

Assistant Executive Officer's Report

Budgets

Based on our most recent budget reports, the Board is within its range of projections for expenditures for the current fiscal year. Included in the meeting binders are the Board's Budget Report and the Board's Budget Summary by line item.

In the next few months, we will start working on compiling data to assist with budget change proposals for authority to add staff to handle the increase in enforcement workload.

Personnel

We recently filled the vacant Inspection Program Coordinator position in Enforcement. Jan Solone was hired in November and started working for the Board in December. Jan comes to us from the Department of Insurance and has experience working with license denials and the formal discipline process. The Board is currently recruiting for a part-time enforcement analyst to help with the backlog in enforcement cases. Interviews should be completed in January and we hope an additional enforcement staff member by February 2013.

Contracts

Board staff has been working with Cooperative Personnel Services (CPS) on secession planning and workforce development. The first phase in the study is almost complete and we expect to start working on the second phase dealing with workforce development in late January.

Office Move

The plans for the layout of our future location at the new office building on Market Street in Sacramento were completed and will be submitted to the building owner to begin leasing negotiations. We will continue to work with DCA and the Department of General Services Real Estate Division on the move throughout the phases of this project. The office move is tentatively planned for August or September of 2013.

Regulations

Disciplinary Guidelines – Proposed language amends 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.

A 15-day Notice was issued on September 26, 2012 and the 15-day Notice period ended on October 10, 2012. There were no comments received in the 15-day comment period. Staff is working on finalizing the rulemaking file for submittal to the Department in mid-February. Once approved by the Department, State and Consumer Services Agency and the Department of Finance, staff will forward the complete file to the Office of Administrative Law (OAL).

Minimum Standards – Proposed language updates the minimum standards of veterinary practice to current practice standards as well as provides additional protection to consumers in areas that were not previously covered in the minimum standards of practice.

The rulemaking file was delivered to the OAL on October 26, 2012. OAL subsequently contacted staff with multiple questions and notice that the file would be disapproved by the OAL. Staff met with OAL staff in early-December to review OAL's comments and questions regarding

their disapproval of the file. OAL formally disapproved the file on December 20, 2012; the Board has 120 days from disapproval to resubmit the file back to OAL for their consideration.

Among the concerns, OAL recommended the Board issue a 15-day notice clarifying sections of law, adding additional explanation to the Boards Statement of Reasons, and include additional supporting documents to the file.

A 15-day notice was issued on January 11, 2013 with the comment period ending on January 25, 2013.

Retroactive Fingerprinting – The Board is scheduled to convert to the new DCA licensing/enforcement BrEZe database system in late-2013. The fact that the current database system is not set up to handle retroactive fingerprint requirements has delayed the implementation of the retroactive fingerprint program.

Examination/Licensing Report

Examinations

NORTH AMERICAN VETERINARY LICENSING EXAMINATION			
April 2012		November 2012/December 2012	
Candidates	Pass Pct.	Candidates	Pass Pct.
61	75%	327	TBD

CALIFORNIA STATE BOARD EXAMINATION			
November 2011 – April 2012		May 2012 – October 2012	
Candidates	Pass Pct.	Candidates	Pass Pct.
280	96%	158	91%

REGISTERED VETERINARY TECHNICIAN EXAMINATION			
January 2012 - June 2012		July 2012 - December 2012	
Candidates	Pass Pct.	Candidates	Pass Pct.
157	77%	349	71%

Examination Workshops

February 19-20, 2013 – RVT Law Examination Item Writing

Office of Professional Examination Services examination workshops will continue in 2013 and will include RVT examination item review, examination construction, and pass score setting. The RVT Examination is on track to be completed for a January 2014 release.

Licensing

Licensees	
<i>as of December 2012</i>	
Veterinarian Licenses	15,479
Veterinarian Licenses - California	11,259
Registered Veterinary Technician Licenses	8,916
Registered Veterinary Technician Licenses California	5,915
Premise Permits	3,076
Premise Permits - Exempt	75

Licenses Issued	
<i>January 1, 2012 - December 31, 2012</i>	
Veterinarian	562
Reciprocity	50
Intern	29
Registered Veterinary Technician	491
Premises	167

BreEZe

The Department of Consumer Affairs has begun transition to a new applicant and licensing tracking database. The BreEZe database and tracking system will replace the existing Applicant Tracking System and Consumer Affairs System. Three releases have been scheduled by the Department to fully implement the new database and tracking system.

The Veterinary Medical Board is in BreEZe Release 2. Prior Department implementation dates indicated Release 2 boards would rollout in the Spring 2012. More recently, the Department has indicated a postponement to the rollout of Release 2 boards to late-2013 due to database issues with Release 1 boards.

Release 2 kickoff events scheduled for January 10 and 11, 2013 were postponed. The BreEZe transition team has encouraged Release 2 Board subject matter experts to preemptively take scheduled training on BreEZe training classes that encompass training on basic functionality of the BreEZe interface; staff subject matter experts are scheduled to take the training in early-February. Staff is also researching details in order to identify whether the Board's transition to BreEZe will impact the transition to the Veterinary Technician National Examination.

Continuing Education Audits

In December 2012 staff began a six-month veterinary continuing education audit pilot program. Staff has seen some compliance issues with both licensees and continuing education providers. Once the initial six-month pilot period is complete staff will evaluate the continuing education audit program and provide a report to the Board at its July 2013 meeting.

