

Veterinary Medical Board

State Of California



Board and Committee Member Administrative Procedure Manual

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CHAPTER 1**Introduction****Mission**

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

Vision

The vision of the California Veterinary Medical Board is that professional, quality veterinary medical care exists for all animals.

Overview

The VMB was created in 1893 as a licensing program. Licensing is used to regulate veterinarians and protect the public in all fifty states, territories, and Canada.

The Veterinary Medical Board is one of a number of boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), part of the State and Consumer Services Agency under the auspices of the Governor. The Department is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While the DCA provides administrative oversight and support services, the VMB sets its own policies, procedures, and regulations.

The VMB is comprised of ~~seven~~ eight members. Four veterinarians, three public members and one registered veterinary technician (RVT). The Governor appoints four veterinarian members, one RVT and one public member. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. Board members may serve up to two full four-year terms. In addition to the two full four-year terms, Board members may serve the partial term of the vacant position to which they are appointed and up to a one year grace period after a term expires. Board members fill non-salaried positions but are paid per diem for each Board meeting, committee meeting and other meetings approved by the President of the Board. Travel expenses are also reimbursed.

This procedure manual is updated as necessary and provided to VMB board and committee members as a ready reference of important laws, regulations, DCA policies and VMB policies to help guide the actions of the Board and committee members and ensure effectiveness and efficiency.

CHAPTER 2

Board Meeting Procedures

Business and Professions (B&P)
Code section 4808
Board policy - The requirement to meet is in the B&P code. The frequency of the meetings is determined by the Board.

Frequency of Meetings

The Board meets at least four times annually to make policy decisions and review committee recommendations. Special meetings may be called at any time by the President or by any ~~three~~ four members of the Board, upon notice of such time and in such manner as the Board may provide.

The Board endeavors to hold meetings in different geographic locations throughout the state when possible as a convenience to the public and licensees.

Board Policy

Board Member Attendance at Board Meetings

Board members shall attend each meeting of the Board. If a member is unable to attend he/she is asked to contact the Board President or the Executive Officer and ask to be excused from the meeting for a specific reason.

Board Policy

Board Member Participation

The Board President may contact members who have missed three consecutive meetings to determine the reason they have been absent and whether or not the member is able to continue serving as an active member of the Board. In some cases, the President may suggest that the member consider resigning.

The Board, by resolution, may request in writing to the appointing authority that a member be replaced. The member shall be notified in writing of such proposed action and be given the opportunity to present to the Board his/her written or oral arguments against such action prior to the Board adopting the resolution.

Government Code section 11120 et. Seq.

Public Notice/Information at Board Meetings

Meetings are subject to all provisions of the Bagley-Keene Open Meetings Act. This act governs meetings of the State regulatory boards and meetings of committees of those boards where the committee consists of more than two members. It specifies meeting notice and agenda requirements and prohibits discussing or taking action on matters not included in the agenda. Any general discussion of exams or disciplinary procedures shall be held in public.

The Board may meet in closed session to discuss examinations, deliberate on enforcement cases, and review personnel issues where a public discussion would compromise the integrity of the examination, a disciplinary case, or a personnel issue. If the agenda contains matters that, on advice of legal counsel, are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

Quorum

B & P Code section 4807

~~Four~~ Five members of the Board constitute a quorum for transaction of business at any meeting of the board. At a meeting duly held at which a quorum of ~~four~~ five members is present, a concurrence of three members of the Board present shall be necessary to constitute an act or decision of the Board. When ~~five~~ six or more members of the Board are present at a meeting duly held, the concurrence of ~~four~~ five members shall be necessary to constitute an act or decision of the Board.

Agenda Items

Board Policy

Agenda items are generally discussed and agreed upon at a full board meeting. Additional agenda items for a Board meeting from any source, including Board members, must be submitted to the Executive Officer at least 21 days prior to the meeting. The Executive Officer may confer with the Board President prior to adding items to the meeting agenda.

Notice of Meetings

Government Code section 11120 ET seq.

According to the Open Meeting Act, meeting notices (including agendas for Board meetings) shall be sent to persons on the Board's mailing list and posted on the Board's web site at least ten (10) calendar days in advance. The notice shall include a staff person's name, work address and work telephone number to provide further information prior to the meeting.

