STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

Veterinary Medical Board
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MEMORANDUM

DATE	October 29, 2013
TO	Multidisciplinary Advisory Committee
FROM	Sue Geranen Executive Officer DCA/Veterinary Medical Board
SUBJECT	**Update on Minimum Standards**

Background:
The minimum standards of practice regulations were approved by the Office of Administrative Law on September 30, 2013. The regulations will take effect on January 1, 2014.

The new minimum standard language contains many changes that are clarifying in nature and includes, but is not limited to, the following list of substantial changes:

1. Defined requirements for an aseptic surgery room
2. Created minimum standards for the Licensee Manager of the premise
3. Created minimum standards for small animal vaccination clinics
4. Developed statement regarding the need for humane care including pain management
5. Updated VCPR language and created provisions for providing refills of prescriptions for on-going maintenance medication in situations where the client is unable to contact original prescribing veterinarian or in an emergency situation.
6. Clarified that licensees must offer clients a choice of a written prescription and cannot charge for providing a written prescription.
7. Added “digital” images to language regarding radiographics
8. Added language to prohibit altering or modifying medical records.
9. Updated the provisions for administering general anesthesia
10. Modified language for dental operation to clarify that the use of scalers on animals is the practice of veterinary medicine.

Action Requested:
Discuss impact and implementation of new minimum standards regulations that also includes necessary changes to the *Hospital Standards Checklist*.

Title 16. Professional and Vocational Regulations
Division 20. Veterinary Medical Board

Order of Adoption

2030. Minimum Standards - Fixed Veterinary Premises.

All fixed premises where veterinary medicine and its various branches are 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 or possess the following minimum standards:

(a) Indoor lighting for halls, wards, reception areas, examining and surgical rooms shall be adequate for their intended purpose.

(b) A reception room and office, or a combination of the two.

(c) An examination room separate from other areas of the facility and of sufficient size to accommodate the doctor, assistant, patient and client.

(d) If animals are housed or retained for treatment, the following shall be provided:

(1) Compartments for animals which are maintained in a comfortable and sanitary manner.

(2) Effective separation of known or suspected contagious animals.

(3) If there are to be no personnel on the premises during any time an animal is left at the veterinary facility, prior ~~written~~ notice of this fact shall be given to the client. For purposes of this paragraph, prior ~~written~~ notice may be ~~accompanied~~ accomplished by posting a sign in a place and manner conspicuous to the clients at the entrance of the premises, stating that there may be times when there are no personnel on the premises.

(e) When a veterinary premises is closed, a sign shall be posted and visible outside ~~at~~ the primary entrance with a telephone number and location where ~~pre-arranged veterinary~~ emergency care is available. An answering machine or service shall be used to notify the public when the veterinary premises will be re-opened and where ~~pre-arranged veterinary~~ after hours emergency care is available. If no after hours emergency care is available, full disclosure shall be provided to the public prior to rendering services.

(f) The veterinary premises shall meet the following standards:

(1) Fire precautions shall meet the requirements of local and state fire prevention codes.

(2) The facility, its temperature, and ventilation shall be maintained so as to assure the comfort of all patients.

(3) The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.

(4) The veterinary premises shall have the capacity to render diagnostic radiological services, either on the premises or through other commercial facilities. Radiological procedures shall be conducted in accordance with Health and Safety Code standards.

(5) Clinical pathology and histopathology diagnostic laboratory services shall be available within the veterinary premises or through outside services.

(6) All drugs and biologicals shall be maintained, administered, dispensed and prescribed in compliance with state and federal laws.

(7) Sanitary methods for the disposal of deceased animals shall be provided and maintained.

(8) Veterinary medical equipment used to perform aseptic procedures shall be sterilized and maintained in a sterile condition.

(9) Current veterinary reference materials shall be readily available on the premises.

(10) Anesthetic equipment in accordance with the procedures performed shall be maintained in proper working condition and available at all times.

(11) The veterinary premises shall have equipment to deliver oxygen in emergency situations.

(12) Appropriate drugs and equipment shall be readily available to treat an animal emergency.

(g) A veterinary premises which provides aseptic surgical services shall comply with the following:

(1) A room, separate and distinct from all other rooms shall be reserved for aseptic surgical procedures which require aseptic preparation. ~~Storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures.~~ A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable.

(A) A veterinary premises which is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, ~~because it was registered with the board prior to January 1, 1981,~~ shall obtain compliance with this subdivision on or before January 1, ~~2004~~ 2014.

(B) The board may exempt a veterinary premises which is currently registered with the board, but does not have a separate aseptic surgery room, where it determines that it would be a hardship for the veterinary premises to comply with the provisions of this subdivision ~~subsection (g)(1)~~.

In determining whether a hardship exists, the board shall give due consideration to the following factors:

1. Zoning limitations.
2. Whether the premises constitutes a historical building.
3. Whether compliance with this requirement would compel the veterinary practice to relocate to a new location.

(2) Storage in the surgery room shall be limited to items and equipment normally related to aseptic surgery and surgical procedures. Equipment not normally related to surgery and surgical procedure includes, but is not limited to, equipment used for dental prophylaxis, autoclaves and non-surgical radiographic equipment.