Publications

Fall/Winter Newsletter – Staff is currently working on content for the Fall/Winter Newsletter. The outline of potential content has been sent to the Publications Committee and is listed below. Once content is fully developed staff will send it to the Publications Committee for review and then to legal counsel for approval. Staff is anticipating a publication date of late-February.

Standard Content

Disciplinary Actions, July 2011 - June 2012

Join the Board Email List

Upcoming Meetings

VMB and MDC Members

Proposed New Content

Welcome new Board members Dr. Sullivan and Dr. Waterhouse

Thank you to Past President Dr. Ferguson

DEC Program FAQs

CE for RVTs reminder

Premises Permit FAQ/Information

New Legislation for 2013
Requirements for CE Recordkeeping/CE requirements
Pet License Plate Update
New Hospital Self-Inspection Checklist
New Radiation Safety Guide

Website

Staff is working with the Department's Office of Information Services to update the Board's website to the new State template. The anticipated completion date is February 28, 2013.

Enforcement Program Report

Prepared by Sandra Monterrubio

January 2013

Complaint Program

The total number of complaints received from July 1, 2012 through January 15, 2013 is 320. The Veterinary Medical Board (Board) has received 55 complaints involving unlicensed activity. The majority of unlicensed complaints involve anesthesia-free dental cleaning. The Board is continuing to issue Cease and Desist letters to “first time offenders” and referring cases to the Division of Investigation for those who have prior unlicensed activity complaints.

In accordance with Business and Professions Code, section 4875.1, enforcement staff are prioritizing incoming complaints with negligence being the highest priority. The Board’s intake unit reviews each complaint to determine if the case involves (a) negligence, (b) whether the complaint is a subsequent complaint against a licensee currently pending at the Attorney General’s Office, or (c) if the complaint is against a probationer. If a subsequent complaint is received, the case is expedited for review to determine if additional charges should be filed against the licensee.

Currently the Board has 175 complaints waiting to be reviewed by an in-house consultant or outside expert. Due to the high volume of cases waiting to be reviewed, management is considering having a two day workshop for subject matter experts to review cases. The Board is still accepting applications for in-house and outside experts and anticipates hiring one to two more in-house consultants before the end of the fiscal year.

Citation Program

Since July 1, 2012, 46 citations have been served, five (5) informal conferences were held and no citations have been referred to the Attorney General’s Office for an administrative hearing. Of the 46 citations served, 35 were issued for unlicensed activity.

Inspection Program

The inspection program will resume on January 21, 2013. Due to staffing shortages, the Board suspended the program until additional staff could be hired and trained. Jan Solone, Probation Coordinator and Hospital Coordinator, began employment with the Board on December 26, 2012. Enforcement staff has been training Jan on enforcement processes and the inspection program, including her proactive participation with three (3) on-site inspections.

To date, the Board assigned 441 inspections. Of the 441 inspections assigned, 54 routine inspections have been performed. In addition to the routine inspections, 11 complaint related inspections have been performed.

Discipline Program

Currently there are 91 cases pending at the Attorney General’s Office. Those cases include Accusations, Accusation and Petition to Revoke Probation, and Statement of Issues (License Denial).

As of today, the Board is monitoring 51 probationers. Of the 51 probationers, all but two (2) are in compliance. For those that are not in compliance, the Board is working with the Attorney General’s Office to revoke or extend their probation. Jan Solone will be monitoring the probationers by calling their supervisors to discuss any potential concerns or issues, approving their continuing education courses, collecting cost recovery payments, and ensuring each probationer is in compliance at all times with their probation order.

VETERINARY MEDICAL BOARD

Complaint & Discipline Data

Fiscal Year	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Complaints Received	651	643	536	594	712	766	320
# of Veterinary Licensees*	13,514	14,039	14,277	15,055	15,491	15,936	15,479
# of RVT Licensees*	6,289	6,701	6,934	7,791	8,252	8,654	8,916
# of Premises	3,007	3,076	3,074	3,144	3,249	3,431	3,151

**includes delinquent, suspended and inactive licensees*

Fiscal Year	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Discipline Cases Pending At Attorney General.....	43	47	52	37	48	72	91
# Of Probationers.....	43	47	43	39	35	36	51
Citations and Fines *.....	135	61	36	42	37	54	46
Cases Sent To Attorney General's Office.....	30	27	25	32	40	55	n/a*
Accusations/Statement Of Issues Filed.....	26	6	13	16	15	28	n/a*
Hearings Held.....	13	14	1	7	18	13	n/a*
Decisions:							
Probation.....	14	15	5	7	4	7	n/a*
Probation With Suspension.....	3	2	1	1	2	4	n/a*
Revocation.....	4	4	1	5	6	7	n/a*
Statement of Issues-Denied/Granted.....	1/3	1/2	0/2	1/0	2/0	5/4	n/a*
Citation Appeal-Proposed & Stipulated Decision Voluntary Surrender	1	0	4	1	0	0	n/a*
While Charges Pending.....	3	2	0	0	1	3	n/a*
Petition For Reinstatement/Reduction.....	0	1	2	1	0	0	n/a*
Temporary Restraining Orders/ Interim Suspensions.....	3	2	1	0	0	0	n/a*
Hospital Inspections							
Routine.....	161	234	176	288	241	214	54
Complaint Related.....	58	24	10	10	31	33	11

*Reporting data unavailable on Consumer Affairs database

REPORT DATED: January 15, 2013

Complaint & Discipline Data

Fiscal Year	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Unlicensed Activity:							
Unlicensed Complaints.....	49	73	41	100	134	98	55
Citations and fines.....							35
Citations for non-payment sent to FTB.....							0
