30/2022**

**Status:** Senate Appropriations Committee

**Analysis:** 06/24/22- Senate Governmental Organization  
06/21/22- Senate Committee On Labor, Public Employment and Retirement  
05/20/22- Assembly Floor Analysis  
04/04/22 – Assembly Appropriations  
03/14/22- Assembly Public Employment and Retirement

Hearing Date: 8/1/22

**Summary:** This bill would, among other things, establish that it is the policy of the state that the composition of state boards and commissions be broadly reflective of the general public, removing reference to ethnic minorities or women from this policy. This bill also would require, on or after January 1, 2023, all state boards and commissions consisting of one or more volunteer members or commissioners, to have at least one volunteer board member or commissioner from an underrepresented community, as defined. This bill would further clarify that new board or commission members should be replaced, under these parameters, as vacancies occur.

**10. AB [1795](#) (Fong, 2022) Open Meetings: remote participation**

**Status:** Dead; Assembly Governmental Organization Committee

**Analysis:**

**Summary:** This bill would require state bodies, subject to existing exceptions, to provide all persons the ability to participate both in-person and remotely, as defined, in any meeting and to address the body remotely.

**11. AB [1881](#) (Santiago, 2022) Animal welfare: Dog and Cat Bill of Rights**

**Amended: 6/30/2022**

**Status:** Senate Appropriations Committee

**Analysis:** 06/28/22- Senate Business, Professions and Economic Development

06/24/22- Senate Judiciary

05/13/22- Assembly Floor Analysis

05/09/22- Assembly Appropriations

04/23/22- Assembly Business And Professions

Hearing date: 8/1/22

**Summary:** This bill would amend the Food and Agricultural Code to enact the Dog and Cat Bill of Rights, and would require every public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group to post a copy of the Dog and Cat Bill of Rights in a conspicuous place accessible to public view. The bill would impose a civil penalty for failure to post the Dog and Cat Bill of Rights, as specified. The bill would make legislative findings and declarations in support of the Dog and Cat Bill of Rights. By imposing new duties on local public officials, the bill would create a state-mandated local program.

**12. AB [2055](#) (Low, 2022) Controlled substances: CURES database**

**Status:** Dead; Assembly Appropriations Committee; Held under submission

**Analysis:** 05/16/22- Assembly Appropriations

04/25/22- Assembly Public Safety  
03/25/22- Assembly Business and Professions

**Summary:** This bill, as of April 1, 2023, would transfer the responsibility for administration of the CURES database from the Department of Justice to a department specified by the Governor.

**13. AB [2104](#) (Flora, 2022) Professions and vocations**

**Status:** Dead; Assembly Business and Professions Committee

**Analysis:**

**Summary:** This bill would authorize the Department of Consumer Affairs (DCA) and each board in DCA to charge a fee not to exceed \$2 for the certification of a copy of any record, document, or paper in its custody. The bill also would require the delinquency, penalty, or late fee for any licensee within the department to be 50% of the renewal fee for that license, but not to exceed \$150.

**14. AB [2642](#) (Mayes, 2022) Department of Consumer Affairs: director: powers and duties**

**Status:** Dead

**Analysis:**

**Summary:** This is a spot bill related to DCA.

**15. AB [2948](#) (Cooper, 2022) Consumer protection: Department of Consumer Affairs: complaints**

**Status:** Dead; Assembly Business and Professions Committee

**Analysis:**

**Summary:** This bill would require the DCA Director to advise, within 60 calendar days of the date that a consumer complaint is deemed closed, the consumer of the action taken on the complaint and of any other means which may be available to the consumer to secure relief, unless doing so would be injurious to the public health, safety, or welfare.

**16. SB [1237](#) (Newman, 2022) Licenses: military service**

**Status:** Assembly Appropriations Committee

**Analysis:** 06/27/22- Assembly Military And Veterans Affairs

06/10/22- Assembly Business And Professions

05/11/22- Senate Floor Analyses

04/25/22- Senate Committee On Military And Veterans Affairs

03/31/22- Senate Business, Professions and Economic  
Development

Hearing Date: 8/3/22

**Summary:** Existing law provides for the regulation of various professions and vocations by boards within DCA and for the licensure or registration of individuals in that regard. Existing law authorizes any licensee or registrant whose license expired while the licensee or registrant was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate the licensee's or registrant's license without examination or penalty if certain requirements are met.