Record of Board Meetings

Board Policy

The minutes are a detailed summary of each Board meeting, not a transcript. The minutes shall be prepared and submitted for review by Board members within 30 working days of the meeting. Board minutes shall be approved at the next scheduled meeting of the Board. Once approved, the minutes shall serve as the official record of the meeting.

Tape Recording

Government Code section 11124.1 et. seq.

Board meetings shall be tape-recorded. Tape recordings shall not be disposed of until the Board approves the minutes at its next meeting.

Meetings Rules

Board Policy

The Board will use Robert's Rules of Order to the extent that it does not conflict with State law (e.g., Bagley-Keene Open Meeting Act), as a guide when conducting the meetings. The Vice President of the Board may serve as meeting parliamentarian.

CHAPTER 3

Travel & Salary Policies/Procedures

Travel Approval

DCA Memorandum 91-26

Board members shall have Board President approval for all travel, including out of state travel, except for regularly scheduled Board and Committee meetings to which the Board member is assigned.

The Board President and the Executive Officer must use the Board's annual budget and DCA Travel Guidelines when considering travel requests.

Travel Arrangements

Board Policy

Board members should attempt to make their own travel arrangements, including airfare, lodging, and rental cars. Board members should use the State contract airline, Southwest, whenever possible. On the Southwest web site you can set up a state travel account under the "SWABIZ" acronym and then use that account to make all of your board-related airfare arrangements.

Out-of-State Travel

SAM section 700 et seq.

All out of state travel for all persons representing the State of California must be approved by the Board President and is ultimately controlled and approved by the Governor. Once approved for out of state travel, Board members will be reimbursed actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Travel prior to approval by the Governor is at the individual Board member's own risk and reimbursement may be denied.

Travel Claims

SAM section 700 et seq.
DCA memorandum 91-26

Rules governing reimbursement of travel expenses for Board members are the same as for management level State staff. All expenses shall be claimed on the appropriate travel expense claim forms. The Executive Officer's secretary maintains these forms and completes them as needed. It is advisable for Board members to submit their travel expense forms within two to four weeks immediately after returning from a trip. Expenses for trips submitted after the close of a fiscal year may not be reimbursed.

The DCA travel unit uses the Internet at Yahoo.com to calculate standard mileage reimbursement. If travel includes side trips other than traveling direct from one point to another and returning, each stop must be itemized and an address included. Additional mileage will be calculated via the maps at Yahoo.com and included in the claim.

Salary Per Diem

B & P Code section 103

Compensation in the form of salary per diem and reimbursement of travel and other related expenses for Board members is regulated by Business and Professions

Code Section 103.

In relevant part, this section provides for the payment of salary per diem for Board members "for each day actually spent in the discharge of official duties," and provides that the Board member "shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties."

Travel Reimbursement and Payment of Salary Per Diem

Accordingly, the following general guidelines shall be adhered to in the payment of salary per diem or reimbursement for travel:

Board Policy

1. Board members attending meetings or events to perform a substantial official service shall be paid per diem and reimbursed for travel-related expenses. Attendance at gatherings, events, hearings, conferences or meetings other than official Board or Committee meetings shall be approved in advance by the Board President and the Executive Officer.
2. The term "day actually spent in the discharge of official duties" shall mean such time as is expended from the commencement of a Board meeting or Committee meeting to the conclusion of that meeting. Where it is necessary for a Board member to leave early from a meeting, the Board President shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses

For Board specified work, Board members will be compensated for actual time spent performing work authorized by the Board President. That work includes, but is not limited to, authorized attendance at other gatherings, events, meetings, hearings, or conferences; exam item writing, exam grading; and travel time on non-meeting days. That work includes preparation time for Board or Committee meetings. Compensation for preparatory time is paid when eight hours is accrued.

Members must submit time sheet summary forms for actual work performed outside a Board meeting in order to be compensated.

CHAPTER 4

Other Policies/Procedures

Board Member Disciplinary Actions

A member may be censured by the Board if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner.

Board Policy

The President of the Board shall sit as chair of the hearing unless the censure involves the President's own actions, in which case the Vice President of the Board shall sit as chair. In accordance with the Public Meeting Act, the censure hearing shall be conducted in open session.

