

**VETERINARY MEDICAL BOARD
MEETING MINUTES
July 22-23, 2021**

Pursuant to Governor Gavin Newsom's Executive Order N-08-21, issued on June 11, 2021, the Veterinary Medical Board (Board) met via teleconference/WebEx Events with no physical public locations on **Thursday, July 22, and Friday, July 23, 2021.**

9:00 a.m., Thursday, July 22, 2021

1. Call to Order/Roll Call/Establishment of a Quorum

Dr. Mark Nunez called the Board meeting to order at 9:00 a.m. Executive Officer Jessica Siefertman called roll; eight members of the Board were present, and a quorum was established.

Board Members Present

Mark Nunez, Doctor of Veterinary Medicine (DVM), President
Kathy Bowler, Public Member, Vice President
Christina Bradbury, DVM
Judy Ki, Public Member
Jennifer Loreda, Registered Veterinary Technician (RVT)
Jaymie Noland, DVM
Dianne Prado, Public Member
Maria Preciosa S. Solacito, DVM

Staff Present

Jessica Siefertman, Executive Officer
Matt McKinney, Enforcement Program Manager
Timothy Rodda, Administration/Licensing Manager
Patty Rodriguez, Hospital Inspection Program Manager
Rob Stephanopoulos, Enforcement Manager
Lori Kent, Hospital Inspection Analyst
Amber Kruse, Enforcement Analyst
Terry Perry, Enforcement Technician
Kim Phillips-Francis, Enforcement Technician
Justin Sotelo, Lead Administrative & Policy Analyst
Karen Halbo, Regulatory Counsel, Attorney III, Department of Consumer Affairs (DCA),
Legal Affairs Division (LAD)
Tara Welch, Board Counsel, Attorney III, DCA, LAD

Guests Present

Daniel Baxter, Executive Director, California Veterinary Medical Association (CVMA)
Loren Breen, Policy Manager, Animal Policy Group (APG)

Sharon Burns
Nancy Ehrlich, RVT, California Registered Veterinary Technicians Association (CaRVTA)
Jennifer Fearing, President, Fearless Advocacy, Inc.
Aubrey Jacobson, Legislative Analyst, DCA, Division of Legislative Affairs
Shelly Jones, Moderator, DCA, SOLID
Kendall MacGregor, Research Specialist, APG
April Manatt, Consultant, Senate Office of Research
Katie Marrie, DVM, Santa Barbara Humane
Brianna Miller, Manager, DCA, Board and Bureau Relations
Grant Miller, DVM, CVMA
Erin Norwood, Partner, Norwood Associates, LLC
Ken Pawlowski, DVM, Insight Veterinary Wellness Center
Kristi Pawlowski, RVT, Chair, Multidisciplinary Advisory Committee (MDC)
Jeff Pollard, DVM
Jeremy Prupas, DVM, City of Los Angeles
Gabby Reynaga, Norwood Associates, LLC
Mike Sanchez, Television Specialist, DCA, Office of Public Affairs (OPA)
Dianne Sequoia, DVM, MDC
Richard Sullivan, DVM, MDC
Jill Tucker, CEO, California Animal Welfare Association (CAWA)
Fiona U
Marie Ussery, RVT

Dr. Nunez welcomed Judy Ki to her first meeting, noting she was the newest public member appointed to the Board. He stated that he and Ms. Sieferman had the opportunity to meet her during her onboarding session.

Ms. Ki introduced herself and stated it was an honor to serve on the Board. She noted she knew serving would be a lot of work, but she was ready. Ms. Ki stated she was a retired middle school science teacher and taught for three decades with the San Diego Unified School District. She added she had also worked on a lot of humane legislation. She explained one of her proudest moments was working for ten months on the California shark fin ban. She added she worked on other humane issues, such as Proposition 2 and Proposition 12. She stated she was here to learn and thanked the Board.

2. Public Comment on Items Not on the Agenda

There were no public comments made on this item.

3. Review and Approval of Board Meeting Minutes

A. April 22-23, 2021

The Board reviewed the April 22-23, 2021 meeting minutes.

Kathy Bowler noted at the top of page five, it stated, "Dr. Nunez stated sadly there was a generalized pay cut throughout the State, but in the end, everything worked out well." She explained she did not think Dr. Nunez stated it that way, but that he said he had understood pay would be restored in the summer, or something to that effect.

Dr. Nunez stated he probably said, in light of that, he was proud of the work the staff did despite the many challenges they had to deal with.

Ms. Siefertman stated staff could review the audio record and make sure the statement is accurately documented. She also stated that within the present discussion, Dr. Nunez could provide the intent of his statement.

Dr. Nunez stated he meant to say that Ms. Siefertman worked well despite the numerous challenges the Board had over the last year.

Ms. Bowler noted that the Board was also very pleased that Ms. Siefertman received an appropriate pay increase after many attempts. She added the pay increase was finally approved and that was what worked out well. She also added the statement was not about the whole pay cut.

Dr. Noland also requested a minor correction on page 15 to change "Mr. Fearing" to "Ms. Fearing."

- Ms. Kathy Bowler moved and Dr. Jaymie Noland seconded the motion to approve the April 22-23, 2021 meeting minutes, as amended*. The motion carried 6-0-2, with Ms. Judy Ki and Dr. Maria Preciosa S. Solacito abstaining.

There were no public comments made on the motion.

**The audio record was reviewed and it was determined that Dr. Nunez's statement during the April 22, 2021 meeting was not clarified, as described above. However, his statement in the approved April 22-23, 2021 minutes was corrected to read, "Dr. Nunez stated sadly there was a generalized pay cut ~~throughout the State~~ for everyone at DCA, but in the end, everything worked out well." Dr. Noland's requested correction to page 15 was also made.*

4. Report and Update from Department of Consumer Affairs (DCA)

Brianna Miller, Manager with DCA Board and Bureau Relations, thanked the Board for the opportunity to provide a DCA update. Ms. Miller welcomed Ms. Ki as the newest member of the Board and congratulated her on her appointment. Ms. Miller noted one of the top priorities in Board and Bureau Relations is appointments.

Ms. Miller stated that, with Ms. Ki's appointment, the Board is now fully seated; however, she acknowledged that Dr. Nunez was currently in his grace period. She

explained that DCA and all appointing authorities share the goal of having fully seated, diverse, and effective boards. She added filling current and upcoming vacancies is a priority. She asked that, ongoing, if members know of great candidates who are interested in serving, to direct them to the “Board Member Resources” link on DCA’s home web page.

Next, Ms. Miller provided an updated on COVID-19 and noted it has affected every aspect of our work for more than a year. She stated California reached a major milestone on June 15, 2021, and the economy was officially back open. Ms. Miller thanked Ms. Sieferman and Board staff who worked hard to maintain excellent customer service through the challenging times. She added Board staff, like all State employees, made a sacrifice to assist all Californians and continued to serve throughout the pandemic under a 10 percent pay cut. She added some staff forewent cost of living increases or expected raises. She stated, as the economy came back, they were happy to see that these cuts were reversed on June 30, 2021. She added DCA is working with all boards and bureaus to manage any budget impacts during this transition.

Regarding reopening guidance, Ms. Miller stated things were moving quickly, and there was a lot of information available, both official and unofficial. She stated on June 17, 2021, Governor Gavin Newsom signed an executive order expediting California Occupational Safety and Health Administration’s (Cal/OSHA) revised COVID-19 regulations to ensure consistency with public health guidance. She explained Cal/OSHA’s revisions align with the latest face covering guidance from the Department of Public Health and eliminate physical distancing, except for certain employees during outbreaks. She added boards and bureaus are assessing operational needs to identify the potential for permanent changes to the workplace to ensure efficiency and employee well-being, such as telework and hybrid workplace models.

Ms. Miller stated, in addition, DCA is receiving many questions about when and how boards will meet again in person, and also whether they can continue to meet remotely. She explained the ability of a board to meet remotely is tied to the Governor’s executive orders and the State of Emergency. She added the executive order allowing remote meetings is set to expire on September 30, 2021; after which time, boards would be required to follow all aspects of the Open Meeting Act, including publicly noticed and accessible locations, unless a change in law occurs. She stated that many recognize the value of the cost savings and increased public participation associated with remote meeting options. She added, in the meantime, DCA will do all it can to assist boards and bureaus to transition safely to in-person meetings and will keep everyone informed of any changes to meeting requirements.

Regarding waivers, Ms. Miller stated that during the State of Emergency, DCA issued waivers to help licensees respond to the pandemic or enable boards and bureaus to perform their functions safely. She added, as the State fully reopens, waivers will wind down. She stated DCA encourages boards and bureaus to look at laws and regulations that were waived, determine if changes are needed in the future, and move forward with those changes. She explained that although some waivers may be extended for an

additional short amount of time, waivers will begin ending. She added boards and bureaus are encouraged to move forward with statutory and regulatory changes as soon as possible.

Ms. Miller stated she wanted to discuss board member training and the Learning Management System (LMS). She stated for current board members, 2021 is a mandatory sexual harassment prevention training year. She explained this means all employees and board members are required to complete the training during this year. She asked that members also be advised that they will now access this training through LMS, which is DCA's training portal. She explained that profiles had been created for each member in LMS, and Ms. Sieferman had been notified of the steps they would need to take to log in and access the training. She explained that LMS would ultimately house training records and may also be used to sign up for other mandatory trainings, including the board member orientation training. She reminded members that newly appointed and reappointed board members are required to complete the board member orientation training within a year of appointment or reappointment. She stated the next training would be held via WebEx on October 13, 2021. She added that the training would soon transition over to LMS.

