



MEMORANDUM

DATE	July 7, 2023
TO	Veterinary Medical Board (Board)
FROM	Jeffrey Olguin, Lead Administrative & Policy Analyst
SUBJECT	Agenda Item 8. Status Update on Pending Regulations

The Board currently has six rulemaking packages pending in the rulemaking process as described below. All six packages are in various stages of the pre-review or initial phase of the rulemaking process and one package has been approved.

Updates or changes in the status of rulemaking packages since April 2023 are provided below:

Uniform Standards for Substance-Abusing Licensees—CCR, Title 16, Sections 2006, 2006.5–2006.56

Update: This package has been approved by DCA Budgets and is currently in the review stage with the Board’s Regulatory Counsel. Once the Board’s Regulatory Counsel has approved the language, the regulation package will go to DCA for submission to the Director and Agency for review and approval.

Summary of Proposed Changes: This proposal would establish standards adopted by DCA’s Substance Abuse Coordination Committee (SACC). The SACC was established to develop consistent and uniform standards for dealing with substance-abusing licensees. The Board has adopted standards to implement [Business and Professions Code Article 3.6 \(315–315.4\) Uniform Standards Regarding Substance-Abusing Healing Arts Licensees](#).

RVT Equivalent Experience and Education—CCR, Title 16, Section 2068.5

Update: This package has been approved by DCA Budgets and is currently in the review stage with the Board’s Regulatory Counsel. Once the Board’s Regulatory Counsel has approved the language, the regulation package will go to DCA for submission to the Director and Agency for review and approval.

Summary of Proposed Changes: At the April 2023 Board meeting, the Board approved Board Counsel and Regulatory Counsel’s proposed revisions to the language. The approved language removed the deadline of July 1, 2024 for RVT applicants to complete their combined practical experience and education and

allowed RVT education programs to expand their coursework to be beyond the minimum units or instructional time required for the required RVT education component. The amendments to section 2068.5 will remove barriers to licensure by: (1) removing the requirement that an RVT applicant must complete all the education requirements within five years prior to the date of the examination for registration and (2) removing the 24-month timeframe for when RVT students to complete the required 4,416 hours of direct clinical practice.

Minimum Standards for Alternate Veterinary Premises—CCR, Title 16, Sections 2030, 2030.05, 2030.1, 2030.15, 2030.2, & 2030.3

Update: At the April 2023 meeting, the Board voted to move forward with the proposed language to update the minimum standards for alternate veterinary premises with modifications to text approved by the MDC. This package is currently in the initial phase of review. Staff have developed the required documentation and submitted it for DCA Budget's review prior to DCA's legal review.

Summary of Proposed Changes: The amendments will standardize language utilized in modern veterinary practice and update the requirements for: fixed veterinary premises, mobile veterinary premises, and vaccination veterinary premise. The proposed language: (1) takes into consideration the needs of large animal practitioners and limitations they have for equipment or animal movement of large animals, (2) the various mobile veterinary premises, including house calls, and services for equines or food animals/livestock, and (3) helps clarify personnel authorized to provide vaccinations at a veterinary premises and the veterinarians responsibilities.

VCPR, Definitions, and RVT Tasks Updates (RVT Vaccine Administration)—CCR, Title 16, Sections 2032.1, 2034, & 2036

Update: This package has been approved by DCA Budgets and is currently in the review stage with the Board's Regulatory Counsel. Once the Board's Regulatory Counsel has approved the language, the regulation package will go to DCA for submission to the Director and Agency for review and approval.

Summary of Proposed Changes: This proposal would expand the scope of RVTs to act as an agent of the supervising veterinarian to perform animal health care tasks related to vaccine administration or medications for the control or eradication of parasites for animal patients. RVTs must examine the animal patient, obtain and evaluate the animal patient's history, and administer the medication in accordance with the manufacturer's recommendations, and document the animal patient's information. The RVT would be required to be under the direct supervision of a licensed veterinarian as further specified in this proposal. The supervising veterinarian would remain responsible for the acts of the RVT.

Veterinary Graduate Student Exemption / RVT Examination Eligibility—CCR, Title 16, Sections 2027 & 2027.5

Update: This package has been reviewed by Board's Regulatory Counsel. The review from the Regulatory Counsel indicated that the Board needs to review its licensure process and address changes to the law since the Board last approved this text. Since the approval of the language in July 2019, the licensure process has changed. Previously, applicants were approved by the Board prior to applying with the American Association of Veterinary State Boards (AAVSB) for the Veterinary Technician National Examination (VTNE). Since then, RVT applicants now apply with the AAVSB directly and take the VTNE prior to applying with the Board. At this time, Board staff are reviewing its internal processes for licensure and developing proposed regulatory language to be brought back to a future meeting for Board consideration.

Summary of Proposed Changes: This proposal would permit veterinarian graduates who have earned a veterinary medical degree to apply for the Veterinary Technician National Examination and earn an RVT registration. The proposal also clarifies that veterinarian students in their junior and senior years, and not graduates, may perform RVT animal health care tasks.

Drug Compounding—CCR, Title 16, Sections 2036.5, 2090, 2091, 2092, & 2094

Update: Since the Board's legislative proposal to add Assistant Controlled Substance Permit (VACSP) holders to BPC section 4826.5 was not included in any legislation this session, the Board will need to amend this rulemaking to remove all references to VACSP holders. The Board will review this item in October.

Summary of Proposed Changes: The current proposal would allow Registered Veterinary Technicians (RVTs) and VACSP holders to perform drug compounding, under the supervision of a veterinarian in a registered veterinary premises. In addition, it would create requirements for formula documentation, intravenous fluid preparation, and office stock. Since VACSP holders are not statutorily authorized to conduct compounding, VACSP holders will need to be removed from the proposal.

Attachment

A. Status of Pending VMB Regulations – Updated July 7, 2023