(3) Open shelving is prohibited in the surgical room.

(4) The surgery room shall not contain a functional sink with an open drain.

(5) The doors into the surgery room must be able to be fully closed, fill the entire door space, be made of non-porous material and not provide access from outside the hospital. In cases where the size of the animal prevents entry to the hospital via a regularly-sized door, doors for outside access are permitted as long as such doors are able to be fully closed, fill the entire door space and be made of non-porous material.

~~(2)~~ (6) The surgery room shall be well-lighted, shall have ~~an operational viewing box for reviewing~~ equipment for viewing radiographs and shall have effective emergency lighting with a viable power source.

~~(3)~~ (7) The floors, table tops, and counter tops of the surgery room shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.

~~(4)~~ (8) Surgical instruments and equipment shall be:

(A) Adequate for the type of surgical ~~service provided~~ procedures performed.

(B) Sterilized ~~by a method acceptable for the type of surgery for which they will be used~~ as required by the surgical procedure performed and instruments used.

~~(5)~~ (9) In any sterile procedure, a separate sterile pack shall be used for each animal.

~~(6)~~ (10) All instruments, packs and equipment that have been sterilized shall have an indicator that reacts to and verifies sterilization.

~~(7)~~ (11) The following attire shall be required for aseptic surgery:

(A) Each member of the surgical team shall put on an appropriate sanitary cap and sanitary mask which covers his or her hair and mouth, nose and any facial hair, except for eyebrows or eyelashes. All members of the surgical team who will be handling the instruments or touching the surgical site shall wear sterilized surgical gowns with long sleeves and sterilized gloves.

(B) Ancillary personnel in the surgery room shall wear clean clothing, ~~and~~ footwear, ~~.~~ ~~S~~sanitary cap and mask. ~~shall be required of personnel in the immediate proximity of the sterile field.~~

(h) When performing clean surgery, the instruments used to perform such surgery shall have been sterilized and the surgeon(s) and ancillary personnel shall wear clean clothing and footwear when appropriate.
For purposes of this section, “clean surgery” shall mean the performance of a surgical operation for the treatment of a condition and under circumstances which, consistent with the standards of good veterinary medicine, do not warrant the use of aseptic surgical procedures.

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4854 and 4883 Business and Professions Code.

2030.05. Minimum Standards - Licensee Manager.

(a) A Licensee Manager is the California licensed veterinarian named as the Licensee Manager on a facility’s premises permit.
(b) The Licensee Manager is responsible for ensuring that the premises for which he/she is manager complies with the requirements in sections 4853, 4854, 4855 and 4856 of the Business and Professions Code, Division 2, Chapter 11, Article 3. The Licensee Manager is responsible for ensuring that the physical and operational components of a premises meet the minimum standards of practice as set forth in sections 2030 through 2032.5 of the California Code of Regulations, Title 16, Division 20, Article 4.
(c) The Licensee Manager is responsible for ensuring that no unlicensed activity is occurring within the premises or in any location where any function of veterinary medicine, veterinary surgery or veterinary dentistry is being conducted off the premises under the auspices of this premises license.
(d) The Licensee Manager shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in (a) - (c) are met.
(e) Each licensed veterinarian shall be responsible for their individual violations of the Veterinary Medicine Practice Act or any regulation adopted thereunder.

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4853, 4854, 4855, 4856, and 4883 Business and Professions Code.

2030.1. Minimum Standards - Small Animal Fixed Premises ~~Minimum Standards~~.

For purposes of these rules and regulations, a “small animal fixed premises” shall mean a fixed veterinary premises which concentrates in providing veterinary services to common domestic household pets.
In addition to the requirements in section 2030, small animal fixed premises shall provide:

(a) Where animals are kept on the veterinary premises for 24 hours or more, the animals shall be provided with an opportunity for proper exercise. Compliance with this section may be achieved by the use of exercise runs or by providing the animal with the opportunity for outdoor walks. Where a premises has exercise runs, they shall be clean and sanitary and provide for effective separation of animals and their waste products.

(b) When the client has not given the veterinarian authorization to dispose of his or her deceased animal, the veterinarian shall be required to retain the carcass in a freezer for at least 14 days prior to disposal.

Note: Authority cited: Sections 4808 and 4854, Business and Professions Code. Reference: Sections 4854 and 4883, Business and Professions Code.

2030.2. Small Animal Mobile Clinic.

For purposes of these regulations, a “small animal mobile clinic” shall mean a trailer or mobile facility established to function as a veterinary premises which concentrates in providing

veterinary services to common domestic household pets and is required by section 4853 of the code to be registered with the board.

(a) A small animal mobile clinic shall have:

(1) Hot and cold water.

(2) A 110-volt power source for diagnostic equipment.

(3) A collection tank for disposal of waste material.

(4) Lighting adequate for the procedures to be performed in the mobile clinic.

(5) ~~Table tops and counter tops, such as Formica or stainless steel, which can be cleaned and disinfected.~~ Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.

~~(6) Floor coverings which can be cleaned and disinfected.~~

~~(7)~~(6) Compartments to transport or hold animals, if applicable.