Removal of Board Members

B & P Code sections 106 and 106.5

The Governor has the power to remove from office at any time any member of any board appointed by him/her for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct.

The Governor may also remove from office a board member who directly or indirectly discloses examination questions to an applicant for examination for licensure.

Resignation of Board Members

Government Code section 1750

In the event that it becomes necessary for a Board member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the director of the Department, the Board President, and the Executive Officer.

Officers of the Board

B & P Code section 4804

The Board shall elect from its members a President, and a Vice President, to hold office for one or two years, or until their successors are duly elected and qualified.

Election of Officers

Board Policy

The Board may elect the officers at its fall meeting on seniority or other basis to serve a term of one or two years, beginning on January 1. In the normal course of events, Board officers should be prepared to serve first as Vice President, then as President and finally, as Immediate Past President for the length of term decided by the Board. All officers may be elected on one motion or ballot as a slate of officers unless objected to by a Board member. Elections are usually scheduled for the October meeting with the new officers assuming office in January at the next regularly scheduled board meeting.

Officer Vacancies

Board Policy

If the Office of the President becomes vacant, the Vice President shall assume the office of the President.

Access to Board Files and Records

Board Policy

No Board member may access a licensee, applicant or complaint file without the Executive Officer's knowledge and approval of the conditions of access. Records or copies of records shall not be removed from the Board's office.

Communications with Other Organizations/Individuals

Board Policy

The Executive Officer, his or her designee, or the Board President shall serve as spokesperson to the media on Board actions, policies, or any communications that is deemed sensitive or controversial, to any individual or organization. Any Board member who is contacted by any of the above should terminate the contact and inform the Executive Officer or the Board President.

Board Policy-draft

Legal Opinions – Requests from Outside Parties

The Board does not provide legal services for persons or entities outside the Board staff. Requests for legal opinions from outside entities are to be discussed with the Board President and Legal Counsel to determine whether it is an issue over which the Board has jurisdiction and the opinion, if prepared, could be posted on the Board's web site and benefit the general public rather than one individual. Persons making such requests would be notified that the Board will not be responding directly to their request, but will post the opinion on line when it is final.

Board Staff

DCA Reference Manual

Employees of the Board, with the exception of the Executive Officer, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by a myriad of civil service laws and regulations and often by collective bargaining labor agreements. Because of this complexity, it is most appropriate that the Board delegate all authority and responsibility for management of the civil service staff to the Executive Officer.

Board Administration

DCA Reference Manual

Board members should be concerned primarily with formulating decisions on Board policies rather than decisions concerning the means for carrying out a specific course of action. It is inappropriate for Board members to become involved in the details of program delivery. Strategies for the day-to-day management of programs and staff shall be the responsibility of the Executive Officer under the supervision of the Board President.

Examination Preparation

Each person having access to examination content shall sign a security agreement. Examination banks shall not be removed from the Board's office. Final revisions to examinations and revisions to examination banks shall be done at the Board's office.

Correspondence

B & P section 110

Originals of all correspondence received shall be maintained in the Board's office files. Copies of such correspondence shall be given to the Executive Officer and/or Board

members as required.

CGC section 11146 et seq.
Board Policy

Ethics Training

Ethics training for continuing and new Board members will be accomplished in accordance with the law and DCA procedures.

Board Policy

Contact with Licensees

Board members shall not intervene on behalf of a licensee for any reason. They should forward all contacts or inquiries to the Executive Officer.

DCA Reference Manual

Contact with Complainant/Respondent

Board members should not directly participate in complaint handling and resolution or investigations. To do so would subject the Board member to disqualification in any future disciplinary action against the licensee. If a Board member is contacted by a complainant/respondent or his/her attorney they should refer the individual to the Executive Officer or Board staff.

Board Policy

Gifts from Candidates

Gifts of any kind to Board or Committee members or the staff from candidates for licensure with the Board are not permitted.

Government Code section 87100

Conflict of Interest

No Board member may make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Any Board member who has a financial interest shall disqualify himself/herself from making or attempting to use his/her official position to influence the decision. Any Board member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the Executive Officer or Board President.

CHAPTER 5

Board President

The duties of the Board President shall include, but are not limited to:

B&P section 4804.5 and
Board Policy

Supervision of Executive Officer

The Board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

The incoming Board President shall assume all delegated duties at the next quarterly meeting, including supervision of the Executive Officer.