Ms. Miller stated that Board and Bureau Relations was there to assist, and if there was anything the Board needed, to please reach out to them. She thanked the Board for the opportunity to provide a DCA update.

Dr. Nunez thanked Ms. Miller for her report.

There were no public comments made on this item.

5. Review, Discussion, and Possible Action on Multidisciplinary Advisory Committee (MDC) Report – Kristi Pawlowski, RVT, Chair, MDC

Dr. Nunez asked MDC Chair Kristi Pawlowski to present the MDC Report.

A. Overview of July 21, 2021 MDC Meeting

Ms. Pawlowski reported that the MDC welcomed Dianne Sequoia, DVM, as their newest member. She stated the MDC reviewed and approved the April 2021 meeting minutes with minor amendments. She added she would provide a more detailed report on the legislative and regulatory proposals under Agenda Item 5.C.

Ms. Pawlowski stated Jennifer Loreda and Ms. Sieferman provided an Inspections Subcommittee update regarding the veterinary premises inspection checklist and inspection process improvements. She noted the most important take away was that all improvements being made are with the goal of education over punishment. She added the intention was to continue the inspections program. She also added that the Subcommittee had identified inefficiencies in the inspections and enforcement process relating to complaint-related inspections. She further explained improvements have

already been made to reintegrate the inspections program back into the enforcement unit to eliminate confusion, reduce the number of staff and subject matter experts involved in cases, and reduce costs.

Next, Ms. Pawlowski stated Ms. Sieferman provided a Complaint Process Audit Subcommittee update. She noted Christina Bradbury, DVM, was the newest member on the Subcommittee, and that Kevin Lazarcheff, DVM, was unable to attend the MDC meeting. Ms. Pawlowski stated the Subcommittee would be joining the Medical Board of California's (MBC) expert witness training this October. She explained the training would help the Subcommittee understand what the experts are exposed to and identify any knowledge gaps, which will be revealed later during the review of the expert reports. She added Board staff have received feedback from its experts suggesting the scenarios included in the MBC expert witness training materials are not as helpful, as they relate to human medicine. She explained the Subcommittee reviewed the scenarios and agreed, as these cases lack nuance and specifics of the veterinary profession. Ms. Pawlowski added the Subcommittee is working on crafting scenarios involving veterinary care, which will provide experts with real world examples, helping them to relate and incorporate into their skill set. She explained that these case scenarios would try to delineate terms the Subcommittee will be working with, including no departure, departure, or extreme departure from the standard of care.

Ms. Pawlowski reported that the Board's Deputy Attorney General Liaison was working with Board staff and the Subcommittee to provide a training session, addressing topics discovered during the review of expert reports and finalized cases. She explained the training will focus on bringing clarity to specific thoughts, verbiage, and conclusions of the Board's experts. She added the training would also include topics, such as biased language, contemplative statements, enforcement recommendations, and opinion resolve. She added the training materials will continually be updated and offered to the experts, providing continuous tools to succeed.

With regard to the 20 percent mandate for inspections, Ms. Pawlowski stated the MDC believes that it is a high mandate. She added they all know the mandate is not being met, and they all have concerns that the Board will never meet that mandate for inspections. She also added there was discussion and a potential motion to remove the mandate; however, when they went through the discussion to remove the mandate, they realized that they did not have anywhere to go with the mandate. She stated, the reality is, as Ms. Sieferman explained, it is a process they are working on and they are trying to fix it. She explained before the Board removes the mandate, it should have a better idea of what it should be changed to. She further added there are changes being made, things that are in place that the Subcommittee is working on, and improvements and efficiencies that have been made by staff. She explained these things should be considered and fully implemented before a new number is considered for the mandate. She stated the MDC therefore pulled back on the motion, so they could first see what happens with the changes, improvements, and efficiencies.

Dr. Nunez clarified to new members and the audience that the mandate pertains to the requirement that the Board inspect 20 percent of all veterinary premises within a year. He explained that the mandate has proven to be challenging for the Board, but he added it is important that the Board do inspections to maintain standards.

Ms. Pawlowski also stated that there is a lot of work that can be generated after inspections are completed.

Dr. Noland reminded the Board about a discussion they had about a year ago when she brought up the idea of doing full inspections of hospitals that were complained about, and doing abbreviated inspections for other hospitals. She stated the idea of a 20 percent goal, whether it is lofty or not, is essential and part of the Board's consumer protection mandate. She reminded the Board that they had a conversation of what she thought was a good idea on how to reach the 20 percent goal.

Dr. Nunez stated that when this item is agendaized, the Board could continue to discuss the issue further.

Ms. Siefertman stated the Subcommittee was still looking at that suggestion, and it was not off of the table. She noted the Subcommittee reached out to the inspectors, and they are looking at the possibility of reducing the checklist, but that they would research the issue further before bringing it to the Board.

There were no public comments made on this item.

B. Recommendations Regarding Veterinarian-Client-Patient Relationship (VCPR) and Development of Frequently Asked Questions

Ms. Pawlowski stated, during the October 2020 review of the regulatory proposal regarding sections 2032.15 and 2032.25, article 4, division 20, title 16 of the California Code of Regulations (CCR) regarding the VCPR, in the absence of client communication and written prescriptions of the originally prescribing veterinarian, some inconsistencies were identified. She added, during Board discussion, more questions regarding the VCPR and electronic medical records were presented. She stated Richard Sullivan, DVM, explained the original intent of amending CCR section 2032.15 was to address shift changes at emergency hospitals when a veterinarian on the next shift assumes care for the animal patient. She added the intent was to close a potential loophole. She explained the Board maintained the original proposed language after further discussion, and the VCPR proposal was approved by OAL on February 11, 2021, and made effective on April 21, 2021.

Ms. Pawlowski stated, subsequently, Board staff received several questions regarding the VCPR. She explained, due to the complexity and situational nature of the questions, Board staff is unable to provide specific answers to the profession or consumers. She added, in January 2021, the Board requested that the MDC potentially draft language to

clarify the VCPR and educate the veterinary profession and consumers, as well as assist Board staff in answering frequently asked questions (FAQs).

She stated, since the VCPR language was closely related to the work of the Telemedicine Subcommittee, she and Dr. Sullivan formed the VCPR Subcommittee to thoroughly review questions commonly submitted to the Board. She explained, since staff is asked situational questions, and staff are unable to provide an interpretation of law, it is important for the Subcommittee to provide precise responses to these commonly asked questions.

Ms. Pawlowski reported that the Subcommittee presented a list of VCPR FAQs to the MDC for consideration, which they approved. She stated the MDC and Subcommittee believe submitting these FAQs to the Board for approval at this time would be appropriate, while continuing to gather additional commonly asked questions.

Ms. Pawlowski stated the MDC was requesting that the Board approve the FAQs regarding the VCPR for posting to the Board's website and dissemination through various outreach efforts. She added this would also be a continuous work in progress.

Dr. Nunez stated the list of questions had been thoroughly evaluated and modified over the last couple of meetings. He thanked all of the participants for their work on this item.

- Ms. Kathy Bowler moved and Dr. Christina Bradbury seconded a motion to approve the FAQs regarding the VCPR for posting to the Board's website and dissemination through various outreach efforts. The motion carried 8-0.

There were no public comments made on the motion.

C. [Recommendations Regarding Legislative Proposal to Amend Business and Professions Code \(BPC\) Section 4825.1 and Add BPC Section 4826.3, and Regulatory Proposal to Amend Section 2032.1, Article 4, Division 20, Title 16 of the California Code of Regulations \(CCR\) Regarding Telemedicine](#)

Ms. Pawlowski reported, due to legislative deadlines, the MDC Telemedicine Subcommittee was presenting information from the July 21, 2021 MDC meeting, in order to request that the Board consider approving legislative and regulatory proposals. She stated the COVID-19 pandemic has highlighted the extreme need for clarification of veterinary telemedicine practice. She added the DCA Director waivers of the VCPR may be expiring soon. She stated they believe there is an urgent need get clarification of telemedicine practice in statute this year. Ms. Pawlowski noted, due to the looming legislative deadlines, the MDC approved the legislative and regulatory recommendation at its July 2021 meeting, and that she was here to present the MDC's recommendation for the Board's consideration.

Ms. Pawlowski stated the Subcommittee recognizes the ability to provide veterinary care through electronic means is a valuable tool in many situations and for all

populations. She added access to care, afforded by electronic veterinary services, is particularly important for high risk populations. She stated the ability to intervene early and leverage the continuum of care afforded by electronic veterinary services are benefits the Subcommittee is encouraging the Board to consider.

Ms. Pawlowski next stated that she would review the cover memo included in the meeting packet. She stated to resolve concern raised at the MDC's April 2021 meeting regarding the effect of the diagnosis definition in BPC section 4825.1, on proposed regulations for electronic veterinary services, and because veterinary professionals do not have a clear understanding or guidance as to the electronic services they may provide to animal patients, the Subcommittee and MDC recommend defining these types of services in statute. She stated, during the Subcommittee review, they found the statutory definition of telehealth placed within the Medical Practice Act. She explained that telehealth is intended to facilitate patient self-management and caregiver support for patients. She added the Medical Practice Act provides that telehealth includes telemedicine, as the term is referenced in the Code of Federal Regulations. However, she explained that the terms do not readily apply to veterinary health care.

