



News & Views

VETERINARY MEDICAL BOARD

The President's Perspective

By Tom Kendall, DVM
President, Veterinary Medical Board of California

For the past nine months, I have had the privilege and pleasure to serve as President of the Veterinary Medical Board (VMB), and I would like to share some of the Board's perspectives. As a guardian of the law governing the veterinary medical profession that protects the well-being and safety of people and their animals in California, the VMB has the constant day-to-day challenge of responding to complaints usually made by the pet-owning public. Those complaints have risen by 43 percent (536 to 766) since 2009. Over the past four years, I have personally seen and heard a lot. The VMB's ongoing goal is to try to resolve the issues raised with licensees when we can and limit a licensee's practice when it is necessary. My own observation is that many of the issues wouldn't have been brought to the Board if there had been better communication between the licensee and the pet owner. The VMB staff spends more than 60 percent of its time dealing with various stages of enforcement of the California Veterinary Medicine Practice Act.

This past year, we have seen a tremendous effort by the VMB members and a reduced VMB staff to prepare a written report for the California Joint Legislative Sunset Review Committee (JLSRC). This 136- page document outlining the VMB's efforts over the last 10 years was submitted to the JLSRC on November 1, 2012. The last JLSRC report was done in 2004. A copy of the 2012 report can be found on our Web site at www.vmb.ca.gov. The JLSRC looked at the VMB's overall process including how the VMB was responding to various enforcement issues. The JLSRC recommended adding additional enforcement personnel to the VMB staff in order to reduce the length of time involved in handling difficult and routine cases. The public expects a timely response to its questions and complaints, and during the past few years with various cutbacks, staffing has been

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an ongoing issue resulting in longer response times. The JLSRC will be putting forth legislation in the next two months to make some changes in the California Veterinary Medicine Practice Act and extend the VMB's authority until the next sunset review.

Issues currently on our agenda include:

- » Complete the Regulations on Minimum Standards of Practice.
- » Update the Cite and Fine Regulations, especially related to "unlicensed practice."
- » Initiate various regulations governing Registered Veterinary Technician (RVT) schools.

This past year our Multidisciplinary Advisory Committee (MDC) has worked on many of the above items and is involved with issues in both the veterinary medicine and RVT professions. Recent MDC discussion included animal rehabilitation, telemedicine, RVT student exemptions, and approval of RVT alternate route schools. After hearing extensive testimony and reviewing background material, the MDC recommended and the VMB approved moving forward with regulations on animal rehabilitation limiting treatment by licensed Physical Therapists and RVTs as being able to provide animal rehabilitation only under the direct supervision of a California-licensed Veterinarian. Public hearings will be announced and held in the future. The issue of telemedicine is also being reviewed and discussion will continue at the next MDC meeting in June of 2013.

New Legislation for 2013

AB 1588

Assembly Bill 1588, effective January 1, 2013, authorizes the Board to waive renewal requirements for military personnel while they are on active duty. Renewal requirements waived for active duty military personnel may include renewal fees, continuing education requirements, and any other requirements as determined by the Board.

AB 1839

Assembly Bill 1839, effective January 1, 2013, changed the term in statute for "unregistered assistant" to "veterinary assistant."

The bill also defines that access to controlled substances is limited to veterinary assistants who have undergone a background check and, to the best of the licensee manager's knowledge, have no drug or alcohol related felony convictions. The Board may restrict access to controlled substances that have shown a pattern of being diverted from its intended use.

AB 1904

Assembly Bill 1904, effective January 1, 2013, authorizes the Board to expedite the licensure/registration process for spouses and domestic partners of those on active duty in the armed forces.

SB 1162

Senate Bill 1162, effective January 1, 2013, authorizes an animal control or humane officer to possess and administer a controlled substance for purposes of tranquilizing a wild, stray, or abandoned animal. The animal control or humane officer will be required to receive training, as approved by the Board, in administration of tranquilizers and from a licensed Veterinarian.

As with any summary of law, you should always refer to statutory language for a complete interpretation.