The Board President is the immediate supervisor of the Executive Officer. Specific instructions for work on Board policy matters by the Executive Officer from board members shall be coordinated through the Board President.

It is critical that individual Board members not intervene or become involved in specific the day-to-day board office operations. However, it is also critical that the board hold the Executive Officer accountable for supervising these operations, including workload issues, staff vacation and sick leave balances, labor/personnel disputes, personal actions, etc.

Tracking the Executive Officer’s performance and accountability throughout the year is accomplished by direct and frequent oral, written, and in person communications between the Executive Officer and the Board President. In addition, the Executive Officer is responsible for keeping the full board informed throughout the year (when appropriate) as to occurrences and information that come to the office in between meetings.

Performance Appraisal of Executive Officer

At the April Board meeting, the Board President, or his/her designee, shall request that each Board member complete and submit an “Executive Management Appraisal” document as input to the Executive Officer’s annual performance appraisal. The completed forms shall be mailed directly back to the Board President or his/her designee. The input from individual members shall be used to prepare a draft appraisal for review at the first meeting of the new year.

The written performance appraisal is presented to the Board and the Executive Officer at July Board meeting.

Following review by the full Board, the appraisal shall be discussed with the Executive Officer. Actions requiring corrective measures shall include specific remedies and reporting timeframes.

Matters relating to the performance of the Executive Officer shall be discussed in closed session unless he or she requests that it be discussed in open session.

CGC section 11126(a)(4)
Board Policy

CHAPTER 6

Executive Officer

Appointment

The Board appoints an Executive Officer who is exempt from civil service and serves at the pleasure of the Board.

Role

The Executive Officer is the Board’s chief executive officer. He or she implements the policies developed by the Board.

Recruitment

B&P section 4804.5

California Code of Regulations
(CCR) section 2003

Board Policy

The Board may institute an open recruitment plan to obtain a pool of qualified Executive Officer candidates. It shall also utilize proven equal employment opportunity and personnel recruitment procedures.

Selection

CGC section 11125)

Board Policy

A qualified candidate for Executive Officer must demonstrate the ability to supervise employees, handle conflict resolution and complaint mediation, conduct public speaking. The Executive Officer must also demonstrate effective written and verbal communication skills and knowledge and expertise in the areas of legislation, regulations, administration, examination, licensing, enforcement, legislation and budgets.

The selection of a new Executive Officer shall be included as an item of business, which must be included in a written agenda and transacted at a public meeting.

CHAPTER 7

Board Committees

Standing Committees

Board Policy

The Board has four standing committees:

- Administrative/Executive Committee
- Examination Committee
- Legislative Committee
- Enforcement Oversight Committee

Internal organization of each committee is at the Board President's discretion, except as specified in this manual. Committee List attached.

Committee Appointments

Board Policy

The Board President may establish committees, whether standing or special, as he or she deems necessary. The Board President shall determine committee composition and member appointments, including, but not limited liaison appointments. When necessary, committee members may make recommendations for new members.

Ad hoc committees may include the appointment of non-Board members. When appointing non-Board members, all impacted parties should be represented.

Attendance at Committee Meetings

Board Policy

If a Board member wishes to attend a meeting of a committee of which he/she is not a member that Board member shall obtain permission from the Board President to attend and shall notify the committee staff.

Non-committee Board members may sit in the audience and

participate in meeting discussions, unless there is a quorum of Board members in the room. If there is a quorum present(5), non-committee Board members may sit in the audience, but not participate in the meeting discussions.

Meeting Rules

Board Policy

Committee meetings will be conducted under Robert's Rules of Order to the extent that it does not conflict with the Bagley-Keene Open Meeting Act.

Committees with two members can meet as necessary without a public notice and can hold teleconference call meetings with the designated staff person participating on the call as necessary.

Committee meetings involving three or more members are subject the Open Meeting Act Requirement and must be noticed as a public meeting.

Committee Meeting Agendas

Board Policy

Agendas shall focus on the specific tasks assigned by the Board and include:

- Public comment
- Time for committee members to recommend new areas of study to be brought to the Board's attention for possible assignment.
- Only those information items dealing with subjects assigned to the respective committee.

