

Citations are issued in accordance with Business and Professions Code, section 4875.2 and Title 16, California Code of Regulations, section 2043. Business and Professions Code, section 4875.2, in pertinent part, states each citation shall be in writing and shall describe with particularity the nature of the violation, including a reference to the provisions of this chapter alleged to have been violated. A citation may include a civil penalty.

There are three types of violations, Class “A”, Class “B”, and Class “C” which are described and listed as follows, according to severity:

- Class “C” citations are issued when a statute of regulation has been violated but the violation did not cause death or serious bodily injury to the animal patient. Class “C” citation may have a civil penalty assessed in an amount not less than \$50 and not more than \$500.
- Class “B” citations can be issued when a person has violated a statute or Regulation and either, caused bodily injury to the animal which is not significant in nature; there is a probable assumption that death or serious harm would result; or a violation has been committed which meets the criteria for a Class “C” citation but the Respondent has two or more prior Class “C” citations within the last 24 months. Class “B” citations may have a civil penalty assessed in an amount not less than \$501 and not more than \$1,000.
- Class “A” citation is issued when a violation meets the criteria for Class “B” and two or more prior citations for Class “B” have been issued within the last 24 months.

In accordance with Title 16, California Code of Regulations, section 2043 (d) states, In assessing the amount of a civil penalty, the executive officer shall consider the following criteria:

- (1) The good or bad faith exhibited by the cited person.
- (2) The nature and severity of the violation.
- (3) Evidence that the violation was willful.
- (4) History of the violations of the same or similar nature.
- (5) The extent to which the cited person has cooperated with the board’s investigations.
- (6) The extent to which the cited person has mitigated or attempted to mitigate any damage or injury caused by his or her violation.
- (7) Such other matters as justice may require.

The last 100 citations issued by the Board were issued for Class “B” and Class “C” citations. There was no Class “A” citations issued. Of the 100 citations issued, 79 were issued for Class “C” violations and 21 were issued for Class “B” violations. Violations for Class “C” citations range from, but are not limited to, Record keeping, Veterinary Client-Patient Relationship, Licensure Requirement, Anesthesia, Duties of a Supervising Veterinarian, Inspection of Records by Board, Negligence and Registration or Place of Practice. Violations for Class “B” citations range from, but are not limited to, Record keeping, Negligence, and Anesthesia.

For citations issued for Class “C,” the majority were issued for negligence and/or recordkeeping violations.

Some examples of the record keeping violations cited were:

- no documentation of the dosage for each drug administered
- absence of name or initials of the veterinarian responsible for the record entry
- no documentation of the findings from a physical exam
- lack of animal patient’s name or identity in record

Some examples of the negligence violations cited were:

- failure to properly diagnose condition
- did not assess blood work
- recommended and performed a procedure (c-section) that was not clinically indicated
- prescribed an over dosage of a drug

The majority of citations issued for Class “B” consisted of multiple counts of negligence and/or record keeping violations.

Some examples of the record keeping violations cited were:

- x-rays were not maintained
- records were not legible
- records lack beginning and ending custody or a history or pertinent information

Some examples of the negligence violations cited were:

- chest x-rays were not taken after a suspected aspiration event
- post operative medication was not dispensed
- respondent found sufficient cause to remove the spleen but did not submit the spleen for pathology evaluation to provide a diagnosis or prognosis
- spay procedure was not properly performed
- animal suffered thermal burns

Of the three Classes, Class “C” and Class “B” citations are most commonly issued. As previously indicated there were no citations issued for Class “A”.