

CITATION AND FINE GUIDELINES

VIOLATIONS OF VETERINARY MEDICINE	Formal Discipline	Citation		
This chart contains general guidelines. Any and all of the violations could result in formal discipline depending on the fact pattern and severity of any given case. It is up to the discretion of the Board based on input from its experts and professional consults to determine whether or not to seek formal discipline or issue a citation.	Accusation/ Decision	Repeated Offense with Injury or Death A \$1,001 - \$1,500	Repeated Offense B \$501 - \$1,000	First-Time & Minor Offense C \$50 - \$500
4883. Grounds The Board may deny, revoke, or suspend a license or assess a fine as provided in Section 4875 for any of the following:				
(a) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, surgery, or dentistry, in which case the record of such conviction shall be conclusive evidence.	Y			
(b) For having professional connection with or lending one's name to any illegal practitioner of veterinary medicine and the various branches thereof.		Y First-Time Offense With Injury or Death	Y	Y
(c) Violation or attempting to violate, directly or indirectly, any of the provisions of this chapter.			Y	Y
(d) Fraud or dishonesty in applying, treating or reporting on tuberculin or other biological tests.		Y	Y	Y
(e) Employment of anyone but a veterinarian licensed in the State of California to demonstrate the use of biologics in the treatment of animals.		Y	Y	Y
(f) False or misleading advertising having for its purpose or intent deception or fraud.		Y	Y	Y
(g) Unprofessional conduct, which includes, but is not limited to the following:				
(1) Conviction of a charge of violating any federal statutes or rules or any statute or rule of this state, regulating narcotics, dangerous drugs or controlled substances and the record of the conviction is conclusive evidence. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section.	Y			

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(2) The use of prescribing for or administering to himself or herself, any of the controlled substances specified in Schedule I, of Section 11054, or Schedule II of Section 11055, or any narcotic drug specified in Schedule III of Section 11056, of the Health and Safety Code; or the use of any of the dangerous drugs specified in Section 4211 of this code, or any alcoholic beverages to the extent, or in such a manner as to be dangerous or injurious to a person licensed under this chapter.	Y			
(3) A violation of any federal statute, or rule or regulation or any of the statutes or rules or regulations of this state regarding narcotics, dangerous drugs or controlled substances.	Y			
(h) Failure to keep one's premises and all equipment therein in a clean and sanitary condition.		Y	Y	Y
(i) Negligence in the practice of veterinary medicine	Y			
(i) Incompetence in the practice of veterinary medicine	Y	Y	Y	Y
(i) Fraud or deception in the practice of veterinary medicine	Y			
(j) Aiding or abetting in any acts which are in violation of any of the provisions of this chapter.	Y	Y	Y	Y
(k) The employment of fraud, misrepresentation, or deception in obtaining such license.	Y			
(l) The revocation, suspension, or other discipline by another state or territory of a license or certificate to practice veterinary medicine in that state or territory.	Y			

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(m) Cruelty to animals or conviction on a charge of cruelty to animals, or both.	Y			
(n) Disciplinary action taken by any public agency for any act substantially related to the practice of veterinary medicine.	Y	Y	Y	Y
VIOLATIONS OF UNLICENSED PRACTICE				
4831. Violations; Misdemeanors; Penalty Any person who violates or aids or abets in violating any of the provisions of this chapter.	Y	Y	Y	Y
TYPES OF UNLICENSED PRACTICE (NO FEE NEED BE EXCHANGED TO QUALIFY) (1) Performing surgery, i.e., ear cropping (2) Diagnosing (3) Prescribing drugs (4) Administering vaccinations (5) Rendering a treatment (6) Performing dentistry (7) Chiropractic manipulation of animals (8) Diagnosing of pregnancy (9) Other		Y	Y	Y
4836.5 Unauthorized Practice The Board shall take action pursuant to Article 4 (commencing with Section 4875) of this chapter against any veterinarian licensed or authorized to practice in this state who permits any registered animal health technician or unregistered assistant to perform any animal health care services other than those allowed by this article.	Y	Y	Y	Y