Veterinary Medical Board Welcomes New Members

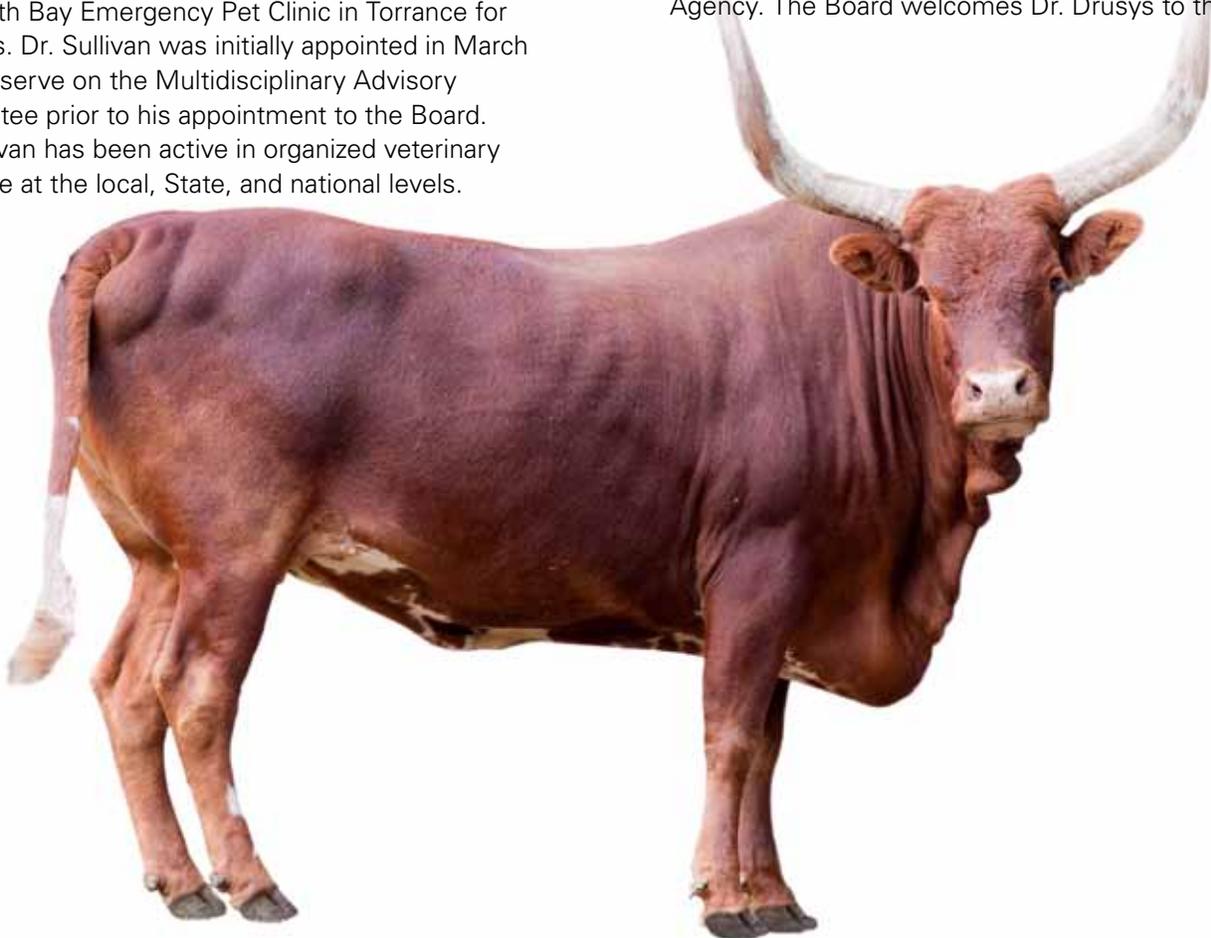
Cheryl Waterhouse, DVM, of Fresno, was appointed to the Board by Governor Edmund G. Brown Jr. in June 2012. She is a graduate of the Iowa State University School of Veterinary Medicine and has practiced in Iowa, Kansas, and, for the last 22 years, in Fresno. She started her own small animal practice in 1995 that employs more than 30 staff, a large majority of which are Registered Veterinary Technicians. Dr. Waterhouse is a member of the American Veterinary Medical Association, the American Animal Hospital Association, the California Veterinary Medical Association, the Southern California Veterinary Medical Association, the Central California Veterinary Medical Association, and the American Veterinary Dental Society. She enjoys traveling to Africa on safari with her husband.