(b) A small animal mobile clinic shall also have:

(1) indoor lighting for halls, wards, reception areas, examining and surgical rooms, which shall be adequate for its intended purpose.

(2) an examination room separate from other areas of the facility, which shall be of sufficient size to accommodate the doctor, assistant, patient and client.

(3) fire precautions that meet the requirements of local and state fire prevention codes,

(4) temperature and ventilation controls adequate to assure the comfort of all patients.

(5) a small animal mobile clinic which provides aseptic surgical services shall also have a room separate and distinct from other rooms, which shall be reserved for aseptic surgical procedures. Storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures. A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable. A small animal mobile clinic which provides aseptic surgical services and that is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, shall provide the board with the vehicle identification number of the mobile clinic and obtain compliance with this subdivision on or before January 1, 2006.

(A) A small animal mobile clinic that provides aseptic surgery shall also have an examination area separate from the surgery room that is large enough to conduct an examination.

(c) A small animal mobile clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.

(d) A small animal mobile clinic shall provide either after hours emergency services to its patients or, if no after hours emergency care is available, full disclosure to the public prior to rendering services.

(e) When the client has not given the veterinarian authorization to dispose of his or her deceased animal, the veterinarian shall be required to retain the carcass in a freezer for at least 14 days prior to disposal.

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4854 and 4883, Business and Professions Code.

2030.3. Small Animal Vaccination Clinic.

(a) The term “small animal vaccination clinic” shall mean a privately or publicly supported vaccination clinic where a veterinarian performs vaccinations and/or immunizations against disease on multiple animals, and where the veterinarian may also perform preventative procedures for parasitic control.

(b) A veterinarian must remain on site throughout the duration of a vaccination clinic and must maintain responsibility for all medical decisions made. The veterinarian is responsible for proper

immunization and parasitic procedures and the completeness of recommendations made to the public by the paraprofessional staff that the veterinarian supervises or employs. The veterinarian is responsible for consultation and referral of clients when disease is detected or suspected.
(c) The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.
(d) All drugs and biologicals shall be stored, maintained, administered, dispensed and prescribed according to the manufacturer's recommendations and in compliance with state and federal laws.
(e) Lighting shall be adequate for the procedures to be performed in the vaccination clinic.
(f) Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.
(g) Equipment shall be of the type and quality to provide for the delivery of vaccines and parasiticides in the best interest of the patient and with safety to the public.
(h) Fresh, clean water shall be available for sanitizing and first aid. Disposable towels and soap shall be readily available.
(i) A vaccination clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.
(j) The vaccination clinic shall provide a legible list of the name, address, and hours of operation of all facilities that provide or advertise emergency services and, when applicable, the location of other clinics provided by the same entity on that day, that are located within a 30-minute or 30-mile radius.
(k) The vaccination clinic shall maintain all vaccination records for a minimum of three (3) years from the date of the vaccination.
(l) If any diagnostic tests are performed or dangerous drugs are provided, administered, prescribed or dispensed, then a valid veterinary-client-patient relationship must be established, including a complete physical exam and Medical Records as set forth in section 2032.3.
(m) The veterinarian shall be identifiable to the public, including, but not limited to the posting of a copy of the veterinarian's license, as set forth in section 4850 of the Business and Professions Code.

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4853, 4854 and 4883, Business and Professions Code.

2032.05. Humane Treatment.

When treating a patient, a veterinarian shall use appropriate and humane care to minimize pain and distress before, during and after performing any procedure(s).

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.

2032.1. ~~Veterinary~~ Veterinarian-Client-Patient Relationship.

(a) ~~Except where the patient is a wild animal or its owner is unknown, it shall constitute~~ It is unprofessional conduct for a veterinarian to administer, ~~or~~ prescribe, dispense or furnish a drug, medicine, appliance, ~~or application~~ or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an animal without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client, except where the patient is a wild animal or the owner is unknown. ~~It shall also constitute unprofessional conduct for a veterinarian to prescribe, dispense, or furnish either a veterinary drug, as defined by Section 1747.1, Title 16, California Code of Regulations, or a dangerous drug, as defined by Section 4022 of the code, without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client.~~

(b) A veterinarian-client-patient relationship shall ~~exist when all of~~ be established by the following ~~occur~~:

~~(1) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, has discussed with the client a course of treatment and if applicable has instructed the client as to the appropriate directions for administering the drugs or treatments.~~

(1) The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment,

(2) The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian ~~has recently seen and~~ is personally acquainted with the care of the animal(s) by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animals are kept, and

(3) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance.

(c) A ~~dangerous~~ drug ~~or a veterinary drug~~ shall not be prescribed for a duration ~~which is~~ inconsistent with the ~~animal~~ ~~patient's~~ medical condition of the animal(s) or type of drug prescribed. ~~which in no event shall exceed more~~ The veterinarian shall not prescribe a drug for a duration longer than one year from the date ~~that~~ the veterinarian ~~has~~ examined the animal(s) ~~patient~~ and prescribed ~~such drug, unless the veterinarian has conducted a subsequent examination of the patient to determine the patient's continued need for~~ the ~~prescribed~~ drug.