Existing law requires the boards described above, with certain exceptions, to waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the board, if any are applicable, of any licensee or registrant who is called to active duty as a member of the United States Armed Forces or the California National Guard if certain requirements are met. Existing law, except as specified, prohibits a licensee or registrant from engaging in any activities requiring a license while a waiver is in effect.

This bill would define the phrase "called to active duty" to include active duty in the United States Armed Forces and on duty in the California National Guard, as specified.

**17. SB [1310](#) (Leyva, 2022) Professions and vocations: consumer complaints**

**Status:** Dead; Senate Business, Professions and Economic Development Committee; Hearing postponed by committee

**Analysis:**

**Summary:** Existing law establishes DCA under the direction of the Director of Consumer Affairs and requires the director to receive complaints from consumers concerning prescribed matters, including violations of California law governing businesses and professions licensed by any agency of the department, and promulgated regulations. Existing law requires the director, through the Division of Investigation, to implement complaint prioritization guidelines for boards within the department to utilize in prioritizing their respective complaint and investigative workloads. Existing law requires the director to amend the guidelines to include the category of "allegations of serious harm to a minor" under the "urgent" or "highest priority" level on or before July 1, 2019.

This bill would require the director to post these guidelines on the department's internet website and periodically amend this material. The bill would remove the obsolete provision requiring the director to amend the guidelines to include the category described above under the "urgent" or "highest priority" level.

**18. SB [1365](#) (Jones, 2022) Licensing boards: procedures**

**Status:** Dead; Senate Appropriations Committee; Held under submission

Analysis: 05/06/22- Senate Appropriations  
04/22/22- Senate Public Safety  
03/31/22- Senate Business, Professions and Economic  
Development

**Summary:** This bill would require each board within DCA to publicly post on its internet website a list of criteria used to evaluate applicants with criminal convictions so that potential applicants for licensure may be better informed about their possibilities of gaining licensure before investing time and resources into education, training, and application fees. The bill would require the department to establish a process to assist each board in developing its internet website, as specified.

The bill would also require the department to develop a process for each board to use in verifying applicant information and performing background checks of applicants and would require that process to require applicants with convictions to provide certified court documents instead of listing convictions on application documents. The bill would further require the department to develop a procedure to provide for informal appeals process that would occur between an initial license denial and an administrative law hearing.

**Attachments:**

1. AB 1662 Board Opposition Letter
2. AB 1733 Board Support Letter
3. AB 1885 Board Support Letter
4. AB 2606 Board Opposition Letter
5. SB 1031 Board Opposition Letter
6. SB 1495 Board Support Letter



April 25, 2022

The Honorable Marc Berman, Chair  
Assembly Business and Professions Committee  
1021 O Street, Suite 6130  
Sacramento, CA 95814

Re: Assembly Bill (AB) 1662 (Gipson, 2022) – OPPOSE

Dear Chair Berman:

The Veterinary Medical Board (Board) regulates the largest population of veterinarians and registered veterinary technicians 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 (Practice 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.

After discussing AB 1662 during its April 20 meeting, the Board took an oppose position. Each criminal conviction notification received by the Board is investigated, which includes obtaining evidence from the arresting agency and the criminal court. If the conviction is substantially related to the practice of veterinary medicine, appropriate action is taken based on the Board's rehabilitation criteria pursuant to California Code of Regulations (CCR), title 16, section 2041.

The Board appreciates the intent of AB 1662 to provide notification of disqualification for licensure before applicants with criminal backgrounds spend time and money on expensive schooling. Currently, when the Board is contacted by prospective applicants with criminal convictions or by veterinary colleges with prospective students who have criminal convictions, the Board provides them the rehabilitation criteria, an overview of the investigative process, and the statistically low denial rate<sup>1</sup>.

If this bill were to pass, the Board would receive mail and email requests for a preapplication determination from prospective applicants regarding criminal convictions. Following receipt of this prospective applicant correspondence, the Board would have to conduct the same investigation and analysis to determine whether the prospective applicant may be disqualified from licensure. Board staff estimates this would increase enforcement workload by roughly 160 cases per year and cost an additional \$71,500.00 annually. The Board cannot absorb this additional workload or associated costs. Yet,

---

<sup>1</sup> Since July 1, 2019, the Board has received 300 applications from applicants with convictions. Of those, only 16 (5%) were denied and did not obtain a license.

