

## Assistant Executive Officer's Report

### **Budgets**

The Board closed out fiscal year 2011/12 within its projected budget, with only a 2.4% (\$65,000) reversion. The 2011/12 Month 13 report is included in your Board binder along with current expenditure and revenue projection reports. At this point in the fiscal year, we are within the range of our projections for 2012/13.

### **Personnel**

As reported in the Sunset Review Report draft document; during the past four years, the Board office has been severely impacted due to staffing cuts and furloughs. In addition, the Board has been delayed or restricted in filling vacancies which has resulted in a backlog of enforcement cases.

From February 2009 through October 2010, the Board lost 55 work days or 440 hours per employee due to furloughs. The impact to our services was equally damaging as workloads increased along with weekly challenges of trying to tackle new workload in the form of license applications, consumer complaints, or information requests while trying to reduce the backlogs from the prior week's workload.

While we have made progress, improved processes, and filled some of our vacancies; we are still faced with great challenges. We continue to work with the backlog of enforcement cases while trying to maintain the current workload. Over the summer, all was redirected to complete the Sunset Review, thus adding to the backlog. The Board's management team will continue to evaluate short and long term solutions to its workload issues and report its findings to the Board.

One of the active steps management staff initiated was to contract with Cooperative Personnel Services (CPS) on secession planning and determining appropriate staffing allocations. The first steps were to identify crucial leadership positions, define core competencies to all leadership positions, and identify individual competencies for each position. In addition, CPS consultants are assessing workload, processes, and staff training. We are excited about the early discovery stages of this project and expect to have more information in future Board meetings.

The Board has been actively recruiting to fill its vacancies in Enforcement. Monica Ochoa, an Associate Analyst in Enforcement transferred to the California Highway Patrol in September. We are in the process of selecting a candidate for our staff services analyst position in Enforcement. We are also recruiting for two additional enforcement analysts one of which will replace Ms. Ochoa. An intermittent position is currently being created to help work cases in Enforcement. This position will be absorbed within our budget through Temp Help funds.

### **Office Move**

Board staff continues to work with DCA and the Department of General Services Real Estate Division on the move to the HQ2 building on Market Street in Sacramento. During the months of August and September, the Board began planning information technology and communication networks and business requirements for the new office. The office move is tentatively planned for July 2013. The final date will be determined based on other Board projects and operational needs.

### **Regulations**

*Disciplinary Guidelines* – Proposed language would amend CCR section 2006 to incorporate the Disciplinary Guidelines by reference. The Disciplinary Guidelines incorporated by reference

were updated to clearly and concisely provide guidance to the Board, Administrative Law Judge, and the public in interpreting the various sections of the applicable Business and Professions Code when initiating discipline for violations to the Veterinary Medicine Practice Act.

The Board approved the Disciplinary Guidelines at its January 2012 meeting and the regulatory hearing was held on June 12, 2012. Amendments were made to the Guidelines at the Board's June 2012 meeting and staff issued a 15-day Notice on July 5, 2012 and the 15-day Notice period ended on July 19, 2012.

The Board reviewed and made amendments to the Disciplinary Guidelines at its July 2012 meeting. Staff issued a 15-day Notice on September 26, 2012 and the 15-day Notice period ends on October 10, 2012.

*Minimum Standards* – In response to the Board's 45-day Notice of proposed changes to the Minimum Standards of Practice in October, staff received over 22,000 letters by mail, fax, and email. A massive effort involving all staff was undertaken to sort and review the letters. What we discovered was that the majority of letters were duplicates of over 50 different form letters complaining about anesthesia-free dentistry and past legislation. We also received numerous copies of the same letter with different names or signatures written on them. Some of the letters did not contain legible names or contact information.

The next step was to create a contact database that would be used as an address file in responding to all comments. After sorting and reviewing the letters, less than half of the letters contained contact information or legible names. A total of 10,032 addresses were entered into the database. The last step to creating the database was to edit the file and remove duplicates which brought the number of names and addresses to 4,090.

The file and materials were prepared for the mass mailing on December 30. Board staff collaborated with DCA's Business Services staff to complete the effort and make sure notice was mailed out on Wednesday, January 4, 2012.

Among the 4,090 letters mailed, about one-third were addressed to different names within the same household. Within the period of three days after the mailing, we received 92 letters returned due to invalid addresses. Within that same period, we received approximately 200 calls from people asking why they received our letter. Many of them did not understand the process or seemed to think this was a petition-type drive.

Only the sections changed in October, and open for comment, were included in the first 15-day Notice. Section 2037 was adopted with no changes and was not included in that notice. However, the regulation process requires that the Board respond to all comments submitted in the 45-day comment period.

Staff issued a 15-day Notice on January 4, 2012 in response to comments received in the 45-day comment period. Staff issued an additional 15-day Notice on February 22, 2012 in response to the first 15-day comment period.

Staff forwarded the complete rulemaking file to DCA's legal office on May 25, 2012 where the legal office worked with staff on final revisions to the file. On August 25, 2012 the DCA Director granted a 90-day extension to the 1-year rulemaking timeline from the date of the original 45-day Notice on August 25, 2011. The DCA and State and Consumer Services Agency are currently reviewing the file. Staff anticipates the rulemaking file will be filed with OAL by the end of October.

*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. There is a delayed implementation date in the language of April 2012.

Board staff is working with the Department of Justice and DCA ATS staff to identify affected licensees and ensure the Board’s licensing database system will accept retroactive fingerprints. This effort is complicated by the fact that DCA has already begun to transition to a new licensing/enforcement database system. The Board is scheduled to convert to the new DCA licensing/enforcement BrEZe database system in May 2013. The fact that the current system is not set up to handle retroactive fingerprint requirements is delaying the implementation of the retroactive fingerprint program.

## **Examination/Licensing Report**

### **Examinations**

<b>NORTH AMERICAN VETERINARY LICENSING EXAMINATION</b>			
November 2011/December 2011		April 2012	
Candidates	Pass Pct.	Candidates	Pass Pct.
278	90%	61	75%

<b>CALIFORNIA STATE BOARD EXAMINATION</b>			
November 2011 – April 2012		May 2012 – October 2012	
Candidates	Pass Pct.	Candidates	Pass Pct.
280	96%	141	91%

<b>REGISTERED VETERINARY TECHNICIAN EXAMINATION</b>			
January 2012 - June 2012		July 2012 - December 2012	
Candidates	Pass Pct.	Candidates	Pass Pct.
157	77%	174	72%

### **Examination Workshops**

October 18/19, 2012 - RVT Jurisprudence Examination  
 October 18/19, 2012 - Occupational Analysis  
 November 1/2, 2012 - RVT Jurisprudence Examination

### **Licensing**

<b>Licenses Issued</b>	
January 1, 2012 - December 31, 2012	
Veterinarian	484
Reciprocity	39
Intern	28
Registered Veterinary Technician	366
Premises	137

### **Publications**

*Radiation Safety Guide* - The Guide was posted on the Board's website on August 20, 2012.