(d) As used herein, “drug” shall mean any controlled substance, as defined by Section 4021 of Business and Professions code, and any dangerous drug, as defined by Section 4022 of Business and Professions code.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.

2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication

(a) A veterinary-client-patient relationship may continue to exist, in the absence of client communication, when:

(1) A veterinary-client-patient relationship was established with an original veterinarian, and another designated veterinarian serves in the absence of the original veterinarian, and;

(2) The designated veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s), and;

(3) The designated veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) is kept, or has consulted with the veterinarian who established the veterinary-client-patient relationship, and;

(4) The designated veterinarian has continued the medical, treatment, diagnostic and/or therapeutic plan that was set forth and documented in the medical record by the original veterinarian.

(b) If the medical, treatment, diagnostic and/or therapeutic plan differs from that which was communicated to the client by the original veterinarian, then the designated veterinarian must attempt to communicate the necessary changes with the client in a timely manner.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.

2032.2. Written Prescriptions.

(a) A written order, by a veterinarian, for dangerous drugs, as defined by Section ~~1747.1, Title 16, California Code of Regulations~~4022 of Business and Professions Code, shall include the following information:

(1) The name, signature, address and telephone number of the prescribing veterinarian.
(2) The veterinarian's license number and his or her federal registry number if a controlled substance is prescribed.
(3) The name and address of the client.
(4) The species and name, number or other identifying information for the animal.
(5) The name, strength, and quantity of the drug(s).
(6) Directions for use, including, if applicable, withdrawal time.
(7) Date of issue.
(8) The number of refills.

(b) All drugs dispensed shall be labeled with the following information:

(1) Name, address and telephone number of the facility.
(2) Client's name.
(3) The species and name, number, or other identifying information for the animal.
(4) Date dispensed.
(5) Directions for use, including, if applicable, withdrawal time.
(6) The manufacturer’s trade name of the drug or the generic names, strength (if more than one dosage form exists), and quantity of drug, and the expiration date when established by the manufacturer.
(7) Name of prescribing veterinarian.

(c) Pursuant to section 4170(a)(6) and (7) of the Business and Professions Code, veterinarians must notify clients that they have a choice to obtain either the medication or a written prescription and that they shall not be charged for the written prescription.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.

2032.25. Written Prescriptions in Absence of Originally Prescribing Veterinarian.

(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section 4022 of the Business and Professions Code without an appropriate prior examination and a medical indication, constitutes unprofessional conduct.

(b) No licensee shall be found to have committed unprofessional conduct within the meaning of this section if, at the time the drugs were prescribed, dispensed, or furnished, any of the following applies:

(1) The licensee was a veterinarian serving in the absence of the treating veterinarian and the drugs were prescribed, dispensed, or furnished only as necessary to maintain the animal patient until the return of the originally treating veterinarian, but in any case no longer than 72 hours.
(2) The veterinarian transmitted the order for the drugs to another veterinarian or registered veterinary technician and both of the following conditions exist:
    (A) The licensee had consulted with the veterinarian or registered veterinary technician who had reviewed the patient's records.
    (B) The licensee was designated as the veterinarian to serve in the absence of the animal patient's veterinarian.
(3) The licensee was a veterinarian serving in the absence of the treating veterinarian, was in possession of and had reviewed the animal patient's records, and ordered the renewal of a medically indicated prescription for an amount not exceeding the original prescription in strength or amount or for more than one refill.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883,

Business and Professions Code.

2032.3. Record Keeping; Records; Contents; Transfer.

(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 shall prepare a legible, written or computer generated record concerning the animal or animals which shall contain the following information:

(1) Name or initials of the ~~veterinarian~~ person responsible for entries.
(2) Name, address and phone number of the client.
(3) Name or identity of the animal, herd or flock.
(4) Except for herds or flocks, age, sex, breed, species, and color of the animal.
(5) Dates (beginning and ending) of custody of the animal, if applicable.
(6) A history or pertinent information as it pertains to each animal, herd, or flock's medical status.
(7) Data, including that obtained by instrumentation, from the physical examination.
(8) Treatment and intended treatment plan, including medications, dosages, route of administration, and frequency of use.
(9) Records for surgical procedures shall include a description of the procedure, the name of the surgeon, the type of sedative/anesthetic agents used, their route of administration, and their strength if available in more than one strength.
(10) Diagnosis or ~~tentative diagnosis at the beginning of custody of animal~~ assessment prior to performing a treatment or procedure.
(11) If relevant, a prognosis of the animal's condition.
(12) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.
(13) Daily progress, if relevant, and disposition of the case.

(b) Records shall be maintained for a minimum of three (3) years after the animal's last visit. A summary of an animal's medical records shall be made available to the client within five (5) days or sooner, depending if the animal is in critical condition, upon his or her request. The summary shall include:

(1) Name and address of client and animal.
(2) Age, sex, breed, species, and color of the animal.
(3) A history or pertinent information as it pertains to each animal's medical status.
(4) Data, including that obtained by instrumentation, from the physical examination.
(5) Treatment and intended treatment plan, including medications, their dosage and frequency of use.
(6) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.
(7) Daily progress, if relevant, and disposition of the case.