The Honorable Marc Berman, Chair

April 25, 2022

Page 2

AB 1662 would not authorize any licensing board to collect a fee to cover staff time processing the preapplication determination requests.

In addition, as written, the Board would be required to make that preapplication determination based on "information [the applicant] submitted with the request" and not criminal background results. Relying on information the applicant chooses to provide rather than official records, such as arrest reports, court documents, and laboratory results during the pre-application phase may result in differing determinations once the applicant applies for a license.

For these reasons, the Board opposes AB 1662.

Sincerely,



Kathy Bowler, President  
Veterinary Medical Board



Christina Bradbury, DVM, Vice-President  
Veterinary Medical Board

cc: Assembly Member Mike A. Gipson  
Robby Sumner, Chief Consultant, Assembly Business and Professions  
Committee  
Bill Lewis, Assembly Republican Caucus



April 26, 2022

The Honorable Marc Berman, Chair  
Assembly Business and Professions Committee  
1021 O Street, Suite 6130  
Sacramento, CA 95814

Re: Assembly Bill (AB) 1733 (Quirk, 2022) – SUPPORT

Dear Chair Berman:

The Veterinary Medical Board (Board) regulates the largest population of veterinarians and registered veterinary technicians 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 (Practice 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.

During its April 20, 2022 meeting, the Board unanimously voted to support AB 1733. During the COVID-19 pandemic, the ability to hold virtual meetings without listing all physical meeting locations led to significant cost savings while dramatically increasing public participation. AB 1733 would permanently allow state boards, bureaus, and committees to meet remotely, while also providing both virtual and physical options for members of the public to participate.

The importance of AB 1733 was highlighted during the Board's Multidisciplinary Advisory Committee (MDC) meeting on April 19, 2022. The meeting had most of the MDC members and the public participating in person at a Sacramento location and one MDC member participating virtually from a publicly noticed location in Hayward, California. Despite a quorum at the Sacramento location, the meeting was delayed because the member participating from Hayward was ill and had difficulty getting to the meeting. Had she been unable to get to the publicly noticed Hayward location, the entire meeting would have been cancelled. If AB 1733 was currently enacted, the meeting could have started on schedule and the ill member could have participated from home.

Due to the significant cost savings and increase in public participation, the Board strongly supports AB 1733.

Sincerely,

Kathy Bowler, President  
Veterinary Medical Board

Christina Bradbury, DVM, Vice-President  
Veterinary Medical Board

cc: Assembly Member Bill Quirk  
Assembly Business and Professions Committee  
Assembly Governmental Organization Committee  
Bill Lewis, Assembly Republican Caucus





April 25, 2022

The Honorable Ash Kalra  
1021 O Street, Suite 5130  
Sacramento, CA 95814

Re: Assembly Bill (AB) 1885 (Kalra, 2022) – Support

Dear Assembly Member Kalra:

The Veterinary Medical Board (Board) regulates the largest population of veterinarians and registered veterinary technicians 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 (Practice 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.

During its April 20, 2022 meeting, the Board heard from stakeholders and discussed the issues regarding authorizing veterinarians to recommend the use of cannabis on an animal for potential therapeutic effect or health supplementation, as well as concerns regarding the sale by adult use (recreational, A-license) retailers of medicinal cannabis for use on animals, rather than requiring a veterinarian recommendation for sale only at medicinal use (M-license) retailers. Board members also noted their opposition to prior iterations of this bill that did not provide research funding for the use of cannabis on animals.

Although the Board appreciates the stakeholder concerns with allowing pet owners, without any veterinarian consultation, let alone a recommendation, to purchase cannabis for use on animals at adult-use retailers, and the Board wishes animal cannabis research funding could be obtained, the Board took a support position on AB 1885. Pet owners are increasingly purchasing cannabis products for their pets to treat a variety of ailments. While veterinarians currently are allowed to discuss with pet owners the use of cannabis on an animal for medicinal purposes, veterinarians are not authorized to make any recommendations for the appropriate use and safe dosage for the pet. This leads to pet owners either guessing appropriate dosages to treat their pet's medical conditions or seeking product recommendations from cannabis dispensary clerks, who likely are not educated or trained in the use of cannabis on animal patients.

