

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 expenditure and revenue projection reports and the Board's budget summary.

At the October Board meeting, we reported that two budget change proposals for additional funding and personnel for the Hospital Inspection program and one for the Continuing Education Audit program were approved. Many hours of preparation, research, and analysis went into these proposals. Even though we received approval from Consumer Services Agency, the Department of Finance later denied the proposals. The proposals would have given us the additional staff needed to implement the Continuing Education Audit Program and make enhancements to the Hospital Inspection Program. Although this will delay our progress with these programs, we plan to resubmit the budget change proposals this year.

Personnel

The Board office currently has 4.0 vacancies. These vacancies include one enforcement analyst, our receptionist, our cashier, and a special investigator position. Hiring restrictions and slow turnaround times can cause the entire process to take longer than normal. Our recruitment efforts are ongoing. We are in the process of interviewing candidates for the openings and hope to have them filled soon.

Contracts

In order to comply with DCA's recent contract requirement changes, staff are working diligently on establishing contracts for consultants, subject-matter experts, expert witnesses, and hospital inspectors. We anticipate that the Board will establish approximately 100 contracts before the end of the contract year.

Regulations

Minimum Standards – In response to the Board's 45-day Notice of proposed changes to the Minimum Standards of Practice in October, we 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.

So, our 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 that were changed in October are included in the most recent 15-day Notice and are open for comment. Section 2037 was adopted with no changes and was not included in the latest notice. However, the regulation process requires that we respond to all comments submitted in the 45-day comment period.

Fees - Proposed language increases fees in varying degrees to application and license fees, California State Board and law examination fees, hospital premise fee, and establishes the fee for the Board's diversion program. Although the language regarding the fee increases was effective July 31, 2011, the actual implementation date was delayed until March 2012; no fees will increase until March 2012.

Board staff is working with DCA Accounting, Production Support, and ATS staff to ensure new fees are reflected in its accounting systems and renewal notices. Additionally, staff will publish information on its website showing the specific fees that were changed and implement the new fees into all its online forms.

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 licensing/enforcement database system in February 2013 and the old system is not set up to handle retroactive fingerprint requirements.

Enforcement Report

Statistical Data

New complaints since 7/1/11:	335
Total hospital inspections assigned:	213
Total hospital inspections completed:	131
*Total Veterinary licensees:	15,538
Total Veterinary licensees (current) in CA:	8,378
*Total Registered Veterinary Technicians:	8,444
Total Registered Veterinary Technicians (current) in CA:	5,149
Total premise permits:	3,379
<i>*Total includes delinquent, suspended, and CE license holds.</i>	

Complaint Program

The total number of complaints received from July 1, 2011 to date is 335.

Of the 528 complaints received, 41 involve unlicensed activity. The Board is continuing to receive complaints regarding unlicensed individuals performing anesthesia free dentistry, equine dentistry, veterinarians practicing without a valid license, and unlicensed assistants performing RVT tasks. The enforcement unit is conducting desk investigations on all unlicensed

activity complaints and is continuing to request that the Division of Investigation perform formal investigations and assists the Board in referring cases to the District Attorney's Office for criminal prosecution.

Most recently, the Board referred an unlicensed activity case to the District Attorney's Office for prosecution of Business and Professions Code, section 4825-Licensure Requirement. The respondent in this matter was practicing equine dentistry without a veterinary license and without the supervision of a veterinarian. The respondent was convicted, placed on three-year probation, and ordered to pay the Board \$7,700 in restitution.

Currently the Board has seven unlicensed activity cases pending at the various District Attorney Offices throughout the State.

Citation Program

As of July 1, 2011, 26 citations have been served. Four informal conferences were held and no citations have been referred to the Offices of the Attorney General (AG) for an administrative hearing. Of the 26 citations served, two were for unlicensed activity.