(c)(1) Radiographs and digital images are the property of the veterinary facility that originally ordered them to be prepared. Radiographs or digital images shall be released to another veterinarian upon the request of another veterinarian who has the authorization of the client. Radiographs shall be returned to the veterinary facility which originally ordered them to be prepared within a reasonable time upon request. Radiographs originating at an emergency hospital shall become the property of the next attending veterinary facility upon receipt of said radiograph(s). Transfer of radiographs shall be documented in the medical record.

(2) ~~All exposed r~~Radiograph~~ic films~~ and digital images, except for intraoral radiographs, shall have a permanent identification legibly exposed in the ~~film emulsion,~~ radiograph or attached to the digital file, which shall include the following:

(A) The hospital or clinic name and/or the veterinarian's name,
(B) Client identification,
(C) Patient identification, and
(D) The date the radiograph was taken.

(3) Non-digital intraoral radiographs shall be inserted into sleeve containers and include information in subdivision (c)(2)(A) - (D). Digital images shall have identification criteria listed in subdivision (c)(2)(A) - (D) attached to the digital file.

(d) Laboratory data is the property of the veterinary facility which originally ordered it to be prepared, and a copy shall be released upon the request of the client.

(e) The client shall be provided with a legible copy of the medical record when the patient is released following emergency clinic service. The minimum information included in the medical record shall consist of the following:

(1) Physical examination findings
(2) Dosages and time of administration of medications
(3) Copies of diagnostic data or procedures
(4) All radiographs and digital images, for which the facility shall obtain a signed release when transferred
(5) Surgical summary
(6) Tentative diagnosis and prognosis, if known
(7) Any follow-up instructions.

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4855 and 4856, Business and Professions Code.

2032.35. Altering Medical Records

Altering or modifying the medical record of any animal, with fraudulent intent, or creating any false medical record, with fraudulent intent, constitutes unprofessional conduct in accordance with Business and Professions Code section 4883(g).

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 4855 and 4856, Business and Professions Code.

2032.4. Anesthesia.

(a) General anesthesia is a condition caused by the administration of a drug or combination of drugs sufficient to produce a state of unconsciousness or dissociation and blocked response to a given pain or alarming stimulus.

(b) When administering general anesthesia, a ~~A~~ veterinarian shall ~~use appropriate and humane methods of anesthesia, analgesia and sedation to minimize pain and distress during any procedures and shall~~ comply with the following standards:

(1) Within twelve (12) hours prior to the administration of a general anesthetic, the animal patient shall be given a physical examination by a licensed veterinarian appropriate for the procedure. The results of the physical examination shall be ~~noted~~ documented in the animal patient's medical records.
(2) An animal under general anesthesia shall be observed for a length of time appropriate for its safe recovery.
(3) Provide ~~a method of~~ respiratory monitoring ~~that may include~~ including, but not limited to, observation of the animal's chest movements, ~~observing~~ observation of the rebreathing bag~~,~~ or respirometer.
(4) Provide ~~A method of~~ cardiac monitoring ~~shall be provided and may include~~ including, but not limited to, the use of a stethoscope, pulseoximeter or electrocardiographic monitor.
(5) When administering general anesthesia in a hospital setting, a veterinarian shall have resuscitation or rebreathing bags of appropriate volumes for the animal patient and an assortment of endotracheal tubes readily available.
(6) Records for procedures involving general anesthesia shall include a description of the procedure, the name of the surgeon, the type of sedative and/or anesthetic agents used, their route of administration, and their strength if available in more than one strength.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.

2037. Dental Operation, Defined

(a) The term “dental operation” as used in Business and Professions Code section 4826 means:

(1) The application or use of any instrument, ~~or~~ device, or scaler to any portion of the animals tooth, gum or any related tissue for the prevention, cure or relief of any wound, fracture, injury or disease of an animal’s tooth, gum or related tissue; and

(2) Preventive dental procedures including, but not limited to, the removal of calculus, soft deposits, plaque, stains or the smoothing, filing, scaling or polishing of tooth surfaces.

(b) Nothing in this regulation shall prohibit any person from utilizing cotton swabs, gauze, dental floss, dentifrice, or toothbrushes ~~or similar items to clean~~ on an animal’s teeth.

NOTE: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4826, Business and Professions Code.

Title 16. Professional and Vocational Regulations
Division 20. Veterinary Medical Board

Excerpts – Substantial Changes – Effective 1-1-2014

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2030. Minimum Standards
(d) If animals are housed or retained for treatment, the following shall be provided:

(3) If there are to be no personnel on the premises during any time an animal is left at the veterinary facility, prior ~~written~~ notice of this fact shall be given to the client. For purposes of this paragraph, prior ~~written~~ notice may be ~~accompanied~~ accomplished by posting a sign in a place and manner conspicuous to the clients at the entrance of the premises, stating that there may be times when there are no personnel on the premises.

(e) When a veterinary premises is closed, a sign shall be posted and visible outside ~~at~~ the primary entrance with a telephone number and location where ~~pre-arranged veterinary~~ emergency care is available. An answering machine or service shall be used to notify the public when the veterinary premises will be re-opened and where ~~pre-arranged veterinary~~ after hours emergency care is available. If no after hours emergency care is available, full disclosure shall be provided to the public prior to rendering services.