By allowing veterinarians to recommend animal cannabis products for potential therapeutic purposes, AB 1885 provides a safer environment for pet owners to make well-informed decisions for their pets.

The Honorable Ash Kalra

April 25, 2022

Page 2

For these reasons, the Board supports AB 1885.

Sincerely,



Kathy Bowler, President  
Veterinary Medical Board



Christina Bradbury, DVM, Vice-President  
Veterinary Medical Board

cc: Assembly Member Chris R. Holden, Chair, Assembly Appropriations Committee  
Robby Sumner, Chief Consultant, Assembly Business and Professions  
Committee  
Bill Lewis, Assembly Republican Caucus



April 25, 2022

The Honorable Marc Berman, Chair  
Assembly Business and Professions Committee  
1021 O Street, Suite 6130  
Sacramento, CA 95814

Re: Assembly Bill (AB) 2606 (Carrillo, 2022) – OPPOSE

Dear Chair Berman:

The Veterinary Medical Board (Board) regulates the largest population of veterinarians and registered veterinary technicians 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 (Practice 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.

After discussing AB 2606 during its April 20, 2022 meeting, the Board adopted an oppose position. The Board previously formally opposed AB 1230 (Quirk, 2019) and had concerns regarding Senate Bill 585 (Stern, 2021), which was pulled from hearing before the Board could adopt a formal position. In general, the Board members agree that declawing is no longer a common procedure performed in the veterinary profession and should not be performed without consideration of the best interest of the animal patient. However, that decision is best left to the veterinarian and the animal owner.

In addition, the Practice Act does not specifically prohibit any medical procedures from being performed. Rather, licensed veterinarians are able to practice all aspects of veterinary medicine without restrictions, so long as the delivery of care is provided in a competent and humane manner consistent with current veterinary medical practice in California. (California Code of Regulations (CCR), tit. 16, § 2032.) Veterinarians are required to use appropriate and humane care to minimize pain and distress before, during and after performing any procedure(s). (CCR, tit. 16, § 2032.05). Unlicensed individuals are not.

Prohibiting licensed veterinarians from performing this last resort medical procedure will result in significant harm to animal patients, as determined owners will find other means to have their cats declawed. Unfortunately, those owners will have the procedure performed by unlicensed individuals who are not properly trained to perform the procedure or to administer proper pain management.


The Honorable Marc Berman, Chair

April 25, 2022

Page 2

For these reasons, the Board opposes AB 2606.

Sincerely,



Kathy Bowler, President  
Veterinary Medical Board



Christina Bradbury, Vice-President  
Veterinary Medical Board

cc: Assemblymember Carrillo  
Robby Sumner, Chief Consultant, Assembly Business and Professions  
Committee  
Bill Lewis, Assembly Republican Caucus



April 25, 2022

The Honorable Rosilicie Ochoa Bogh  
California State Senate  
1021 O Street, Suite 7220  
Sacramento, CA 95814

Re: Senate Bill (SB) 1031 (Ochoa Bogh, 2022) – OPPOSE

Dear Senator Ochoa Bogh:

The Veterinary Medical Board (Board) regulates the largest population of veterinarians and registered veterinary technicians 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 (Practice 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.

After discussing SB 1031 during its April 20, 2022 meeting, the Board took an oppose position. Although inactive licensees are unable to practice in California, maintaining the inactive license still requires Board resources. The Board still investigates inactive licensees when convictions or discipline occurs in another state. Inactive licensees often contact the Board regarding the process to transition to an active license, and Board staff must review continuing education certificates and criminal background history when the licensee wants to practice in California again.

The Board is solely funded by applicant and license fees, with the bulk of the funds coming from license renewal fees. The Board's fund historically has suffered from a structural imbalance, and the Board was forced to raise all fees to their statutory caps in 2019 due to impending insolvency. If SB 1031 were enacted, the Board would lose roughly \$104,475 in revenue each renewal cycle, which inevitably would lead to increased license fees to recoup the loss.

