

Assistant Executive Officer's Report

Budgets

Based on our most recent budget reports, the Board's budget is within its range of projections for the current fiscal year. Included in your Board binders are the most current budget summary and expenditure reports. Reflected in the report is the Board's compliance with the 5% reduction plan on the Personal Services category of our budget.

Future Office Move

Board staff has been negotiating with the Department of General Services and DCA Facilities staff on a plan and design for a potential move of the Board Office to the DCA main building on North Market Street. While many of our requirements have been met, we still need to work through many issues before making a final decision. If a decision is made to move, the Board will request approval from the Department of Finance to establish an Architecture Revolving Fund (ARF). The ARF will allow the Board to set aside funds for the purpose of the move and its associated costs. The funds can be used for the project for a three year period. Any money remaining in the ARF after that period will revert to the Board's Fund.

Contracts

There is a new contract requirement from DCA that would require a change in how the Board obtains services of subject matter experts, inspectors, consultants, and expert witnesses. The process would require Board staff to process and maintain over 70 new contracts for services that are currently procured through invoices. This is a major workload that requires additional staff. Unfortunately, the Board was not given lead time to plan for this. DCA is granting contract delegation to the Board for contracts under \$12,500. This will require that we do contracts processing work at the Board office that is normally done by DCA Contracts' staff. After meeting with Contracts staff and attending Delegated Contracts training, Board staff continues to have major concerns with the workload involved this will create and its impact on Board staff. There has been discussion at DCA about pursuing legislative changes that will exempt Boards from the current requirements to an abbreviated contracting process.

Personnel

We are still limited in filling our vacant positions due to the State hiring freeze. Currently, we are only able to hire from within the Department. There are currently three vacancies at the Board office: a staff services analyst, an office technician, and a special investigator. We have an official hiring freeze exemption request for 1.5 positions that was submitted in mid March. The exemption is currently being reviewed by the Department and will be forwarded to the Agency Secretary for approval.

In March, the Board hired Tony Cangelosi through the AARP Work Search Foundation to work part time in the office and provide administrative support. Tony is a registered nurse who has an extensive background in healthcare and administration with several health organizations throughout the Sacramento area. We are excited to have him on board and he has already proven to be a great addition to our team.

Regulations Update

Fees

Proposed language would increase fees in varying degrees to application and license fees, California State Board and law examination fees, hospital premise fee, and establish the fee for the Board's diversion program.

The initial 45-day Notice was published on September 4, 2009. Subsequent 15-day Notices were published on November 10, 2009, November 25, 2009, July 22, 2010, and October 21,

2010. The July 2010 and October 2010 15-day Notices decreased the initial and renewal license fees and proposed to make all fee increases effective March 2012. The modified proposed regulations were submitted for review to DCA on November 8, 2010 and sent to Agency on November 15, 2010. Agency did not approve the proposed regulations, but they were submitted to the Office of Administrative Law (OAL) on December 2, 2010 to meet the one-year deadline for submittal.

OAL disapproved the proposed regulations on January 20, 2011 and the Board was given 120 days to resubmit the rulemaking file. The proposed regulations were resubmitted for review to DCA on February 4, 2011 and sent to Agency in March 16, 2011. The revised proposed regulations were approved by Agency on March 29, 2011 and sent to the Department of Finance for approval on March 30, 2011.

Exam and Clean Up

Proposed language would update the Board's address; remove a fixed exam filing date because the Board now offers its examinations in a computer based format with continuous testing; repeal sections that have a past sunset date; update form numbers; clarify the timeframe requirements for taking the licensing examinations; eliminate duplicative information; adding Western University at Pomona as an exempt veterinary college in California consistent with authority granted in 4830 (a)(5) of the Business and Professions Code, to recognize the repeal of Government Code section 15376 and to clarify existing law.

The initial 45-day Notice was published on September 4, 2009. The proposed regulations were submitted for review to DCA on April 22, 2010, sent to Agency in June 2010 and delivered to OAL on July 15, 2010. The proposed regulations were disapproved by OAL on August 25, 2010 and a 15-day Notice was published on November 10, 2010 and submitted to OAL on December 22, 2010. The proposed regulations were approved by OAL on January 31, 2011 and became effective on March 2, 2011.

Continuing Education - Veterinary Technicians

Proposed language would establish requirements for registered veterinary technicians to continue their education beyond those required for initial registration. It would also require registered veterinary technicians to submit, as a condition of renewal, assurance to the Board they have completed their required continuing education of 20 hours every 2 years.

The initial 45-day Notice was published on March 4, 2010. The proposed regulations were submitted for review to DCA on August 3, 2010 and sent to Agency on December 22, 2010. Agency approved the proposed language on February 16, 2011 and was sent to OAL on March 3, 2011. The rulemaking file is pending approval by OAL.

Retroactive Fingerprinting

Proposed language would require that veterinarian and veterinary technician licensees to respond to all Board requests for information within 30 days, that they are required to provide the Board with all records requested related to criminal history information, provide accurate responses and make available documents and other records requested.

The initial 45-day Notice was published on March 4, 2010. The proposed regulations were submitted for review to DCA on August 3, 2010 and sent to Agency on December 22, 2010. Agency approved the proposed language on February 16, 2011 and was sent to OAL on March 3, 2011. The rulemaking file is pending approval by OAL.