(g) A veterinary premises which provides aseptic surgical services shall comply with the following:

(1) A room, separate and distinct from all other rooms shall be reserved for aseptic surgical procedures which require aseptic preparation. ~~Storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures.~~ A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable.

(A) A veterinary premises which is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, ~~because it was registered with the board prior to January 1, 1981,~~ shall obtain compliance with this subdivision on or before January 1, ~~2004~~ 2014.

(B) The board may exempt a veterinary premises which is currently registered with the board, but does not have a separate aseptic surgery room, where it determines that it would be a hardship for the veterinary premises to comply with the provisions of this subdivision ~~subsection (g)(1)~~.

In determining whether a hardship exists, the board shall give due consideration to the following factors:

1. Zoning limitations.

2. Whether the premises constitutes a historical building.
3. Whether compliance with this requirement would compel the veterinary practice to relocate to a new location.

(2) Storage in the surgery room shall be limited to items and equipment normally related to aseptic surgery and surgical procedures. Equipment not normally related to surgery and surgical procedure includes, but is not limited to, equipment used for dental prophylaxis, autoclaves and non-surgical radiographic equipment.

(3) Open shelving is prohibited in the surgical room.

(4) The surgery room shall not contain a functional sink with an open drain.

(5) The doors into the surgery room must be able to be fully closed, fill the entire door space, be made of non-porous material and not provide access from outside the hospital. In cases where the size of the animal prevents entry to the hospital via a regularly-sized door, doors for outside access are permitted as long as such doors are able to be fully closed, fill the entire door space and be made of non-porous material.

~~(2)~~ (6) The surgery room shall be well-lighted, shall have ~~an operational viewing box for reviewing~~ equipment for viewing radiographs and shall have effective emergency lighting with a viable power source.

~~(3)~~ (7) The floors, table tops, and counter tops of the surgery room shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.

~~(4)~~ (8) Surgical instruments and equipment shall be:

(A) Adequate for the type of surgical ~~service provided~~ procedures performed.

(B) Sterilized ~~by a method acceptable for the type of surgery for which they will be used~~ as required by the surgical procedure performed and instruments used.

~~(7)~~ (11) The following attire shall be required for aseptic surgery:

(B) Ancillary personnel in the surgery room shall wear clean clothing, ~~and~~ footwear, ~~-~~ ~~S~~sanitary cap and mask. ~~shall be required of personnel in the immediate proximity of the sterile field.~~

ALL NEW REQUIREMENTS - 2030.05. Minimum Standards - Licensee Manager.

(a) A Licensee Manager is the California licensed veterinarian named as the Licensee Manager on a facility's premises permit.

(b) The Licensee Manager is responsible for ensuring that the premises for which he/she is manager complies with the requirements in sections 4853, 4854, 4855 and 4856 of the Business and Professions Code, Division 2, Chapter 11, Article 3. The Licensee Manager is responsible for ensuring that the physical and operational components of a premises meet the minimum standards of practice as set forth in sections 2030 through 2032.5 of the California Code of Regulations, Title 16, Division 20, Article 4.

(c) The Licensee Manager is responsible for ensuring that no unlicensed activity is occurring within the premises or in any location where any function of veterinary medicine, veterinary surgery or veterinary dentistry is being conducted off the premises under the auspices of this premises license.

(d) The Licensee Manager shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in (a) - (c) are met.

(e) Each licensed veterinarian shall be responsible for their individual violations of the Veterinary Medicine Practice Act or any regulation adopted thereunder.

2030.2. Small Animal Mobile Clinic.

(a) A small animal mobile clinic shall have:

(5) ~~Table tops and counter tops, such as Formica or stainless steel, which can be cleaned and disinfected.~~ Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.

~~(6) Floor coverings which can be cleaned and disinfected.~~

(e) When the client has not given the veterinarian authorization to dispose of his or her deceased animal, the veterinarian shall be required to retain the carcass in a freezer for at least 14 days prior to disposal.

ALL NEW REQUIREMENTS - 2030.3. Small Animal Vaccination Clinic.
(a) The term "small animal vaccination clinic" shall mean a privately or publicly supported vaccination clinic where a veterinarian performs vaccinations and/or immunizations against disease on multiple animals, and where the veterinarian may also perform preventative procedures for parasitic control.
(b) A veterinarian must remain on site throughout the duration of a vaccination clinic and must maintain responsibility for all medical decisions made. The veterinarian is responsible for proper immunization and parasitic procedures and the completeness of recommendations made to the public by the paraprofessional staff that the veterinarian supervises or employs. The veterinarian is responsible for consultation and referral of clients when disease is detected or suspected.
(c) The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.
(d) All drugs and biologicals shall be stored, maintained, administered, dispensed and prescribed according to the manufacturer's recommendations and in compliance with state and federal laws.
(e) Lighting shall be adequate for the procedures to be performed in the vaccination clinic.
(f) Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.
(g) Equipment shall be of the type and quality to provide for the delivery of vaccines and parasiticides in the best interest of the patient and with safety to the public.
(h) Fresh, clean water shall be available for sanitizing and first aid. Disposable towels and soap shall be readily available.
(i) A vaccination clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.
(j) The vaccination clinic shall provide a legible list of the name, address, and hours of operation of all facilities that provide or advertise emergency services and, when applicable, the location of other clinics provided by the same entity on that day, that are located within a 30-minute or 30-mile radius.
(k) The vaccination clinic shall maintain all vaccination records for a minimum of three (3) years from the date of the vaccination.
(l) If any diagnostic tests are performed or dangerous drugs are provided, administered, prescribed or dispensed, then a valid veterinary-client-patient relationship must be established, including a complete physical exam and Medical Records as set forth in section 2032.3.
(m) The veterinarian shall be identifiable to the public, including, but not limited to the posting of a copy of the veterinarian's license, as set forth in section 4850 of the Business and Professions Code.