Committee chairs shall confer with the Board President prior to including any agenda item that is not clearly within that committee's assigned purview.

If more than two Board members attend a Committee meeting, the agenda shall contain the statement:

"Notice of a Board meeting indicates that three or more members of the Board are present. While the law requires the Board to notice this meeting as a Board meeting, it is not the intent to take action as a Board at this meeting."

Record of Committee Meetings

Board Policy

As with the Board meetings, the minutes are a summary, not a transcript, of each committee meeting. The minutes shall be prepared by Board staff and submitted for review by Committee members within approximately 30 working days of the meeting.

Committee minutes may be approved at the next scheduled Board meeting and serve as the official record of the

meeting.

Approved minutes of the open session are available for distribution to the public and shall be posted on the Board's web site.

Recruitment – needs updating

Board Policy

The Board members may assist staff to recruit interested persons to serve on appropriate task force committees, e.g., examination item writing, item reviewing, and Angoff workshops.

Staff Participation

Board Policy

Board staff provides advice, consultation and support to Committees.

Tape Recording

Board Policy

Public committee meetings are tape-recorded. Tape recordings shall be disposed of upon approval of the minutes, but not less than 30 days following the meeting date on which the minutes were approved.

Enforcement Committee

Board Policy

The purpose of the Enforcement Committee is to continually seek ways to improve the Board's enforcement activities and to review closed cases to assist in identifying trends in enforcement activities or situations where enforcement procedures might be improved. The committee also assists staff in establishing and maintaining a pool of qualified expert witnesses and consultants to review cases and assist the Board in determining violations of the CA Practice Act.

Examination Committee

Board Policy

The purpose of the Examination Committee is to provide support, and advice and expertise to the Board and to staff regarding examination of eligible applicants for licensure as a veterinarian or registration as a veterinary technician. ~~This includes writing and reviewing examinations and direction and support in setting the examination pass point. Meetings shall be held in Sacramento as Board-directed work requires.~~

The Committee's goals are to:

- ~~• Develop and cause to be graded appropriate written examinations for veterinarians and registered veterinary technicians.~~
- Provide advice to staff regarding the appropriate

~~administration of the examinations and e~~ Oversee the periodic external review of examination validity by qualified psychometricians. The purpose of the external examination validation process is to assure that examinations are relevant to the current professional practice of veterinary medicine and veterinary technology in the public interest and are at an appropriate level of complexity.

- ~~• Develop and continually upgrade the examination question bank and protect the confidentiality of the examination questions in cooperation with the Department of Consumers Affairs, Office of Examination Resources.~~
- Assist in establishing and maintaining a pool of qualified and available examination graders and subject matter experts.
- Provide guidance and suggestions for the improvement of regulations, guidelines and operations impacting the examination process.
- ~~• Establish the pass point for each examination using appropriate methodology and personnel.~~
- Assist staff by providing expertise in the application of examination eligibility criteria and in the determination of eligibility, e.g., assist in establishing criteria for evaluating applications from candidates for the RVT exam who are utilizing the “alternate route” eligibility category in CCR Section 2068.5.
- Develop California RVT school standards and regulations and assist staff with RVT school inspections and enforcement issues related to RVTs.

Administrative/Executive Committee

The Administrative/Executive Committee usually consists of the President and one other member; often times the other member is the Vice President.

The Administrative Committee reviews budget, personnel, accounting, and departmental issues. This committee oversees the VMB’s Diversion Program and assists in selecting members for the Diversion Evaluation Committee (DEC).

The Administrative Committee works directly with the Executive Officer and staff to monitor budget expenditures, trends, and the Contingent Fund levels.

The Committee shall monitor individual line item expenditure and look for anomalies with a three year pattern for purposes of preparing a budget change proposal to correct either an

under or over expenditure.

Board Policy

Legislative Committee

The purpose of the Legislative Committee is to provide information and/or make recommendations to the Board and Committees of the Board on matters relating to legislation affecting the regulation of veterinarians and veterinary technicians in the public interest.

The Committee's goals and objectives are to:

- Monitor current legislation on behalf of the Board and make position recommendations to the Board at each Board meeting.
- Serve as a resource to other Board committees on legislative and regulatory matters.
- Serve as a resource for the Board to implement proposed revisions to the Act and Board regulations.