Ms. Pawlowski stated there is no other definition of telemedicine in the BPC and the regulations supporting the Medical Practice Act do not further clarify this term. She explained since BPC section 2290.5 and federal regulations referenced in the memo do not readily apply to animal patients, and because of the fundamental differences between humans and animals in communicating and identifying sickness or symptoms, the Subcommittee determined that to properly use telehealth in accordance with BPC section 686, it is necessary to establish statutory provisions in the Veterinary Medicine Practice Act for the performance of electronic veterinary health services, including telehealth for animal patients.

She explained the Subcommittee has provided a legislative proposal defining telehealth, telemedicine, teletriage, and teleconsultation to establish the authority of veterinary professionals to provide such services. She stated the legislative proposal seeks to address stakeholder concerns raised during the Board's January 2021 meeting regarding racial and economic inequities resulting in a lack of access to veterinary care facilities and difficulties for consumers to travel with their pets to veterinary premises.

Ms. Pawlowski explained these legislative changes are designed to protect public interests and consumer safety and are intended to address social and economic disadvantages in rural and low-income communities by expanding the use of electronic technology and media to increase access to veterinary health care services for the benefit of consumers and their animals.

Ms. Pawlowski stated the Subcommittee believes it is in the best interest of improving veterinary care for consumers, animals, and veterinary professionals to include the legislative proposal in the Board's Sunset bill. She explained once the legislative proposal is enacted, regulatory amendments to CCR section 2032.1 would be necessary to remove superseded and redundant references to telemedicine.

Next, Ms. Pawlowski went over the definitions and provisions in the proposal and highlighted some of the changes since the last version of the proposal. She also discussed some additional minor revisions to the proposal that were needed and made after the MDC's approval on the previous day. She stated the necessary regulatory proposal was also provided for the Board's consideration. She added the regulatory proposal would be submitted as a section 100 rulemaking for expedited enactment.

Ms. Pawlowski stated the Subcommittee and MDC request that the Board entertain a motion to approve submission of the legislative proposal to the California State Legislature to amend BPC section 4825.1 and add BPC section 4826.3 and include the legislative proposal in the Board's Sunset bill. She added the Subcommittee and MDC also request that the Board entertain a motion to approve the regulatory proposal to amend CCR section 2032.1 through the section 100 rulemaking process.

Ms. Welch summarized and explained additional minor revisions that were made to the legislative proposal after the MDC's approval.

Dr. Nunez thanked Ms. Pawlowski and Dr. Sullivan for all of the work they did. He stated he really appreciated the amount of research that was done and that they took a close look at what is happening in the entire country.

- Dr. Christina Bradbury moved and Dr. Maria Preciosa S. Solacito seconded a motion to approve submission of the legislative proposal to the California State Legislature to amend BPC section 4825.1 and add BPC section 4826.3 and include the legislative proposal in the Board's Sunset bill (including the additional minor revisions discussed and the revision suggested by Ms. Kathy Bowler below). The motion carried 8-0.

Dr. Noland thanked everyone who was involved in this effort. She acknowledged that they worked with a fairly short timeline in order to get the proposal into legislation. She also thanked Dan Baxter and the CVMA and stated their information was very helpful. She stated this issue has been frustrating for some of the stakeholders; however, she noted this is a great start and a step in the right direction. She acknowledged there has been a lot of good discussion and good ideas shared on this topic. She noted that she supported the proposals.

Ms. Bowler thanked the Subcommittee, MDC, and everyone involved for all of the work and research that was done on this item. Additionally, she stated the presentation and background materials regarding the proposal were very well laid out.

Ms. Bowler also commented on the text under BPC section 4826.3, subdivision (c), stating it appeared to contain a double negative. Ms. Welch reviewed related statutory provisions and noted she would not object to revising subdivision (c) to address the double negative. Drs. Bradbury and Solacito agreed to include this revision in the motion to approve the legislative proposal.

Ms. Loredo commented that the proposal was a move in the right direction.

There were no public comments made on the motion.

- Dr. Christina Bradbury moved and Ms. Judy Ki seconded a motion to approve the regulatory proposal to amend CCR, title 16, section 2032.1 and direct the Executive Officer to take all steps necessary to initiate the section 100 rulemaking process, make any technical or non-substantive changes to the rulemaking package, and adopt the proposed regulatory changes. The motion carried 8-0.

There were no public comments made on the motion.

Ms. Bowler again thanked the MDC for their work on this issues, and acknowledged the Board is lucky to have a committee that works in partnership with the Board on very complicated issues. She stated this particular item was done very well and was well researched.

6. [*Access to Veterinary Care Committee Report - Jaymie Noland, DVM](#)

Dr. Nunez stated the Access to Veterinary Care Committee was originally made up of Dr. Noland and Alana Yanez. However, because Ms. Yanez was no longer on the Board, Dr. Nunez noted that he asked Dianne Prado to serve on the Committee and she accepted.

Dr. Noland stated she and Ms. Yanez were appointed to the Committee after the April 2021 Board meeting. She noted they started to make some plans to develop a task force and have a stakeholder meeting. She stated that she appreciated Ms. Prado's willingness to step up and serve on the Committee; however, they had not had an opportunity to meet yet.

Dr. Noland stated CVMA reached out and invited her to their June 25, 2021 Board of Governors meeting, which was dedicated primarily to the issue of access to veterinary care. She noted there was a presentation at the meeting by Michael Blackwell, DVM, who is associated with the Access to Veterinary Care Coalition. She noted the presentation was very inspiring and that she was very encouraged by it. She stated CVMA was forming a task force to determine what can be done to help with the access to veterinary care issue. She noted the task force was in the process of being put together, and the Board was asked to have a member on the task force. She stated Dr. Nunez asked her to consider serving on the task force, so she notified CVMA. She noted that she and Ms. Prado could then work together to create a report for the Board and use that information to help the Board decide next steps. She stated perhaps the CVMA task force could complete its work first, so that the Board does not duplicate the efforts.

Dr. Nunez noted that it would be a wise decision to not duplicate the work.

Dr. Solacito asked if there was a limit on the number of Board members who could serve on the task force because she was interested in serving on it, if possible. Dr. Nunez noted that the Board was limited due to the Open Meeting Act.

Ms. Siefertman added that if a committee or task force is limited to two members, then they are not subject to the 10-day notice requirements, and they would be able to bring discussions back to open session. She also added that the idea was to have stakeholder meetings and be able to move quickly.

Ms. Welch also added that members need to be thoughtful about their participation in other venues, particularly with the CVMA. She also clarified that Board members are allowed to attend seminars and conferences, but if there are more than two members present who are actively participating and having a discussion about Board issues, then that is when it becomes an issue.

Dr. Bradbury stated she was unable to attend the January 2021 Board meeting when it was decided to form the Committee; however, she shared that she did not believe it fell within the Board's purview to try to figure out ways to get veterinarians into communities to provide better access. She added that she felt the Board's role was to protect consumers and animals, focus on medical issues, and ensure premises are safe and complying with regulations. She stated she would have voted against forming a committee. She added it was great that the CVMA was forming a task force and that was the place for this issue to be discussed.

Ms. Prado stated that in protecting consumers, that includes people of color who are affected by the lack of veterinary care access. She added it was very exciting that the Board formed this Committee, she was proud to serve on the Committee, and she was excited about moving forward with Dr. Noland on efforts and reporting back. She noted she was also excited that CVMA formed its task force, and all entities working in conjunction are going to be able to do great work.

Dr. Nunez stated he agreed with Dr. Bradbury in that the Board's purpose is to oversee the practice of veterinary medicine in the State of California. He added that he also agreed that access to care is an important issue. He stated he was also in support of the Committee, so that the Board can be made aware of the discussion that is taking place and remind everyone of what the Board can and cannot do.

Ms. Bowler asked if there was an alternative that would allow Dr. Solacito to participate on the CVMA task force. Ms. Welch responded that one of the Committee members could attend the CVMA task force, and Dr. Solacito could attend separately. However, she explained that there could be no communicating within the Committee before it reports to the Board, that way there is no serial communication taking place without public presence. She added Dr. Solacito could then provide her comments separately at the Board meeting.

Dr. Bradbury stated there may be an impression that she does not find these issues important; however, she stated she appreciates the work that Ms. Prado does, her dedication, and her willingness to be on this Committee. She explained she may just have a difference of opinion in terms of what the purview of the Board is. She added she fully supports trying to help as many people as possible get access to care.

Dr. Nunez added, by CVMA taking the lead on this issue, it addresses Dr. Bradbury's concern that the issue is not completely under the Board's purview. He noted he was happy to see that the Board was participating in this important issue.

The Board received public comment on this item. Dr. Miller thanked the Board members for addressing this topic. He stated he agreed with Ms. Prado's comments that there is plenty of room for both organizations to have dialogue on this subject. He added it is very likely that the dialogues will be different in some respects. He explained that the CVMA's task force has the charge of creating a position statement for CVMA on access to veterinary care. He added the task force has a secondary charge of determining what the veterinary profession can do to remedy access to veterinary care issues. He stated he believed the secondary charge would be germane to the Board in some ways. He noted CVMA has more freedom as a professional association than the Board may have within its capacity.

Dr. Miller stated CVMA recognizes Dr. Solacito has expertise in this area, and they would like to explore the idea of having her involved with their task force. He added that CVMA does have bylaws that limit who they can have on task forces; he explained that their task forces are limited to CVMA members, and CVMA members are veterinarians or RVTs. He stated that Ms. Prado, unfortunately, could not be an actual member of the task force, but that they could probably get an invitation extended to her if she would like to attend and listen to the discussion. He also clarified that the task force meeting would not be a public meeting, and CVMA is convening a group of experts within their membership to help guide their Board of Governors in making decisions on what CVMA should be doing to address the access to care issue.