ALL NEW LANGUAGE - 2032.05. Humane Treatment.
When treating a patient, a veterinarian shall use appropriate and humane care to minimize pain and distress before, during and after performing any procedure(s).

2032.1. ~~Veterinary~~ Veterinarian-Client-Patient Relationship.
(a) ~~Except where the patient is a wild animal or its owner is unknown, it shall constitute~~ It is unprofessional conduct for a veterinarian to administer, ~~or~~ prescribe, dispense or furnish a drug, medicine, appliance, ~~or application~~ or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an animal without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client, except where the patient is a wild animal or the owner is unknown. ~~It shall also constitute unprofessional conduct for a veterinarian to prescribe, dispense, or furnish either a veterinary~~

~~drug, as defined by Section 1747.1, Title 16, California Code of Regulations, or a dangerous drug, as defined by Section 4022 of the code, without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client.~~
(b) A veterinarian-client-patient relationship shall ~~exist when all of~~ be established by the following ~~occur~~:

~~(1) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, has discussed with the client a course of treatment and if applicable has instructed the client as to the appropriate directions for administering the drugs or treatments.~~

(1) The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment,

(2) The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian ~~has recently seen and~~ is personally acquainted with the care of the animal(s) by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animals are kept, and

(3) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance.

(c) A ~~dangerous~~ drug ~~or a veterinary drug~~ shall not be prescribed for a duration ~~which is~~ inconsistent with the ~~animal~~ ~~patient's~~ medical condition of the animal(s) or type of drug prescribed. ~~which in no event shall exceed more~~ The veterinarian shall not prescribe a drug for a duration longer than one year from the date ~~that~~ the veterinarian ~~has~~ examined the animal(s) ~~patient~~ and prescribed ~~such drug, unless the veterinarian has conducted a subsequent examination of the patient to determine the patient's continued need for~~ the ~~prescribed~~ drug.
(d) As used herein, “drug” shall mean any controlled substance, as defined by Section 4021 of Business and Professions code, and any dangerous drug, as defined by Section 4022 of Business and Professions code.

ALL NEW LANGUAGE - 2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication

(a) A veterinary-client-patient relationship may continue to exist, in the absence of client communication, when:

(1) A veterinary-client-patient relationship was established with an original veterinarian, and another designated veterinarian serves in the absence of the original veterinarian, and;

(2) The designated veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s), and;

(3) The designated veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) is kept, or has consulted with the veterinarian who established the veterinary-client-patient relationship, and;

(4) The designated veterinarian has continued the medical, treatment, diagnostic and/or therapeutic plan that was set forth and documented in the medical record by the original veterinarian.

(b) If the medical, treatment, diagnostic and/or therapeutic plan differs from that which was communicated to the client by the original veterinarian, then the designated veterinarian must attempt to communicate the necessary changes with the client in a timely manner.

2032.2. Written Prescriptions.

(a) A written order, by a veterinarian, for dangerous drugs, as defined by Section ~~1747.1, Title 16, California Code of Regulations~~4022 of Business and Professions Code, shall include the following information:

(c) Pursuant to section 4170(a)(6) and (7) of the Business and Professions Code, veterinarians must notify clients that they have a choice to obtain either the medication or a written prescription and that they shall not be charged for the written prescription.

ALL NEW LANGUAGE - 2032.25. Written Prescriptions in Absence of Originally Prescribing Veterinarian.

(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section 4022 of the Business and Professions Code without an appropriate prior examination and a medical indication, constitutes unprofessional conduct.

(b) No licensee shall be found to have committed unprofessional conduct within the meaning of this section if, at the time the drugs were prescribed, dispensed, or furnished, any of the following applies:

(1) The licensee was a veterinarian serving in the absence of the treating veterinarian and the drugs were prescribed, dispensed, or furnished only as necessary to maintain the animal patient until the return of the originally treating veterinarian, but in any case no longer than 72 hours.

(2) The veterinarian transmitted the order for the drugs to another veterinarian or registered veterinary technician and both of the following conditions exist:

(A) The licensee had consulted with the veterinarian or registered veterinary technician who had reviewed the patient's records.

(B) The licensee was designated as the veterinarian to serve in the absence of the animal patient's veterinarian.