Enforcement Report

Statistical Data

| | |
|---|--------|
| New complaints since 7/1/10: | 528 |
| Total hospital inspections assigned: | 240 |
| Total hospital inspections completed: | 126 |
| *Total Veterinary licensees: | 15,170 |
| Total Veterinary licensees (current) in CA: | 10,669 |
| *Total Registered Veterinary Technicians: | 8,141 |
| Total Registered Veterinary Technicians (current) in CA: | 5,551 |
| Total premise permits: | 3,211 |
| <i>*Total includes delinquent, suspended, and CE license holds.</i> | |

Complaint Program

The total number of complaints received from July 1, 2010 to date is 528.

Of the 528 complaints received, 117 involve unlicensed activity. Typically the complaints are regarding unlicensed individuals performing anesthesia free dentistry, equine dentistry, unlicensed veterinary facility, veterinarians practicing without a valid license, and unlicensed assistants performing RVT tasks. The majority of unlicensed complaints are handled with a cease and desist order. However, if formal investigation is needed the case is referred to the Division of Investigation (Dol).

In October 2010 the Board reported that five unlicensed cases had been referred to the District Attorney's Office (DA) for criminal prosecution. At that time, the DA's Office declined to prosecute two of those cases and the Board was waiting to hear whether or not the remaining three would be accepted. Since that time the Board has been informed that two of the remaining three cases have been accepted. Prior to these cases being accepted by the DA's Office the Board directed Dol to conduct a formal investigation. Dol performed an undercover sting operation in both cases and determined both respondents were performing veterinary medicine without a license. The Board will assist the DA's Office as needed.

Citation Program

As of July 1, 2010, 22 citations have been served, two informal conferences were held and one citation was referred to the Offices of the Attorney General (AG) for an administrative hearing. Of the 22 citations served, which include some cases from fiscal year (09/10) and (10/11), five were issued for unlicensed activity, including unlicensed equine dentistry and unlicensed vaccine administration.

Inspection Program

As of March 31, 2011, the Board has assigned 240 routine inspections and 20 complaint and probation related inspections. Of the 240 routine inspections assigned, 126 have been performed. To date, 12 of the complaint and probation related inspections have been performed. The complaint and probation related inspections are required to be performed within 30 days of their assignment. Inspectors are required to complete and submit all inspections by May 1, 2011. Inspections are proceeding according to schedule, and the Board expects to have all inspections completed and submitted to the Board by May 1, 2011.

The Board is continuing to mail out Hospital Inspection Surveys to help determine any deficiencies or areas of ambiguity. To date, 103 inspection surveys have been mailed and 43 have been returned. The overall feedback rated the inspectors/program as excellent. The Board will continue to work with the Multidisciplinary Committee on ways to improve the program.

Discipline Program

Currently there are 38 formal disciplinary cases pending with the AG. Of the 35 pending cases, nine have been sent to the AG since July 1, 2010.

Enforcement staff is currently monitoring 33 probationers.

Examination/Licensing Report

Examinations

| NORTH AMERICAN VETERINARY LICENSING EXAMINATION | | | |
|--|-----------|-----------------------------|-----------|
| April 2010 | | November 2010/December 2010 | |
| Candidates | Pass Pct. | Candidates | Pass Pct. |
| 57 | 79% | 320 | 89% |

| CALIFORNIA STATE BOARD EXAMINATION | | | |
|---|-----------|----------------------------|-----------|
| May 2010 – October 2010 | | November 2010 – April 2011 | |
| Candidates | Pass Pct. | Candidates | Pass Pct. |
| 187 | 71% | 225 | 83% |

| REGISTERED VETERINARY TECHNICIAN EXAMINATION | | | |
|---|-----------|--------------------------|-----------|
| July 2010 - December 2010 | | January 2011 - June 2011 | |
| Candidates | Pass Pct. | Candidates | Pass Pct. |
| 424 | 60% | 100 | 62% |

Licensing

| Licenses Issued | |
|----------------------------------|----|
| January 1, 2011 - April 1, 2011 | |
| Veterinarian | 51 |
| Reciprocity | 9 |
| Intern | - |
| Registered Veterinary Technician | 81 |
| Premises | 41 |

| Limited Term Eligibility Window - RVT Examination | |
|--|------------|
| January 1, 2009 - January 1, 2011 | |
| Total Received Applications (incl. re-take appl.) | 816 |
| Total Re-Take Applicants | <u>86</u> |
| Total First Time Applicants | 730 |
| Applications Ineligible | <u>52</u> |
| Total Eligible First Time Applications | 678 |
| Applications Pending (addl. Info.) | 0 |
| Applicants Licensed | 454 |
| Failed Applicants not Eligible to Re-examine | <u>220</u> |
| Total Applicants Pending* | 16 |
| Pending Exam (to date) | 0 |
| Pending Licensure (to date) | 4 |

Examination Workshops

May 12, 2011 - RVT Examination Republication

May 25-26, 2011 - CSB Examination Construction

June 8-9, 2011 - CSB Examination Pass Score Setting

January 11-12, 2012 - Veterinary Occupational Analysis

February 8-9, 2012 - Veterinary Occupational Analysis