

Veterinary Medical Board

1747 N. Market Boulevard, Suite 230, Sacramento, CA 95834
Telephone: 916-515-5220 Fax: 916-928-6849 | www.vmb.ca.gov



MEMORANDUM

DATE	October 8, 2013
TO	Veterinary Medical Board
FROM	Annemarie Del Mugnaio, Executive Officer DCA/Veterinary Medical Board
SUBJECT	Electronic Record Keeping

Background:

Veterinary practices have begun to switch over to electronic recordkeeping systems. This transition has brought up issues of confidentiality and accuracy of entries made in the record. Board staff, DCA staff counsel, and Attorney General have suggested adopting regulations that would address these issues and set some parameters specific to electronic records. The Board included this issue as a part of its Strategic Plan 2012-2014 and subsequently referred it to the Multidisciplinary Advisory Committee (MDC) for further discussion and action.

Existing law states medical records shall be maintained and contain certain specified information and that it is considered unprofessional conduct to alter or modify the record with fraudulent intent.

A time lock function is one option that may prevent alteration of electronic records; however, the MDC and/or the Board would need to determine the fiscal impact to businesses in California and if the additional cost was significant it would need to determine any other options to amending the regulation.

The MDC discussed at its November meeting the efficacy of requiring a time lock on electronic medical records and whether to amend the Board's statutes and/or regulations. The MDC ultimately recommended specific amendments to California Code of Regulations section 2032.3.

Action Requested:

Discussion and consideration of taking action.

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

§ 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 digital computer-generated record concerning the animal or animals which shall contain the following information:

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

(1) Entries in medical records and subsequent corrections, additions, and addendums to the records shall reflect the date of entry and the name or initials of the 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 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.

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§ 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).