The Board moved to [Agenda Item 7](#), but [returned to Agenda Item 6](#) at 1:00 p.m. after Agenda Item 8.D.

Dr. Nunez stated he made the assumption that CVMA was going to have a stakeholder meeting, and he thought that was a good way to go, so things would not be duplicated. However, he noted that if the task force only consisted of CVMA members, per their bylaws, that would not actually be a stakeholder meeting. He stated that for the Board as an advocate of the consumer, it would be important to have its own stakeholder meeting, so that everyone could be given the opportunity to provide input on how to address this issue.

He stated the Board's Committee was still made up of Dr. Noland and Ms. Prado, and the idea would be for them to hold a stakeholder meeting. He noted the Board's last

stakeholder meeting was on the issue of animal physical therapy, and stakeholders were invited to participate in a meeting that was open to the public. He added that when a public meeting is webcast, it also gives other individuals the opportunity to participate.

Dr. Nunez noted the Board would likely need to hold the stakeholder meeting sooner, rather than later, and that it would have to be a WebEx meeting. He added that would be the right thing to do.

Dr. Noland noted she agreed with Dr. Nunez, and that she misunderstood the scope of the CVMA task force meeting. She stated she was very excited to be a part of the task force, but she agreed that the Board needed to press forward as well. She added that she looked forward to working with Ms. Prado and getting something put together. Ms. Prado stated that she looked forward to working with Dr. Noland, as well.

Dr. Nunez clarified that they were directing the Committee to proceed with holding a stakeholder meeting. He stated that he appreciated all of the input CVMA has provided on various issues, but he understood the restrictions they have with their bylaws.

There were no additional public comments made on this item.

7. [Review of Board Member Conflicts of Interest and Ethics Requirements - Tara Welch, Board Counsel, Attorney III, DCA](#)

Ms. Welch stated that she was asked by Ms. Siefertman to provide a refresher on conflicts of interest and ethics. She noted that she prepared a cover memo, which was provided in the Board meeting materials, to flesh the issues out a bit more and provide members with something they could refer back to. She added that there were links in the memo to the relevant laws and forms on the internet.

Ms. Welch stated each Board member has a responsibility to the Board and the people of California to conduct themselves in an ethical manner so as not to bring discredit to themselves or the State and DCA. She noted each member is required to comply with a code of ethical standards and prohibited from participating in activities in which the Board member has a conflict of interest between Board matters and the Board member's personal or financial interests. She stated that the memo was intended to provide a general overview of statutory and regulatory prohibitions on conflicts of interest and the code of ethical standards applicable to Board members.

Ms. Welch stated that conflicts of interest can disqualify a Board member from taking actions on Board matters and that they mainly arise from four general sources: 1) financial conflicts arising under the Political Reform Act of 1974 and DCA Conflict of Interest Code; 2) common law conflicts of interest arising from personal interest or bias, or the potential appearance of a bias or personal interest in a matter even in the absence of a financial conflict of interest; 3) general BPC qualifications and restrictions on public members of a board; and 4) conflicts arising under the DCA Incompatible

Work Activities policy. Next, Ms. Welch summarized in more detail each of these four general sources.

Regarding Code of Ethical Standards, Ms. Welch stated that Board members are required to attend once every two years an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials. She noted that the Political Reform Act also includes ethics requirements, which prohibits Board members from accepting honorarium, specified gifts, and specified payments, advances, or reimbursements for travel.

In conclusion, Ms. Welch stated Board members should take care to analyze their financial and personal relationships regarding any matter before or regulated by the Board. She noted that participation by a Board member who has a financial or personal conflict of interest may void the Board action and subject the Board member to severe penalties, including misdemeanor convictions and fines. She stated any Board member who feels they are entering into a situation where there is a potential for a conflict of interest should immediately consult the Board's Executive Officer.

Dr. Nunez asked if the ethics course was available via DCA's LMS. Ms. Siefertman noted that she would confirm with DCA and get back to all Board members.

Ms. Bowler thanked Ms. Welch for the well-written cover memo and information. Ms. Bowler also noted that the \$460 annual gift limit for designated employees may now be \$520, similar to what it is for legislators and legislative staff. Ms. Welch noted she would double check the law regarding the amount.

Dr. Nunez noted that this information was very important and reminded Board members that they are all here to serve the consumers of the State of California and that their interest is paramount.

Ms. Ki thanked Ms. Welch and noted that the memo was very precise. Dr. Nunez also thanked Ms. Welch.

There were no public comments made on this item.

8. Update, Discussion, and Possible Action on 2021 Legislation

A. Assembly Bill (AB) 1282 (Bloom, 2021) Veterinary medicine: blood banks for animals

Ms. Siefertman reported that AB 1282 was currently with the Senate Appropriations Committee, and the hearing was scheduled for August 16, 2021. She stated that, since the last Board meeting, the bill was amended to, among other things, eliminate the requirement that closed colony blood banks submit retroactive reports, eliminate the requirement that the Board hire a consultant, upon appropriation by the Legislature, and extend the phase out of closed colony blood banks from 12 to 18 months. She

explained that the bill would also require the California Department of Food and Agriculture (CDFA), in collaboration with the Board and other stakeholders, to draft and publish a community animal blood banking guidance resource. She noted that the Board took a Support, if Funded position to secure funding from the General Fund. She explained, in order to secure funding from the General Fund, there would need to be a legislative amendment to provide authority for the Board to receive revenue from the General Fund. She noted, to date, there has been no such amendment made.

She stated, in addition, there appears to be a potential loophole in the bill for a third-party commercial blood bank, which is not practicing veterinary medicine, to produce blood products without any state oversight. She also noted it is unclear which state agency would have oversight over the third-party commercial blood bank.

Ms. Sieferman stated that she and Ms. Bowler met with the Governor's Office and representatives from the Business, Consumer Services and Housing Agency and CDFA and they raised the concerns noted above. She noted that the Governor's Office is working with the author's office to try to address these concerns.

Dr. Nunez noted that he would maybe suggest that the Board change its position to Support, if Funded and Amended, or just, if Amended. Ms. Sieferman stated that if the Board changed its position to Support, if Amended, that would include the funding and clarify the potential loophole.

Ms. Bowler stated, if for some reason, the oversight issue became a Board responsibility, the Board would really need to reconsider funding because oversight of animal blood banks requires an expertise the Board does not have, and the Board's staff does not have. She added this would be an enormous undertaking, and the Board does not have the funds to support that.

Dr. Noland stated, in reviewing the latest version of the bill, it appears that a lot of responsibilities fall on CDFA. She noted she appreciates Ms. Sieferman and Ms. Bowler talking to representative in order to close some of these loopholes. She stated her recommendation would be to take a Support, if Amended position.

Dr. Bradbury stated she had concerns with a Support, if Amended position because it had been noted in the past that the "if Amended" portion of the position gets ignored. She noted her other big concern was if the Board does not get the funding for its new responsibilities.

Dr. Nunez stated the funding may not be as easy as some proponents think it will be. He noted the intention would be for the funding to come from the General Fund and not from licensing fees. Additionally, the blood products would be processed and stored at a different facility, the blood products would be collected and stored for a period of time at the veterinary facility, which may be a justification for Board oversight. With regard to the concern about the Support, if Amended position, Dr. Nunez stated he has faith that

legislators hold the Board in high regard as the professionals and experts on veterinary medicine.

- Dr. Jaymie Noland moved and Ms. Kathy Bowler seconded a motion to take a Support, If Amended position on AB 1282, which would include amendments to give the Board the authority to receive revenue from the General Fund to pay for implementation costs and address the potential loophole for the third-party blood bank oversight. The motion carried 8-0.

Dr. Bradbury asked if it was legally possible to get funding from the General Fund. Ms. Siefertman stated she had not found examples of this being done in the past. However, she explained the legal part of it would be to change the statute first, which would make it legal for the Board to receive revenue from the General Fund.

Ms. Bowler stated she thought it was important for the Legislature to see a Support, if Amended position because the bill has been moving, and the Board has been bringing its expertise to the table and providing amendments to make the bill better.

Ms. Siefertman also clarified that the bulk of the fiscal impact of the bill had to do with cost of paying for a two-year limited-term Associate Governmental Program Analyst to help start up the program. She stated that a number of regulations would need to be created in order to implement the provisions of the bill.

The Board received public comment on the motion. Dr. Miller thanked the Board for its thoughtful discussion regarding the bill. He noted that CVMA has a support position on the bill and would like to encourage the Board to continue to be in support of the bill. He stated he recognized that there were still problems with the bill. He noted he did communicate earlier with Jennifer Fearing, who was working closely with the author. He stated she expressed a renewed commitment to ensure that the Board's concerns are addressed. He added the process was still far from over, so there was still opportunity for input on the bill. He stated he believed the author and the sponsors would like to find ways to address the Board's concerns.

B. AB 1535 (Committee on Business and Professions, 2021) Veterinary Medical Board: application and examination: discipline and citation

Ms. Siefertman reported that AB 1535 was the Board's Sunset bill. She stated the bill was currently with the Senate Appropriations Committee, and a hearing was scheduled for August 16, 2021. She noted the current version of the bill included all legislative proposals requested from the Board since the April 2021 meeting. In addition, she stated the Assembly Committee on Business and Professions shared the attached letter in the meeting packet from CaRVTA that was submitted in February 2021. She stated, in the letter, CaRVTA requested reducing RVT fees and raising other fees, re-evaluating the veterinary assistant controlled substance permit (VACSP) program, adding a second RVT member to the Board, and requiring veterinary staff wear a name and license identification badges.