The Committee shall consist of three voting members. Meetings shall be held in Sacramento four times per year in conjunction with regularly scheduled Board meetings or as Board-directed work requires.

The classification system to be used by the Legislative Committee in recommending Board positions is:

- Support:
The Board supports the current version of the bill. This designation commits the Board to full involvement in the legislative process including sending letters to key people, conferring with key people prior to committee hearings and testifying at hearings by Board members, Legislative Committee members or senior staff.
- Support if Amended:
The Board generally supports the concept or intent of the bill. Technical flaws need to be corrected before the Board will fully support the bill. The Board identifies the amendments or requirements that must be met in order for support to be obtained. Should the requested amendments or requirements be accepted, the Board's position will change to support. This designation commits the Board to full involvement in the legislative process as discussed above.
- Oppose:
The Board is opposed to the current version of the bill. This designation commits the Board to involvement in the legislative process as discussed above.

**Legislative Committee
(Cont.)**

- **Oppose Unless Amended:**
The Board is opposed to the bill but is willing to work with the author and sponsor of the bill to resolve the Board's concerns about the bill. The Board identifies the amendments or requirements that must be met to remove the Board's opposition. Should the requested amendments or requirements be accepted, the Board will adopt a support position.
- **Watch**
The Board has some interest in the bill because it potentially may affect the work of the Board. This designation requires careful tracking through the legislative process.

Advisory and Ad Hoc Board Committees

Board committees are advisory in nature and recommend actions to the Board and are established by the Board as needed. Committee recommendations and reports shall be submitted to the Board for consideration and possible action.

Registered Veterinary Technician Committee

Business and Professions Code
Article 2.5, Beginning with Section
4832

~~The Registered Veterinary Technician Committee (RVTC) is a statutory committee that was created to advise the Board on issues relating to the veterinary technician profession such as, examination preparation and review, California RVT school standards and inspections and enforcement related to RVTs.~~

~~The RVTC shall consist of five (5) members, three shall be California registered veterinary technicians, one shall be a public member and the remaining member shall be either a California RVT or a licensed veterinarian. The public member shall not be a licentiate of the Board or of any other board under this division or of any board referred to in Sections 4000 and 3600.~~

~~The members of the RVTC shall hold office for a term of four three years. Committee members may serve up to two full three year terms. In addition to the two full four year terms, Committee members may serve the partial term of the vacant position to which they are appointed and up to a one year grace period after a term expires. Committee members fill non-salaried positions but are paid per diem and travel expenses for each committee meeting and other meetings approved by the President of the Board.~~

~~Vacancies occurring shall be filled by appointment by the Board upon the recommendation and review of applications for appointment by the RVTC. The Board shall remove from office at any time any member of the RVTC for continued neglect of any duty, conflict of interest, incompetence, unprofessional conduct or unprofessional conduct.~~

Business and Professions Code
Article 2.5, Section 4809.8

Multidisciplinary Advisory Committee (MDC)

The Multidisciplinary Committee (MDC) is a statutory committee that was created to advise the Board on issues relating to enforcement, hospital inspections, citations and other issues relating to the profession as a whole.

The MDC consists of seven (7) members, four licensed veterinarians, two registered veterinary technicians and one public member. The public member shall not be a licentiate of the Board or of any other board under this division or of any board referred to in Sections 1000 and 3600.

The members of the MDC shall hold office for a term of ~~four~~ three years. Committee members may serve up to two full three-year terms. In addition to the two full three year terms, Committee members may serve the partial term of the vacant position to which they are appointed and up to a one year grace period after a term expires. Committee members fill non-salaried positions but are paid per diem and travel expenses for each committee meeting and other meetings approved by the President of the Board.

The Committee meets three times per year unless otherwise approved by the Board.

Vacancies occurring shall be filled by appointment by the Board. The Board shall remove from office at any time any member of the MDC for continued neglect of any duty, conflict of interest, incompetence, or unprofessional conduct.

CHAPTER 8

Association Membership

Board policy

AAVSB

The Board shall maintain membership in the American Association of Veterinary State Boards (AAVSB). The Board shall also strive to maintain representation on the Executive Board of the AAVSB by supporting members interested in participating as an AAVSB board member.

