

MITIGATION EVIDENCE

The Respondent is permitted to present mitigating circumstances and/or evidence at a hearing and the same is true for the settlement process. The Veterinary Medical Board requires Respondent to submit evidence of mitigation when requesting a stipulation agreement. The mitigating evidence is used to determine whether or not to consider a settlement offer.

The following documents are examples of appropriate mitigating evidence that may be submitted by Respondent to demonstrate his or her rehabilitative efforts and competency for purposes of requesting a settlement offer:

- A) A recent, dated written statement from persons in positions of authority who have on-the-job knowledge of the Respondent's current veterinary medical competence. Each statement must include the period of time and capacity in which the person worked with the Respondent and should contain the following sentence at the end: "I declare, under penalty of perjury, under the laws of the State of California, the foregoing is true and correct." It should be signed and dated by the person making the statement.
- B) Recent dated performance evaluation from Respondent's employer.
- C) Certificates or transcripts of continuing education courses related to veterinary medicine that Respondent has completed since the date of the violation.
- D) In cases involving drug or alcohol violations: recent dated letters from counselors regarding Respondent's participation in a rehabilitation or recovery program. These letters should include a description of the program, the number of sessions the Respondent has attended, the counselor's diagnosis of Respondent's condition and current state of rehabilitation (or improvement), the counselor's basis for determining improvement and the credentials of the counselor.
 - a. Recent dated letters describing Respondent's participation in support groups, e.g., Alcoholics Anonymous, Narcotics Anonymous, etc., including his or her sobriety date.
 - b. Recent dated laboratory analyses or drug screen reports.
 - c. Recent dated physical examination or assessment report by a licensed physician, nurse practitioner or physician assistant.