

Executive Officer's Report

Prepared by Susan M. Geranen

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The mission of the Veterinary Medical Board is to protect consumers and animals through development and maintenance of professional standards, licensing of veterinarians, registered veterinary technicians, and registered veterinary premises and diligent enforcement of the California Veterinary Medicine Practice Act.

We have an exciting year coming up and our January board meeting will be the kick off. We will be considering finalizing our Disciplinary Guidelines and our Strategic Plan. We will be heading into our Sunset Review report year with legislation to follow in 2013. We are hiring new employees and hope to correct a major workload backlog that has been growing over the last few years with the furlough days and a hard hiring freeze that is still on going. We are also developing plans for training staff, consultants, expert witnesses, DAGs and Administrative Law Judges – a huge undertaking.

Proposed Changes to the Minimum Standards, including Section 2037. The Board held a public hearing on proposed changes to the minimum standards, including Section 2037 in October and during the hearing, there were changes made to some of the sections regarding the minimum standards of practice and that requires sending out a 15-day notice on those changes to everyone who commented on the original proposed changes. Only the sections that were changed are being noticed and are open for comment.

The challenge to sending out the 15-day notice was sorting through approximately 22,000 faxes, letters and emails which were submitted during the original 45-day public comment period. After the Board staff reviewed and sorted through all of the comments, a database list of names and contact information was developed and the Department of Consumer Affairs (DCA), helped with the data entry on that project. In going through the thousands of comments, it was discovered that many of the comments were duplicates whereby one person signed multiple forms, many names and addresses were illegible and the majority only signed the form and did not provide contact information. Some of the form letters were not even addressed to the Board, but were copies of letters sent to the Legislature and to the DCA in April 2010 in reference to the bill, SB 697. Ultimately, there were approximately 4,000 names and addresses that were compiled for the mailing.

The notice was mailed out on Wednesday, January 4, 2012, and the 15-day notice period begins on January 5, 2012, and closes at 5 p.m. on Friday, January 20, 2012. There will be an item on the Board's January agenda for discussion if necessary if we receive any substantive comments on the proposed changes to the minimum standards.

License plate bill – Assembly Bill 610 (Solario). AB 610 decreases the number of license plate applications that is required before the Department of Motor Vehicles (DMV) will initiate a specialty license plate. Currently the number is 7,500 applications. The bill decreases that number to 3,500 and allows private donations to achieve the total start up costs, currently at \$400,000. There will be an oral report on the status of this bill at the Board meeting.

RVT School Regulations. The proposed regulations for RVT schools have not been scheduled for a public regulatory hearing yet, but the plan is to send the language out to all the RVT schools for informal input sometime in February 2012. The schools will be notified that if they would like to submit written comments or attend the April Board meeting, the language will be considered at the Board's regularly scheduled public meeting prior to finalizing it for hearing in July or October.

Disciplinary Guidelines. At its October meeting, the Board made substantial amendments and updates to its Disciplinary Guidelines. Staff has incorporated those changes in the document along with language regarding the provisions in SB 1441, a substance abuse bill. The Guidelines are up for consideration and possible adoption at the January meeting. The next step will be to schedule a public hearing to consider incorporating these guidelines into regulation by reference which means that the document as a whole would be incorporated rather than the individual language within the document.

Sunset Review. The Sunset Review process is a two-year process – in 2012 the Board will prepare its written report for submission to the legislature by November 1, 2012. In year two, 2013, the Legislature will put forward a bill that contains language that extends the Board's sunset dates for a designated amount of years – usually 4 to 6.

The Sunset questionnaire will be available in February at which time staff will begin to input the statistical data requested by the Legislature usually for a four year period. It is a big undertaking, but we will attempt to have the statistics done in time for the April Board meeting so we can move to the next step which is writing the actual narrative report.

Much of the historical information will remain the same as it was documented in the Board's last Sunset Report in 2003, but there will need to be new narrative developed regarding the statistical information for the last four years. Traditionally, this narrative has been done for the most part by Board members with the assistance of the Executive Officer and staff. Our Sunset Committee is Linda Starr with Dr. Johnson and Patty Aguiar. Ms Aguiar has a great background in writing and editing, so she will be a big asset to the Board on this project. We may want Ms Williams involved in the effort for the RVT perspective.

We may need at least one committee meeting between April and the July meeting and it would be approved since this is a mandatory Legislative project. We will be putting a Sunset Review discussion item on each Board meeting agenda in 2012 and 2013 until the project is complete. This is definitely a hands-on project for Board members. It is usually the Board members who testify about the report and on behalf of the Board and the Executive Officer is there as a resource and to answer technical questions regarding the statistics. This is a priority project that pushes everything else back so that there is adequate staff time to work on this report.

One part of the report is that the Board develops recommendations to the Legislature for changes that will improve the way veterinary medicine is regulated or that will correct inaccurate legal language or that will create new authority for the Board. Another part will be responding to previous recommendations from the Board and the Legislature that were a part of our Sunset Report 2003. This is where collaboration between the Board members and staff is invaluable. The Board will also want input from the public and the profession on the document and that will be a part of putting the issue on the regular public meeting agendas and in holding at least one special committee meeting between April and July.

RVT Exam Issues. Although the RVT Committee was sunsetted last June, the Board still regulates RVTs and the issues related to RVTs still need to be addressed. One of the issues in which former committee members provided support to the staff was in providing expertise in reviewing alternate route applications. There are many times when lay staff finds it difficult to determine whether an applicant is eligible or not or whether their education meets the requirements in California Code of Regulations, Section 2068.5. Dr. Ferguson, Board President, and I have discussed possibly establishing a standing RVT subcommittee that can help the Board and staff with the issues directly related to the RVT exam and RVT schools and inspections. Proposed language has been included in the Board's Administrative Procedures Manual for consideration at the January Board meeting.

AAVSB/RACE. The Board is continuing to work with the AAVSB on the RACE standards for continuing education approval for the alternative veterinary medicine options.