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<p>4837. Revocation and Suspension of Registration; Grounds</p> <p>The Board may revoke or suspend the registration of a registered veterinary technician in this state after notice and hearing for any cause provided in this article. The proceedings under this article shall be conducted in accordance with the provisions for administrative adjudication in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all of the powers granted therein. The Board may revoke or suspend a certificate of registration for any of the following reasons:</p>				
(a) The employment of fraud, misrepresentation or deception in obtaining a registration.	Y			
(b) Conviction of a crime substantially related to the qualifications, functions and duties of a registered veterinary technician in which case the record of such conviction will be conclusive evidence.	Y			
(c) Chronic inebriety or habitual use of drugs.	Y			
(d) For having professional connection with or lending one's name to any illegal practitioner of veterinary medicine and the various branches thereof.		Y	Y	Y
(e) Violating or attempts to violate directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of the regulations adopted under this chapter.	Y	Y	Y	Y
<p>4854. Premises and Equipment to be Kept Clean and Sanitary and in Conformance with Minimum Standards</p> <p>All premises where veterinary medicine, veterinary dentistry, or veterinary surgery is being practiced, and all instruments, apparatus and apparel used in connection with those practices, shall be kept clean and sanitary at all times, and shall conform to those minimum standards established by the board.</p>	Y	Y	Y	Y

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<p>4855. Record of Animal Receiving Veterinary Services</p> <p>A veterinarian subject to the provisions of this chapter shall, as required by regulation of the Board, keep a written record of all animals receiving veterinary services, and provide a summary of that record to the owner of animals receiving veterinary services, when requested. The minimum amount of information which shall be included in written records and summaries shall be established by the board. The minimum duration of time for which a licensed premise shall retain the written record or a complete copy of the written record shall be determined by the board.</p>	Y	Y	Y	Y
<p>2031. Recordkeeping</p> <p>(a) Every veterinarian performing any act requiring a license pursuant to the provisions of Chapter 11, Division 2, of the code, upon any animal or group of animals in his custody or in the custody of an animal hospital, shall prepare a written record concerning the animal or animals which shall contain the following information in legible form, if available:</p> <ol style="list-style-type: none"> (1) Name, address, and phone number of animal's owner. (2) Name and identity of the animal. (3) Age, sex and breed of the animal. (4) Dates (beginning and ending) of custody of the animal. (5) A short history of the animal's condition as it pertains to the animal's medical status. (6) Diagnosis or condition at the beginning of custody of the animal. (7) Medication and treatment including amount and frequency. (8) Progress and disposition of the case. (9) Surgery log. 	Y	Y	Y	Y

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<p>2030.5. Emergency Hospital Advertisements</p> <p>A veterinarian who advertises a veterinary emergency hospital or clinic shall include in all such emergency hospital or clinic advertisements the hours during which such emergency services are provided and the availability of the veterinarian who is to provide the emergency service.</p> <p>The availability of the veterinarian who is to provide emergency service shall be specified as either Aveterinarian on premises or Aveterinarian on call.</p> <p>The phrase Aveterinarian on premises shall mean that there is a veterinarian actually present at the hospital who is prepared to render emergency veterinary services.</p> <p>The phrase Aveterinarian on call shall mean that a veterinarian is not present at the hospital, but is able to respond within a reasonable time to requests for emergency veterinary services and has been designated to so respond.</p>		Y	Y	Y
<p>4830.5. Report of Dog Injured or Killed in Staged Animal Fight; Civil Liability</p> <p>Whenever any license under this chapter has reasonable cause to believe that a dog has been injured or killed through participation in a staged animal fight, as prescribed in Section 597b of the Penal Code, it shall be the duty of such licensee to promptly report the same to the appropriate law enforcement authorities of the county, city, or city and county in which the same occurred. No licensee shall incur any civil liability as a result of making any report pursuant to this section.</p>	Y			Y
<p>H&S 111440. Manufacture, sale, etc., of misbranded drug or device</p> <p>It is unlawful for any person to manufacture, sell, deliver, hold, or offer for sale any drug or device that is misbranded (outdated drugs are considered misbranded).</p>	Y			Y