Due to the Board resources required to maintain inactive licenses and the negative impact to the Board's fund if enacted, the Board opposes SB 1031.

Sincerely,

Kathy Bowler, President  
Veterinary Medical Board

Christina Bradbury, DVM, Vice-President  
Veterinary Medical Board

cc: Senate Appropriations Committee  
Senate Business, Professions and Economic Development Committee



April 25, 2022

The Honorable Richard D. Roth, Chair  
Senate Committee on Business, Professions and Economic Development  
1021 O Street, Suite 7510  
Sacramento, CA 95814

Re: Senate Bill (SB) 1495 (Committee on Business, Professions and Economic Development, 2022) – Support

Dear Chair Roth:

The Veterinary Medical Board (Board) regulates the largest population of veterinarians and registered veterinary technicians 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 (Practice 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.

SB 1495 would, among other things, delete an obsolete provision in the Practice Act relating to continuing education hours earned by attending courses sponsored or cosponsored by specified entities between January 1, 2000, and January 1, 2001. The Board supports this change to the Practice Act in SB 1495, as it was one of four requests made by the Board to improve the Practice Act this legislative session.

The Board would also like to see the following changes to the Practice Act to address Sunset-related issues and increase access to veterinary care:

- Amend Business and Professions Code (BPC) section 4883, subdivision (s), to include NAVTA-recognized specialty organizations  
Assembly Bill (AB) [1535](#) amended BPC section 4883, subdivision (s), to authorize the Board to deny, revoke, or suspend a license or registration or to assess a fine for, among other things, making any statement, claim, or advertisement that the licensee or registrant is a veterinary specialist or board certified unless the licensee or registrant is certified by an American Veterinary Medical Association-Recognized Veterinary Specialty Organization.

The National Association of Veterinary Technicians in America (NAVTA) issues specialty certifications to registered veterinary technicians (RVT) and recognizes other RVT specialty organizations. NAVTA was unintentionally left out of AB 1535, and the Board requests SB 1495 be amended to include NAVTA-recognized specialty organizations in BPC section 4883, subdivision (s).

- Add one RVT member to the Board composition (BPC, § 4800)  
During the Board's 2021 Sunset-related discussions, the California Registered Veterinary Technicians Association (CaRVTA) requested an RVT member be added to the Board's composition. The Board had not deliberated on this issue before AB 1535

passed, but the Board committed to looking into the issue. During the Board's January 2022 meeting, the Board voted to request the Legislature amend BPC section 4800 to add an RVT member to the Board's composition. There was no opposition during the public comment portion of that agenda item.

As such, the Board respectfully requests SB 1495 be amended to add an RVT member to the Board's composition.

- Amend BPC section 4825.1 and add section 4826.3 to define Teleconsultation, Telehealth, Telemedicine, and Telerriage and specify how/when each can be used in practice

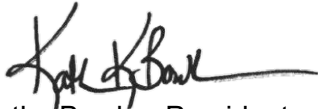
For the past several years, the Board has researched various ways to increase access to veterinary care. The COVID-19 pandemic further highlighted the critical issues regarding access to veterinary care. Access to care afforded by electronic veterinary services is particularly important for high-risk populations. The ability to intervene early and leverage the continuum of care afforded by electronic veterinary services are benefits recognized by the Board. The Board further recognizes that the ability to provide veterinary care through electronic means is a valuable tool in many situations and all populations.

It became apparent during multiple discussions with licensees and stakeholders that many licensees are unclear how and when they can provide veterinary care through electronic means. This confusion has led to licensees opting not to provide electronic services at all.

To provide clarity to licensees, the Board requests SB 1495 be amended to amend BPC section 4825.1 and add section 4826.3 to define teleconsultation, telehealth, telemedicine, and telerriage. Such amendments would assist licensees in understanding how they can use telemedicine under current law, increase the use of electronic services, and increase access to veterinary care.

The Board's support for SB 1495 is not contingent upon these amendments being made. However, the Board would appreciate the Committee's consideration of the above amendments to improve the Practice Act and increase access to veterinary care.

Sincerely,



Kathy Bowler, President  
Veterinary Medical Board



Christina Bradbury, DVM, Vice-President  
Veterinary Medical Board

cc: Assembly Member Chris R. Holden, Chair, Assembly Appropriations Committee