Ms. Siefertman stated that the July 7, 2021 amendments included lowering the RVT fees and requiring the identification badges. She stated although CaRVTA's VACSP program request was not included in the bill, Board staff has committed to reevaluating the VACSP program and bringing improvement recommendations to the Board at a future meeting. She also stated the Board may want to consider CaRVTA's request to add a second RVT member to the Board.

Dr. Nunez asked if adding a second RVT member to the Board could be a future agenda item or an assignment for the MDC. Ms. Bowler stated that it was something the Board should research further, but not include in the Sunset bill.

Ms. Bowler also asked if the CaRVTA requests were being considered on their own by the Assembly Committee on Business and Professions, or if they would be considered and voted on by the Board to be added to the bill. Ms. Siefertman responded that the Board can ask for anything to be added to the bill and request those amendments. She stated that she wanted the Board to be aware of what CaRVTA's requests were and to consider whether or not to make additional requests to the Legislature. She added that the Board had not weighed in on the name badge discussion yet, but that it was included in the current version of the bill.

Dr. Nunez also stated that he was not in favor of eliminating the VACSP program, but that the Board is reevaluating it at this time.

Ms. Bowler inquired about the potential telehealth definitions amendment to the bill. Ms. Siefertman responded that the Board did request that the definitions be added to the bill, so the request would be sent over to two committees to see if the amendment can be added to the bill.

Ms. Loreda stated that she would like to see the discussion about adding another RVT member to the Board discussed at the Board level, rather than at the MDC level. Dr. Nunez stated that he would be OK with starting that discussion at the Board level.

Ms. Siefertman stated, if nothing was changing, the Board could maintain its Support position.

The Board received public comment on this item. Nancy Ehrlich, CaRVTA, stated she was pleased the Board would be discussing the VACSP program. She added one of the reasons why the VACSP program was implemented was because there were insufficient numbers of RVTs to handle controlled substances in every practice. She added statistics show, as of June 2021, there are now 2.3 RVTs per premises in California. She noted the situation has changed dramatically, and they now feel there is no longer a justification for allowing people with no credentials to access and administer the most dangerous drugs in veterinary practices. Regarding the composition of the Board, she stated that having only one RVT on the Board is very disproportional to the number of RVTs in the state versus the number of veterinarians. She noted that one

RVT on the Board is also a problem in the event that individual is unable to attend a meeting. She stated it is therefore very appropriate to add a second RVT to the Board, and they are very pleased that the Board is considering that. She noted they are also very pleased the Board lowered RVT fees and that the name badge provision had been added to the Sunset bill.

C. Senate Bill (SB) 344 (Hertzberg, 2021) Homeless shelters grants: pets and veterinary services

Ms. Sieferman reported that SB 344 was currently with the Senate Appropriations Committee. She stated it had not been set for hearing yet, but it would occur after the summer recess. She explained the bill would provide grants to qualified homeless shelters for the provision of shelter, food, and basic veterinary services for pets owned by people experiencing homelessness. She noted the Board currently had a Support position on the bill.

There were no public comments made on this item.

D. SB 731 (Durazo, 2021) Criminal records: relief

Ms. Sieferman reported that SB 731 was also with the Senate Appropriations Committee, and a hearing would be scheduled after the summer recess. She explained the bill expanded felonies that are eligible for automatic record sealing to include convictions for certain felonies that resulted in incarceration, as long as the individual has completed their sentence and has not been convicted of a new felony offense for four years. She stated the bill essentially diminishes the Board's ability to adequately protect the health and safety of California consumers by removing the Board's ability to review and evaluate a current licensee's arrest and conviction information for the purposes of approving an application for licensure. She explained that such arrests have provided comprehensive proof of an applicant's ability to practice without harm to the public. She stated due to the diminished ability for the Board to adequately protect consumers and fulfill its statutory mandate, Board staff recommended either an Opposed or Opposed, Unless Amended position, with a request that the Board be exempted from the bill. She noted that was similar to what the Board of Pharmacy had done. She also added that other DCA boards have opposed the bill.

Ms. Prado stated she believed the Board should not take an Opposed position and should look at the bill more broadly. She noted she understood there is balancing to have here, but she wanted to make her position known.

Ms. Bowler stated she would be in favor of opposing, unless the Board, like some of the other health care boards, is exempted from the bill. However, she noted for consumer protection, she felt it was important to have that information available. She stated she was concerned with some of the more serious felonies that are included in the bill.

Dr. Bradbury stated she agreed with Ms. Prado on this one, but she also understood the concerns as a Board. She noted there are a lot of people that go through the criminal justice system, and they have served their time. She stated that becoming a veterinarian or an RVT requires getting through school, passing a test, etc. She noted there are a lot of things that demonstrate they are on the right path. She stated she felt the review of their criminal records over and over again was very limiting to a lot of people who have made mistakes early on in their life. She noted she was not as strongly opposed to this bill as others. She added she believed the intent of the bill was to give people a chance to become active, viable members of society and to participate in certain professions.

Dr. Nunez stated he understood all of the concerns; however, he noted there is a certain level of trust and ethics and access to controlled drugs that may justify opposing the bill.

- Dr. Mark Nunez moved and Ms. Kathy Bowler seconded a motion to take an Oppose, Unless Amended position on SB 731, to exempt the bill's application to the Board. The motion carried 4-1-3, with Ms. Dianne Prado voting no, and Drs. Christina Bradbury and Maria Preciosa S. Solacito and Ms. Jennifer Loreda abstaining.

There were no public comments made on this item.

The Board [returned to Agenda Item 6](#) at 1:00 p.m. after Agenda Item 8.D.

9. Update, Discussion, and Possible Action on Proposed Regulations

A. Status Update on Pending Regulations

Justin Sotelo provided a status update on the Board's pending regulations. He indicated the update included changes in the status of rulemaking packages since April 2021. He reported the Board currently had 15 rulemaking packages that were pending in the rulemaking process; four of which were in various stages of the initial or final phase of the process, and 11 that were pending preparation by Board staff for submission to DCA. Mr. Sotelo provided a specific update on each of the following packages, discussing all steps that had occurred since April 2021: Fee Schedule (Certificate of Compliance); Animal Physical Therapy; Drug Compounding; Disciplinary Guidelines; and Sodium Pentobarbital/Euthanasia Training (Section 100).

There were no public comments made on this item.

B. Section 2006, Article 1, Division 20, Title 16 of the CCR Regarding Disciplinary Guidelines

Mr. Sotelo provided another brief status update on the Disciplinary Guidelines regulatory package. He noted that text modifications previously approved by the Board

were noticed on May 27, 2021, for 15 days, and the Board received one public comment with recommendations during the public comment period. Mr. Sotelo summarized each of the recommendations provided in the public comment and the proposed responses to each recommendation, which would be included in the Board's final statement of reasons (FSR) for the rulemaking package. Additionally, he explained that the Board was being asked to consider approving a second modification to the regulatory proposal, partly in response to the public comment with recommendations, but also to make other necessary and technical revisions to the text of the Disciplinary Guidelines. Mr. Sotelo presented and explained each proposed revision included in the second modification to the Disciplinary Guidelines. After discussion, additional revisions were made to the Optional Terms and Conditions language for Supervised Practice and No Management.

- Dr. Jaymie Noland moved and Ms. Kathy Bowler seconded a motion to approve the proposed second modifications to the text, with additional amendments provided during discussion, for a 15-day comment period and, if there are no adverse comments received during that 15-day public comment period, delegate to the Executive Officer the authority to adopt the proposed regulatory changes, as modified, and also delegate to the Executive Officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file. The motion carried 8-0.
- Dr. Jaymie Noland moved and Ms. Judy Ki seconded a motion to approve the proposed responses to the written comment with recommendations received during the first 15-day public comment period, and direct staff to incorporate the responses into the FSR when proceeding with the final rulemaking package. The motion carried 8-0.

There were no public comments made on the motions.

C. Sections 2090-2095, Article 1, Division 20, Title 16 of the CCR Regarding Drug Compounding

Regulatory Counsel Karen Halbo presented the item and explained that during the final review of the regulatory package, LAD raised clarity concerns about six portions of the previously modified text that could be questioned during the Office of Administrative Law's (OAL) final review. Ms. Halbo explained each concern and the proposed revisions before the Board that could address those concerns. She stated, if the second modified text before the Board was approved, it would be noticed for an additional 15-day comment period. She explained that the public would only be able to comment on the most recent modifications to the text.

- Ms. Kathy Bowler moved and Dr. Jaymie Noland seconded a motion to approve the proposed Second Modified Text for a 15-day public comment period, and if there are no adverse comments regarding the specific adoption, amendment, or repeal proposed in the Second Modified Text received during that 15-day public

comment period, delegate to the Executive Officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file and adopt the Second Modified Text, as modified. The motion carried 8-0.

There were no public comments made on the motion.

10. Recess until July 23, 2021, at 9:00 a.m.

The meeting was recessed at 2:46 p.m.

9:00 a.m., Friday, July 23, 2021

11. Reconvene - Establishment of a Quorum

Dr. Mark Nunez called the meeting to order at 9:00 a.m. Ms. Jessica Sieferman called roll; eight members of the Board were present, and a quorum was established. Dr. Jaymie Noland joined the meeting at 9:15 a.m.