(3) The licensee was a veterinarian serving in the absence of the treating veterinarian, was in possession of and had reviewed the animal patient's records, and ordered the renewal of a medically indicated prescription for an amount not exceeding the original prescription in strength or amount or for more than one refill.

2032.3. Record Keeping; Records; Contents; Transfer.

(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 shall prepare a legible, written or computer generated record concerning the animal or animals which shall contain the following information:

(1) Name or initials of the ~~veterinarian~~ person responsible for entries.

(8) Treatment and intended treatment plan, including medications, dosages, route of administration, and frequency of use.

(9) Records for surgical procedures shall include a description of the procedure, the name of the surgeon, the type of sedative/anesthetic agents used, their route of administration, and their strength if available in more than one strength.

(10) Diagnosis or ~~tentative diagnosis at the beginning of custody of animal~~ assessment prior to performing a treatment or procedure.

(11) If relevant, a prognosis of the animal's condition.

(12) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.

(13) Daily progress, if relevant, and disposition of the case.

(b) Records shall be maintained for a minimum of three (3) years after the animal's last visit. A summary of an animal's medical records shall be made available to the client within five (5) days or sooner, depending if the animal is in critical condition, upon his or her request. The summary shall include:

(6) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.

(7) Daily progress, if relevant, and disposition of the case.

(c)(1) Radiographs and digital images are the property of the veterinary facility that originally ordered them to be prepared. Radiographs or digital images shall be released to another veterinarian upon the request of another veterinarian who has the authorization of the client.

Radiographs shall be returned to the veterinary facility which originally ordered them to be prepared within a reasonable time upon request. Radiographs originating at an emergency hospital shall become the property of the next attending veterinary facility upon receipt of said radiograph(s). Transfer of radiographs shall be documented in the medical record.

(2) ~~All exposed r~~Radiograph~~ic films~~s and digital images, except for intraoral radiographs, shall have a permanent identification legibly exposed in the ~~film emulsion,~~ radiograph or attached to the digital file, which shall include the following:

(A) The hospital or clinic name and/or the veterinarian's name,

(B) Client identification,

(C) Patient identification, and

(D) The date the radiograph was taken.

(3) Non-digital intraoral radiographs shall be inserted into sleeve containers and include information in subdivision (c)(2)(A) - (D). Digital images shall have identification criteria listed in subdivision (c)(2)(A) - (D) attached to the digital file.

(d) Laboratory data is the property of the veterinary facility which originally ordered it to be prepared, and a copy shall be released upon the request of the client.

(e) The client shall be provided with a legible copy of the medical record when the patient is released following emergency clinic service. The minimum information included in the medical record shall consist of the following:

(1) Physical examination findings

(2) Dosages and time of administration of medications

(3) Copies of diagnostic data or procedures

(4) All radiographs and digital images, for which the facility shall obtain a signed release when transferred

(5) Surgical summary

(6) Tentative diagnosis and prognosis, if known

(7) Any follow-up instructions.

2032.35. Altering Medical Records

Altering or modifying the medical record of any animal, with fraudulent intent, or creating any false medical record, with fraudulent intent, constitutes unprofessional conduct in accordance with Business and Professions Code section 4883(g).

2032.4. Anesthesia.

(b) When administering general anesthesia, a ~~A~~ veterinarian shall ~~use appropriate and humane methods of anesthesia, analgesia and sedation to minimize pain and distress during any procedures and shall~~ comply with the following standards:

(1) Within twelve (12) hours prior to the administration of a general anesthetic, the animal patient shall be given a physical examination by a licensed veterinarian appropriate for the procedure. The results of the physical examination shall be ~~noted~~ documented in the animal patient's medical records.

(2) An animal under general anesthesia shall be observed for a length of time appropriate for its safe recovery.

(3) Provide ~~a method of~~ respiratory monitoring ~~that may include~~ including, but not limited to, observation of the animal's chest movements, ~~observing~~ observation of the rebreathing bag~~,~~ or respirometer.

(4) Provide ~~A method of~~ cardiac monitoring ~~shall be provided and may include~~ including, but not limited to, the use of a stethoscope, pulseoximeter or electrocardiographic monitor.

(5) When administering general anesthesia in a hospital setting, a veterinarian shall have resuscitation or rebreathing bags of appropriate volumes for the animal patient and an assortment of endotracheal tubes readily available.

(6) Records for procedures involving general anesthesia shall include a description of the procedure, the name of the surgeon, the type of sedative and/or anesthetic agents used, their route of administration, and their strength if available in more than one strength.

2037. Dental Operation, Defined

(a) The term “dental operation” as used in Business and Professions Code section 4826 means:

(1) The application or use of any instrument, ~~or~~ device, or scaler to any portion of the animals tooth, gum or any related tissue for the prevention, cure or relief of any wound, fracture, injury or disease of an animal’s tooth, gum or related tissue; and

(2) Preventive dental procedures including, but not limited to, the removal of calculus, soft deposits, plaque, stains or the smoothing, filing, scaling or polishing of tooth surfaces.

(b) Nothing in this regulation shall prohibit any person from utilizing cotton swabs, gauze, dental floss, dentifrice, or toothbrushes ~~or similar items to clean~~ on an animal’s teeth.