Board policy

FARB/CLEAR

The Board ~~shall~~ may maintain membership in the Federated Association of Regulatory Boards (FARB).The Board may consider membership in the Council on Licensure, Enforcement, and Regulation (CLEAR).

Board policy

NBVME

The Board shall strive to maintain representation on the

National Board of Veterinary Medical Examiners. Membership on this board is critical to California since it provides representation in the development and administration of the North American Veterinary Licensing Examination (NAVLE).

CHAPTER 9

Enforcement and Information

Complaint Disclosure

Board Policy

General complaints are not subject to disclosure. In a citation and fine action, the Board shall provide the public, upon request, with a copy of a final citation and fine document. Citations are public information for five years from the issue date and are then destroyed and the record of the action expunged as per the Board's Records Retention Schedule.

The Board shall only provide citation and fine information in response to specific, individual written requests. The Board shall not publish individual names of licensees or registrants and shall not report such actions to the National Disciplinary Database.

Disciplinary Actions

Bill # ? B&P ?

Board policy

The Board shall provide information regarding formal discipline/accusations only after the case has been transferred to the Office of the Attorney General.

Board staff shall make the following disclosure statement: "An investigation has been conducted and the case has been forwarded to the Attorney General's Office for consideration of possible action. At this time, there has been no determination of wrong-doing."

An "accusation" is the first public document in any case. The accusation is prepared and filed by the Deputy Attorney General (DAG). Once the accusation is filed, it is a public document and available on written request. If the accusation results in a final order/decision, once the decision is final, it is also available to the public upon written request.

All final decisions by the Board following formal disciplinary proceedings of alleged violations of the Act shall be published on the Board's web site and in its newsletter after the effective date of the decision. Final decisions shall be reported to the National Disciplinary Database within 30 days of the effective date.

Directory of Licensees

A directory of all licensees containing, name, address, type of license, license number, expiration date shall be published

DCA/Board Policy – Adopted

on the Board's web site.

Licensee Disciplined in Other States

Board Policy

The Board will consider enforcement action against California licensees who have been disciplined in other states in accordance with B&P section 4883 (n).

The Board's enforcement staff will determine if there are grounds for disciplinary action in California and take appropriate action.

CHAPTER 10

Continuing Education

CE Course Evaluation/Waiver Requests

Board policy

Board and/or committee members may assist staff in evaluating the information provided for CE courses and for a waiver request for purposes of possible denial of license or disciplinary action.

Board members who assist staff in reviewing CE information may need to recuse from voting on any case they reviewed that results in discipline. The information in waiver requests is confidential and care must be taken to return all documentation to the Board office.

CHAPTER 11

Abbreviations and Acronyms

Agencies

VMB
RVTC
MDC
DCA
OAH
OAL
OPES

Veterinary Medical Board
Registered Veterinary Technician Committee
Multidisciplinary Committee
Department of Consumer Affairs
Office of Administrative Hearings
Office of Administrative Law
DCA Office of Professional Examination Resources

Codes

B&P
CAC
CCR
CGC

Business and Professions Code
California Administrative Code
California Code of Regulations
California Government Code

Organizations

AAVSB
AVMA
CVMA
CPIL
CLEAR
NBVME
RACE
VIVA

American Association of Veterinary State Boards
American Veterinary Medical Association
California Veterinary Medical Association
Center for Public Interest Law
Council on Licensure, Enforcement and Regulation
National Board of Veterinary Medical Examiners
Registry of Accredited Continuing Education
Veterinary Information Verifying Agency

CHAPTER 12**Conclusion**

The Board Member Administrative Procedure Manual serves as a reference for important laws, regulations, Department of Consumer Affairs policies and Board policies. Its function is to guide the actions of the Board members and ensure Board effectiveness, efficiency, and consistency. Although reviewed by legal counsel, it is not a legal opinion.

CHAPTER 13**References**

Many of the procedures in this manual are specific to the Board. Others are generic for all boards and bureaus in the Department of Consumer Affairs consistent with State law. References for additional information are:

Board Member Orientation and Reference Manual, DCA

Business and Professions Code, sections 4800-4917 and California Code of Regulations, sections 2000-2082 of the California Veterinary Medicine Practice Act – 2002. California Government Code, sections 1750, 11120 et seq., 11146 et seq. State Administrative Procedures Act, section 700 et seq.