Board Members Present

Mark Nunez, DVM, President
Kathy Bowler, Public Member, Vice President
Christina Bradbury, DVM
Judy Ki, Public Member
Jennifer Loreda, RVT
Jaymie Noland, DVM (*arrived at 9:15 a.m.*)
Dianne Prado, Public Member
Maria Preciosa S. Solacito, DVM

Staff Present

Jessica Sieferman, Executive Officer
Matt McKinney, Enforcement Program Manager
Timothy Rodda, Administration/Licensing Manager
Patty Rodriguez, Inspection Program Manager
Rob Stephanopoulos, Enforcement Manager
Virginia Gerard, Probation Monitor
Lori Kent, Hospital Inspection Analyst
Amber Kruse, Enforcement Analyst
Kim Phillips-Francis, Enforcement Technician
Justin Sotelo, Lead Administrative & Policy Analyst
Jennifer Tarrant, Enforcement Analyst
Tara Welch, Board Counsel, Attorney III, DCA, LAD

Guests Present

Sharon Burns
Samantha Chessie, Policy Analyst, APG
Bikram Dhaliwal, DCA, Budget Office
Nancy Ehrlich, RVT, CaRVTA
Kimi Garcia, Director of Student and Academic Affairs, Platt College
Shelly Jones, Moderator, DCA, SOLID
Brianna Miller, Manager, DCA, Board and Bureau Relations
Grant Miller, DVM, CVMA
Karen Munoz, Budget Manager, DCA, Budget Office
Mike Sanchez, Television Specialist, DCA, OPA
Dianne Sequoia, DVM, MDC
Marie Ussey, RVT
Kristy Veltri, Program Director, Platt College

Jose Zelidon-Zepeda, Deputy Attorney General (DAG), Office of the Attorney General

12. *Review, Discussion, and Possible Action Regarding Potential Revisions to Board and Committee Member Administrative Procedure Manual

Ms. Siefertman stated that proposed updates to the Board and Committee Member Administrative Procedure Manual were before the Board for consideration. She noted that it was good practice to review the Manual every couple of years to make sure it is up to date. She explained that in reviewing the Manual, there were a number of areas that could be amended to improve clarity and direction of the Board, MDC, and staff. Ms. Siefertman briefly summarized the proposed amendments.

Ms. Bowler identified a correction on page 18 of the Manual (to change “AAVSN” to “AAVSB”) and a potential revision to the Ex Parte Communications section on page 23 of the document. Ms. Welch offered a revision to that section that would address how Board members should handle direct electronic communication from a license applicant or licensee.

At this time (9:14 a.m.), the Board moved to [Agenda Item 13](#) and [returned to Agenda Item 12](#) at 9:20 a.m. after Dr. Noland was able to join the meeting.

Ms. Welch repeated the additional revisions to the Manual for Dr. Noland.

- Ms. Kathy Bowler moved and Dr. Christina Bradbury seconded a motion to approve the revised version of the Board and Committee Member Administrative Procedure Manual, with the additional revisions provided during discussion. The motion carried 8-0.

The Board received public comment on this motion. Ms. Ehrlich stated that the veterinary student liaison program was an excellent idea, but asked why it was limited to veterinary students and did not include RVT student liaisons.

Dr. Noland offered an additional revision, on page 17, to add the words “if possible” to the sentence that read “Recruitment efforts for upcoming vacancies on the MDC shall begin at least 12 months prior to the expiration of the said term.” Ms. Bowler and Dr. Bradbury accepted this revision as part of the motion to approve the Manual. Dr. Noland also suggested giving veterinary schools more guidance about the timeframe for selecting student liaisons, noting that it should occur before the Board’s fall meeting.

Regarding Ms. Ehrlich’s comment, Ms. Loreda stated that she agreed, but noted that there are two veterinary schools, and several RVT schools and types of RVT schools. She stated that she would share an idea on that comment during her RVT report. She also noted it did not seem feasible to have every single RVT school represented.

Ms. Siefertman noted that this question also came up during the last strategic planning session. She explained that the intent was not to leave out RVT students, but to maybe

start with the veterinary student liaisons, and then determine how the RVT students could be included. She suggested that the Board work with CaRVTA and Ms. Loredo on how to get RVT student liaison representation.

Next, the Board moved to [Agenda Item 14](#).

13. Board President Report – Mark Nunez, DVM

Dr. Nunez reported that he and Ms. Sieferman continue to have their weekly meetings, which help him stay up to date on issues and things that are taking place in Sacramento. He complimented Ms. Sieferman on everything that she does and for her monthly calls with other Board members. He added that his calls with Ms. Bowler also allow them to stay on top of issues regarding legislation, as things are always changing.

Dr. Nunez also mentioned that they recently had an onboarding meeting with new public member Ms. Ki, and noted that she is a very enthusiastic Board member.

He also mentioned that there was a CVMA Board of Governors meeting on June 17, 2021. He noted that Ms. Sieferman provided a wonderful presentation and update at that meeting.

Dr. Nunez thanked all of the Board staff for doing such a tremendous job over the last year. He noted that staff stood by the Board, and he was grateful for that. He added that staff not only worked under strenuous circumstances and decreased pay, but they excelled in their duties, going above and beyond what is in the job description. He also added that staff are always looking for ways to make things more efficient and reduce spending. He stated that he was impressed tremendously by the hard work that they do, and they are all very talented people.

Dr. Bradbury also welcomed Ms. Ki to the Board.

Dr. Nunez also stated that he was honored to continue to serve on the Board during his grace period. He noted that he is passionate about his profession and thanked DCA and the Board for the privilege of being able to serve.

There were no public comments made on this item.

The Board [returned to Agenda Item 12](#) at 9:20 a.m. after Agenda Item 13.

14. Registered Veterinary Technician Report – Jennifer Loredo, RVT

Ms. Loredo congratulated all of the new RVTs who recently passed the Veterinary Technician National Exam (VTNE) over the summer. She stated this was probably the busiest time in veterinary medicine for every single veterinary hospital, and those new RVTs are much needed. She also reminded all veterinary support staff to practice self-care, as many staff are experiencing heavy workloads, depression, and burnout.

Ms. Loredo reported, in Montana, they recently passed a licensure bill for veterinary technicians, noting that Montana was one of the states that previously did not have licensing and qualification guidelines for veterinary technicians.

She also noted that with increased workloads and burnout, she has observed many RVT programs losing their program directors, and there has been a lot of turnover. She added that she sits on four advisory committees for RVT programs, and she has seen two of them recently lose their directors. She explained that is an issue because they are trying to get more RVTs out in the field.

Ms. Loredo next discussed how there is such a high demand for RVTs right now and encouraged members and the audience to share that information.

Next, Ms. Loredo asked, with the possibility of going back to in-person meetings, if it would be possible to still have the option of remote participation. She commented on how public participation in Board meetings had increased due to remote meetings, and that many interested parties, including students, are not able to travel. She noted that she would like to see to option of having hybrid remote/in-person meetings to increase participation. She stated that as a public protection agency, it is very important to hear from the public.

Ms. Loredo also noted that she did not want the shelter medicine access issue to fall off of the Board's radar; she noted that was something the Board had talked about. She stated, with regard to shelter medicine access, that is not something the Board can fix, but there are impacts on RVTs, as there are a lot of gray areas in terms of what RVTs can and cannot do. She noted she would like to see a subcommittee or the MDC, at some point, revisit the issue. She stated that there continues to be a need for care at shelters and that the issue was not going away.

Next, Ms. Loredo mentioned that there had been a request to create an additional RVT member position on the Board. She noted that she absolutely agreed that there should be another RVT on the Board for several reasons. She stated that the DVM/RVT ratio on the Board should be consistent with the number of DVM and RVT licensees, having nine members instead of eight would be better for voting, having another RVT opinion on the Board would be good, and it would also help distribute the RVT workload when it comes to participation on the MDC and subcommittees.

Regarding the idea of an RVT student liaison, she suggested that perhaps an RVT association could communicate with all of the different programs and the students, get feedback, and then the association could have a representative at the Board. She asked if any of the members had any ideas or comments regarding that suggestion.

Dr. Bradbury stated that she liked that idea, and it would be nice if the representative was still a student.

Ms. Loredo added that it might also be nice to have a couple of liaisons who represent the different types of RVT schools, but who also communicate with and represent multiple schools.

Ms. Sieferman asked if there was a student association for the RVT programs that the Board could reach out to. Ms. Loredo stated that CaRVTA would likely know if there is a student association.

Regarding the shelter issue, Ms. Sieferman also reminded the members that the Board's Sunset bill included more exemptions for shelters to provide certain services without being registered with the Board. She added that she believed the intent of those exemptions was to help with that issue. She also reminded the members that shelter regulations have been approved by the Board, but they have not been submitted to DCA yet; in other words, she explained that there will be ample opportunity for the public to participate and provide comment on that issue, and the Board would then consider those comments and determine if additional changes are needed.

Regarding the number of Board members, Dr. Nunez asked if DCA had limits or restrictions. Ms. Sieferman responded that DCA did not have any restrictions, and that those decisions are determined by the Legislature. She also explained that board member composition varies quite a bit when looking at all DCA boards.

Dr. Nunez again stated that the issue of adding another RVT member to the Board could be discussed further under a future agenda item. Ms. Bowler also commented that the issue could require a bigger discussion in that the Legislature might also recommend adding another public member in light of the North Carolina case.

The Board received public comment on this item. Ms. Ehrlich stated that she did not know if there was an RVT student association, but that she would bring the issue up at CaRVTA and see what ideas they come up with about working with students and the schools.

15. National Association Involvement Reports – Kathy Bowler and Mark Nunez, DVM

A. *International Council for Veterinary Assessment

Ms. Bowler noted that although the Think Tank did not have a lot of activity in the last year, she believed it may have a meeting coming up on August 12, 2021.