Inspection Program

As of January 8, 2012, the Board has assigned 213 routine inspections and 16 complaint and probation related inspections. Of the 213 routine inspections assigned, 131 have been performed. To date, 12 of the complaint and probation related inspections have been performed. Inspections are proceeding according to schedule, and the Board expects to have all inspections completed by May 1, 2012.

The Board will be holding its annual roundtable inspection meeting in April to discuss and review the inspection program with the inspectors. In March, the Board will shadow each inspector for two to three inspections to make sure each inspector is adhering to policy and procedures of the Board.

On December 6, 2011 the Board met with Dr. Grant Miller, Director of Regulatory Affairs with the California Veterinary Medical Association, to discuss the inspection program. Dr. Miller was invited to accompany board staff and an inspector on two inspections for Dr. Miller to have a hands-on experience and understanding of the program. As a result of this positive meeting, the Board looks forward to working closely with Dr. Miller in the future to help educate licensees with understanding policies and procedures related to the program.

Discipline Program

Currently there are 67 formal disciplinary cases pending with the AG. Of the 43 pending cases, 17 have been sent to the AG since July 1, 2011.

Enforcement staff is currently monitoring 34 probationers.

Case Aging Data

The aging for complaints has increased along with case backlogs. Staff will be documenting the actual aging data in its Sunset Review Report. In general, complaints with desk investigations average 4-9 months, formal investigations average 18-24 months, and discipline cases average 24-40 months. The increased processing time is a result of furloughs and vacancies for the last four years.

Examination/Licensing Report

Examinations

NORTH AMERICAN VETERINARY LICENSING EXAMINATION			
November 2010/December 2010		April 2011	
Candidates	Pass Pct.	Candidates	Pass Pct.
320	89%	58	74%

CALIFORNIA STATE BOARD EXAMINATION			
November 2010 – April 2011		May 2011 – October 2011	
Candidates	Pass Pct.	Candidates	Pass Pct.
225	83%	166	72%

REGISTERED VETERINARY TECHNICIAN EXAMINATION			
January 2011 - June 2011		July 2011 - December 2011	
Candidates	Pass Pct.	Candidates	Pass Pct.
224	68%	275	73%

Examination Workshops

January 11-12, 2012 - Veterinary Occupational Analysis

February 8-9 - Veterinary Occupational Analysis

March 1-2 - Develop California Specific Registered Veterinary Technician (CSRVT) Examination Plan

April 13 - Update RVT Examination

April 26-27 - CSRVT Examination Item Writing

May 3-4 - CSRVT Examination Item Review

May 17-18 - CSRVT Examination Item Review

Licensing

Licenses Issued	
January 1, 2011 - December 31, 2011	
Veterinarian	526
Reciprocity	47
Intern	37
Registered Veterinary Technician	365
Premises	160

Publications

News and Views - The Newsletter of the Veterinary Medical Board - Staff, along with Consumer Education/Newsletter Committee Chair Patti Aguiar and Judie Mancuso, published the Winter 2012 Newsletter. The Newsletter content included disciplinary actions, Board and Board meeting information, current legislative and regulatory actions, RVT continuing education requirements, and updates to recent Board and MDC member changes. The Newsletter was posted to the Board's website and sent out to its electronic interested parties on December 16, 2011.

Hospital Inspection Checklist - The Board approved the Hospital Inspection Self Checklist content at its April Meeting. The Checklist has been reviewed by legal counsel and is being presented for the Board's review and approval at its January meeting. Pending approval, the Checklist will be available on the Board's website in February 2012.

Once the proposed Minimum Standards regulations become law, the Checklist will be updated to reflect the new laws.

Radiation Safety Guide - The RVTC approved the Radiation Safety Guide at its March 2011 Meeting and requested staff to send the document to the Department of Health Services (DHS) for its review and comment. The Guide was subsequently sent to DHS and was received with their comment on September 27th. The Guide is currently under review by staff and legal and will be available on the Board's website in March 2012.