Ms. Bowler reported that the International Council for Veterinary Assessment (ICVA) just had a board meeting on June 24-25, 2021. She also reported that, due to COVID-19, the fall testing window for the North American Veterinary Licensing Examination (NAVLE) was extended from November 1 through the end of the year. She also stated that with all of the issues in 2020 due to the pandemic, NAVLE pass rates were higher in 2020 compared to 2019.

She also reported that the pandemic has allowed the ICVA board to utilize a lot more virtual trainings, seminars, and outreach for students and colleges, which has been well-received. And she added that ICVA will continue with that.

Ms. Bowler stated that there were two board position openings that were filled and they had an amazing pool of highly qualified applicants. She also added that she was excited to report that she was unanimously elected chair-elect for the ICVA. She noted that she will be the first non-veterinarian to serve in that position in the ICVA's history.

She added that she hoped the American Association of Veterinary State Boards (AAVSB) would reappoint her and that she was also up for re-election this year for her third and final term with the ICVA.

The Board received public comment on this item. Samantha Chessie, APG, asked if the AAVSB meeting in Denver would be open to the public. Ms. Bowler responded that she did not know, but that she could find out for Ms. Chessie.

B. [*American Association of Veterinary State Boards \(AAVSB\), Member and Program Services Think Tank](#)

Dr. Nunez reported that the next annual Think Tank meeting would be held in-person in Denver, Colorado. He also stated that he would be making another run for a position on the Board of Directors. He added that it would be nice to have a California representative on the Board of Directors because there are several issues on the national level that affect California.

There were no public comments made on this item.

16. [Executive Management Reports](#)

A. [Administration](#)

Administration/Licensing Manager Timothy Rodda reported that all staff returned to working in the office in June of this year. He explained that all staff are required to be in the office at least three days per week. He also reported that, on June 1, 2021, the Board's human resources liaison and coordinator, Jacqui French, accepted another position with DCA. He stated that they would be reclassifying that position into an enforcement position.

Mr. Rodda also reported that, on June 1, 2021, the Board hired a new receptionist, Kellie Harris.

He also reported that, recently, the Board was able to convert its limited term positions into permanent positions. He explained that this should help with further recruitment for the Board, as candidates typically seek out permanent positions.

Dr. Noland asked how many positions were converted to permanent positions. Mr. Rodda responded that, in total, there were about 12 positions that were converted.

Next, DCA Budget Analyst Bikram Dhaliwal provided a general budget update regarding fiscal month 11, May 2021. He stated that he would be going over the latest Expenditure Projection report and Fund Condition statement. He noted that he had good news in that the Board was on track to revert about 16.9 percent of its budget, which equates to \$1,075,813. He added that this will help with the overall condition of the fund, and allow it to continue operating in a healthy manner. He stated that a lot of the savings actually came from things like personnel services, Attorney General (AG) costs, and travel. He noted that he may be able to provide actual figures for expenditures at the October 2021 meeting.

Dr. Nunez asked if the Expenditure Projection report included any legal expenses related to the Board's current lawsuit. Ms. Sieferman reported that the Board was in the early stages of that lawsuit, but the expenses would come out of the AG line item. She explained that there is not a separate line item for that lawsuit.

Ms. Bowler asked if the Board could internally monitor the lawsuit costs separately. Ms. Sieferman responded that staff would be able to monitor those costs from the monthly invoices. Ms. Bowler also asked if the savings under the AG line item was due to the Board's recent efficiencies or because the Board is not moving as many cases over to the AG's office. Ms. Sieferman explained that the Board is not sending as many cases over to the AG's Office that would have previously been transmitted due to the collaboration and efficiencies between the Board and the AG's Office. She explained that the Board is now resolving issues at a lower, appropriate level. She also added that, from an enforcement standpoint, the Board is closing fewer cases, so that is also a factor.

Dr. Noland asked Mr. Dhaliwal if the fiscal month 11 projections would be fairly close to what the year-end actuals will be. Mr. Dhaliwal stated that he believed the projections are very close to what they will see. He added that he believed he would be getting fiscal month 12 data in another week or two.

Dr. Noland also asked if the Board was fully staffed, or if the salary savings was due to vacancies. Ms. Sieferman responded that the Board did have salary savings due to vacancies, but it was mostly due to promoting existing staff to new positions and then having to backfill the old positions. She added that there was also significant savings due to the required salary reduction during the fiscal year. She noted that she believed that amount was approximately \$324,000.

Dr. Nunez asked if the salary reductions had been restored. Ms. Sieferman responded that, as of July 1, 2021, those salary reductions were restored, but will not be seen until the end of the month. Dr. Nunez stated he was happy to hear that.

Next, Mr. Dhaliwal reviewed the Fund Condition statement. He explained that, for the current year 2020-21 column, he plugged in the fiscal month 11 revenue and expenditure projections. He also explained that he had good news regarding revenue in the sense that it looks like the Board is on track to collect about \$200,000 more than what was anticipated and calculated during the fall budget building process. He explained that the large driver of that was due to the recent fee increases and license renewal fees. He explained that when expenditure savings and increased revenue are factored in, it puts the Board's months in reserve at 7.8 months, which has gone up since the report at the previous Board meeting. He noted that the Board is on track to be in even better financial shape compared to three months ago.

Dr. Noland asked if the Board could be reminded what the minimum/maximum amounts for months in reserve were. Ms. Sieferman responded that, for the Board, the minimum was three months and the maximum was ten months.

Ms. Sieferman also noted that the Fund Condition statement does not account for high or unanticipated expenses or budget change proposals (BCPs) for new staffing, which would have an impact on the fund balance and months in reserve.

Dr. Bradbury asked where cost recovery from cases is captured in the statement. Ms. Sieferman responded that it was reflected on the Expenditure Projection report under *Unscheduled Reimbursement – Other*. Mr. Dhaliwal noted that the \$188,000 at the bottom of the Expenditure Projection report was cost recovery.

Regarding the Fund Condition statement, Ms. Bowler asked why the \$5.8 million in revenue for renewal fees for FY 2020-21 went down to \$5.6 million for FY 2021-22. Mr. Dhaliwal explained that the revenue for renewal fees for FY 2021-22 was calculated last fall; however, the renewal fees for FY 2020-21 came in higher than anticipated, so it was likely that the revenue for that line item would be adjusted to be higher going forward. Ms. Sieferman also explained that when calculating workload and revenue, you want to be fiscally conservative and not over project what the revenue may be; however, the amounts are adjusted each year based on workload from prior years.

Ms. Bowler also asked how a Board takes into consideration a lawsuit that may impact its budget and ability to fulfill its mandate. Ms. Sieferman responded that the Board could create another line item on the Expenditure Projection report; however, she explained that it would not be an official line item that corresponds with the Governor's budget.

There were no public comments made on this item.

B. Examination

Mr. Rodda reported that a link to ICVA's recent quarterly newsletter issue was provided in the cover memo. He stated that the memo also provided examination statistics for the California State Board Examination (CSBE), NAVLE, and VTNE. He noted that the

Board also got its link with AAVSB working on June 22, 2021, to receive examination scores electronically.

Mr. Rodda also reported that the RVT school inspection letters were sent out. He stated that the Board decided not to inspect schools even though it had the authority to do so, based on their pass rates. He explained that, of the schools listed, there were six that met the criteria for inspection.

Ms. Loreda noted that one of the RVT programs expressed frustration about why the Board was asking about tuition costs. She asked the Board members if they recalled why that question was asked. Ms. Siefertman responded that she believed it was a request from one of the Board members.

There were no public comments made on this item.

C. Licensing

Mr. Rodda reported that Kimberley Lynn was hired to fill a Licensing Unit analyst position. He stated that Ms. Lynn was very happy to be a part of the team and that she took over the premises renewals. Mr. Rodda thanked Patty Rodriguez and the inspections team for previously handling the premises renewals.

Regarding license renewal requirements, Mr. Rodda stated that the Board still receives a lot of questions regarding fingerprinting, as well as continuing education, mostly due to the DCA Director waiver extensions.

Regarding the CSBE, Mr. Rodda reported that staff is communicating to candidates that the anticipated removal of the examination is tied to the Board's Sunset bill, and the Board will provide further notice once more information is available.

Mr. Rodda noted that the licensing statistics were also provided in the memo, and that the number of applications and licenses have increased due to graduation season.

Regarding processing times, Mr. Rodda noted that a report that was generated by the Office of Information Services (OIS) was not accurately including milestones, which stops the processing clock when the Board needs information from its candidates. He stated that staff worked with OIS to correct the report. He added that staff have also made some internal adjustments with regard to how milestones are recorded.

Ms. Bowler asked, with regard to the work staff is doing with OIS to make improvements to BreZE, when that work will be completed. Mr. Rodda responded that, by next year, they were planning to completely revamp the Board's licensing system once changes have been made to remove the CSBE.

Ms. Siefertman noted that there have already been a number of BreEZe improvements in licensing and license processing is now a lot faster than prior years. She added that processing times will be even faster once the Sunset bill is enacted.

Ms. Bowler also asked what final license application meant. Mr. Rodda responded that it is the application for the license itself and is the final step in the licensure process.

Regarding the pending VACSP applications, Dr. Noland asked if the Board had an issue with applicants moving and then the applications were not closed because the Board does not have a mechanism to close them. Ms. Siefertman confirmed that there are several applications pending, but once the Sunset bill passes, the Board will build into BreEZe the ability to expire those applications, and then that number will drop dramatically.

The Board received public comment on this item. Ms. Ehrlich stated that RVT numbers are going up a lot, and the relationship of RVTs to premises has significantly improved. She explained that there are now more than two RVTs per premises, which leads to a rethinking of the VACSP program, which was initiated when apparently there were not enough RVTs to serve every premises. She therefore urged the Board to reconsider how the VACSP program works.

D. Enforcement

Enforcement Manager Rob Stephanopoulos reported that, as Mr. Rodda stated, staff are back in the office three days a week, and managers are back in the office as well. He noted that this has facilitated a lot more face-to-face meetings with staff. He stated that Matt McKinney, the other Enforcement Manager, has been picking things up extremely quickly, and the enforcement staff has broken up into two teams, so that they can better manage the workload. He added that Mr. McKinney would also be overseeing the probation program and the expert witness program.

Mr. Stephanopoulos also reported that the Enforcement Unit was holding one-on-one meetings with staff on a weekly basis, which has gotten a lot of positive results. He noted that this takes up more of the managers' time, but he believes it will be well worth it.

He reported that there had been a vacancy in intake, which was filled last month. He noted that they lost a little bit of ground on their intake cycle times, but he believed they were just above 10 days, which is the target.

Mr. Stephanopoulos also reported that they lost one of the six analysts who was recently hired via the limited term BCP, so they are trying to fill that vacancy as soon as possible.

He stated that the Enforcement Unit has also been working closely with the Deputy Attorney General Liaison, Karen Denvir, regarding case specifics and to get a legal perspective on the strength of cases.

Mr. Stephanopoulos stated that, during the pandemic, the Board had a significant rise in the number of complaints received, a 25 percent increase over last year. He noted that will affect the bottom line when it comes to their backlog of cases. He added that the complaint backlog is around 3,500 right now. He also added that the vast majority of complaints received are alleging negligence or incompetence, which are the highest priority complaints under the statute.

He also reported that the Board has a little over 400 cases that are over three years old, which are the main focus of the Board.

Regarding the Division of Investigation (DOI), Mr. Stephanopoulos reported that the Board has really tapered down its usage of DOI for field investigations and is relying more on the Board's inspectors, which is a lot cheaper and faster. He noted that the cycle times with DOI have also dropped down, which is a result of staff being on top of those case.

Regarding the expert witness program, he reported that the Board has a lot of plans in place. He also noted that they were very happy to have Dr. Bradbury on the Complaint Audit Subcommittee.

He noted that the memo also addressed some strategic plan accomplishments.

Dr. Nunez noted that cycle times are affected by all that is involved in due process, staffing, etc. He complimented staff for their efforts and for not giving up, and stated that their work is appreciated.

Dr. Bradbury thanked Mr. Stephanopoulos and staff for all of their hard work. She also expressed concern with cycle times and asked if staff had explored alternatives in how to address the more serious complaints or multiple complaints against individuals. Mr. Stephanopoulos responded that staff shared that concern and have had several discussions on how to address that. Ms. Siefertman also stated that staff are looking at that, but she cautioned Board members to not let cycle times drive decisions in processing complaints when it comes to consumer protection. She added that there is concern that if staff work the newer cases just for the sake of helping statistics, then resources are taken away from older, more egregious cases. However, she assured the Board that there are tools in place to work more recent egregious cases more quickly.

Ms. Bowler thanked the enforcement staff for all of the hard work they do. She noted that, over that last couple of years, staff have implemented many efficiencies and improvements with processing. However, she noted that, with the number of complaints the Board is receiving, it seems like an insurmountable hole to dig out of with existing staff. She stated it seems like the Board needs double the number of staff. She added

that the Board has already maximized everything it can do, but perhaps something else needs to be done.

Mr. Stephanopoulos concurred that staffing was the core issue. He added that the Board's case are among some of the most complex.

Dr. Noland asked if there was a benchmark within DCA with regard to the ratio of staff needed versus the number of cases. She also added that if less staff are needed in licensing, perhaps they could be allocated towards enforcement. Ms. Sieferman responded that with regard to workload, typically 80 to 100 cases per analyst is deemed a manageable level. She added that the Board can use that benchmark when it comes to BCPs to get additional staff. She also added that the Board is regularly looking at reallocating staff. She noted that with the inspection team coming over to enforcement, that is also an additional five staff.

There were no public comments made on this item.

E. Probation

Probation Monitor Virginia Gerard reported that probation statistics were provided in the cover memo for the Board's review. Additionally, she stated that the probation office technician was now fully assigned to the probation unit as of a couple of weeks ago. She also stated that she was happy that a new Probation Monitor analyst would be starting on July 26, 2021.

Dr. Nunez noted that public comments on this item would be taken at the end of the Executive Management Reports.

F. Hospital Inspection

Hospital Inspection Program Manager Patty Rodriguez reported that Inspection Analyst Joclynn July resigned from State service in May 2021, and Ashley Sanchez, the program's Office Technician, was hired to fill the vacancy. She noted that Ms. Sanchez is also an RVT, and has a unique background that they tap into all of the time. She added that Ms. Sanchez's original position was reclassified as an analyst position for the program, and a new analyst, Jennifer Lee, would be starting in the coming week to fill that position. She noted that they were happy to have Ms. Lee starting soon. She also noted that with the licensing staff taking back the premises renewals, that would allow the inspections staff to focus more on inspections workload.

Ms. Rodriguez also stated that it will be nice to see the Inspections Unit merging back into to Enforcement Unit, so that there is a collective unit that works as a team and utilizes everyone's skills, knowledge, and strengths. She added that this is a move in the right direction that will streamline many things.

She noted that the cover memo also included the recent Strategic Plan accomplishments. She added that, ongoing, they continue to promote the self-evaluation checklist. She also added that the Inspections Subcommittee and MDC will continue to evaluate the inspections mandate.

Ms. Rodriguez stated that they were also working on recruiting inspectors. She noted that, in the last 18 months, they have gone from 16 inspectors down to eight. She also added that, hopefully, by the fall or the end of the year, they will gradually start to work on getting the routine inspections done.

Dr. Nunez stated that Ms. Rodriguez and her staff did a terrific job with the huge task of conducting inspections during the pandemic with no additional resources. He stated he looked forward to the next report and what they will accomplish.

Dr. Noland thanked Ms. Rodriguez and her staff for their work. She reiterated her suggestion to have more spot check oriented hospital inspections, as opposed to full inspections. Ms. Rodriguez stated that was something the Inspections Subcommittee will certainly look at and discuss.

Dr. Nunez noted that public comments on this item would be taken at the end of the Executive Management Reports.

G. Outreach

Regarding association meetings, Ms. Sieferman reported that they continue to participate in the CaRVTA monthly meetings. She added that they also provide updates to the CVMA Board of Governors every quarter.

Ms. Sieferman stated that the cover memo also discussed the Board's increased social media presence. She added that the Board is also working with the DCA Office of Public Affairs (OPA) to increase the distribution of information and documents to consumers and licensees. She noted that the memo provided recent graphics developed by OPA.

Dr. Nunez noted that public comments on this item would be taken at the end of the Executive Management Reports.

H. Strategic Plan

Ms. Sieferman reported that the meeting materials included a Strategic Plan objective tracker that provided actions, target completion dates, and the current status of tasks. She explained that there were many items that have been completed, but will become ongoing tasks because they should be part of normal operating procedures. She stated that, with the next tracker the Board sees, there will be more information under each item that will specifically provide what was done and when. She explained that the

tracker will become an all-inclusive document that will provide everything the Board has accomplished for the Strategic Plan.

Ms. Bowler thanked Ms. Sieferman and stated that the document looked great. However, she asked if the document could be adjusted to make it easier to identify which tasks have been completed. Ms. Sieferman responded that she would do that.

There were no public comments made on Agenda Items 16.E, 16.F, 16.G, or 16.H.

17. Future Agenda Items and Next Meeting Dates

- **October 21-22, 2021**

Dr. Nunez noted that the following could be future agenda items: adding an additional RVT member to the Board; looking at the idea of spot check oriented inspections; and looking at how to get RVT student liaison representation on the Board.

Ms. Sieferman stated that the Board would also be looking at the approval of RVT school programs. She explained that this would require quite a bit of research. She also mentioned that the Board will have the Executive Officer evaluation and election of officers in October.

The Board received public comment on this item. Ms. Ehrlich asked the Board to consider evaluating the VACSP program for its value, efficiency, and necessity.

18. Recess Open Session

Open Session recessed at 12:32 p.m.

19. Convene Closed Session

Closed Session convened at 1:00 p.m.

20. *Pursuant to Government Code Section 11126(c)(3), the Board Will Meet in Closed Session to Deliberate and Vote on Disciplinary Matters, Including Stipulations and Proposed Decisions

There were no disciplinary matters to deliberate and vote on.

21. Pursuant to Government Code Section 11126(e)(1) and (2)(A), the Board Will Meet in Closed Session to Confer and Receive Advice From Legal Counsel Regarding the Following Matter: *San Francisco Society for the Prevention of Cruelty to Animals, et al. v. Jessica Sieferman*, United States District Court, Case No. 2:21-cv-00786-TLN-KJN

The Board met in closed session to confer and receive advice from Legal Counsel.

22. Adjourn Closed Session

Closed session adjourned at 1:47 p.m.

23. Reconvene Open Session

Open session reconvened at 1:47 p.m.

24. Adjournment Upon Conclusion of Business

Dr. Nunez adjourned the meeting at 1:49 p.m.

**Agenda items for this meeting were taken out of order. The order of business conducted herein follows the publicly noticed Board meeting Agenda.*