Richard Sullivan, DVM, of Palos Verdes Estates, was also appointed to the Board in June 2012 by Governor Brown. He graduated from the Purdue University School of Veterinary Medicine in 1972. After serving two years in the Peace Corps in Brazil, he has been practicing small animal medicine and surgery in Torrance. He is co-owner of a six-person practice and was also on the board of directors of the South Bay Emergency Pet Clinic in Torrance for 20 years. Dr. Sullivan was initially appointed in March 2011 to serve on the Multidisciplinary Advisory Committee prior to his appointment to the Board. Dr. Sullivan has been active in organized veterinary medicine at the local, State, and national levels.

New Member Appointed to Multidisciplinary Advisory Committee

Allan Drusys, DVM, of Yucaipa was appointed to serve on the Multidisciplinary Advisory Committee (MDC) at the Board's January meeting. Dr. Drusys has practiced veterinary medicine at a large animal ambulatory facility for more than 30 years and is currently the Chief Veterinarian for Riverside County. He has an extensive background in shelter animal care and supervision and worked as shelter Veterinarian at the Orange County Animal Care Center from 1999 to 2005. He established the shelter's spay/neuter program and implemented software and a new Web site that achieved State recognition in 2002.

Dr. Drusys has also been proactive in disease surveillance and has implemented a West Nile virus surveillance program and disease identification procedures in support of the U.C. Davis Shelter Medicine Program. He is a member of the Orange County Terrorism Working Group and is a bioterrorism/Homeland Security Veterinarian. He was also elected in 1994 to the Yucaipa City Council and served as Mayor Pro Tempore and Chairman of the Redevelopment Agency. The Board welcomes Dr. Drusys to the MDC.



RVT News

Veterinary Technician National Examination

The Board is planning its transition to the Veterinary Technician National Examination (VTNE) in early 2014. In order for the VTNE to be considered equivalent to the current exam, veterinary technician applicants will be required to take a California-specific RVT law examination in addition to the VTNE. DCA's Office of Professional Examination Services is currently working with the Board and subject matter experts to develop the California-specific examination.

Transitioning to the VTNE will also require changes to the Board's regulations, including the Board incorporating reciprocity for veterinary technicians who are coming to work in California from other states but who have taken the VTNE previously.

Alternate Route Applicants

The "alternate route" is an eligibility path that allows veterinary technician applicants to qualify for the California RVT examination outside of the more traditional approach of graduating from an approved veterinary technology program. The alternate route applicant establishes eligibility with a combination of practical experience and formal education. The Board has seen an increase in the number of programs that offer the formal education component.

The Board understands the alternate route application process can be a challenge for both the applicant and the Board. The Board's Registered Veterinary Technician Committee is currently evaluating ways to improve the application process and investigating whether to approve schools that offer formal education programs for alternate route applicants.

RVTs and Vets Needed as Hospital Inspectors

Are you ready to try something a little different in the field of veterinary medicine? Are you interested in a position that uses your powers of observation, clinical experience, and communication skills, but with a new twist? Do you enjoy meeting people and experiencing — and learning from — a variety of situations? How about getting out of the office on your schedule? Sound interesting? Then consider becoming a hospital inspector for the Veterinary Medical Board.

Hospital inspectors perform routine and complaint-related inspections of veterinary hospitals, helping practitioners maintain standards and avoid enforcement actions. Inspections generally include making unannounced visits to hospitals, evaluating different aspects of the practice, and following up as needed to ensure compliance.

Inspectors are paid \$225 for a routine inspection. The number of inspections assigned per person depends on the size of the designated region. Occasionally, an inspection is required as part of a complaint investigation. An inspector will then be asked to accompany an investigator from the Department of Consumer Affairs' Division of Investigation to the business.

Each hospital is unique, but must still meet the minimum standards of practice. Inspectors have the opportunity to see the profession of veterinary medicine from a new perspective and to share their knowledge and learn from their colleagues. To qualify, you must be in good standing and currently licensed in California as a Veterinarian or a Registered Veterinary Technician, be knowledgeable of State laws and standards of practice, and have at least five years of clinical experience in the previous seven years. If you are interested, or have questions, please call Jan Solone at the Veterinary Medical Board at (916) 263-2423.





Dedicated Board Member Moves On

Stephanie Ferguson, DVM, served from 2005 to 2012

The entire Board and staff wishes to express their sincere thanks and appreciation of Dr. Stephanie Ferguson's commitment and service. Dr. Ferguson was appointed to the Board by Governor Arnold Schwarzenegger in March 2005 and served as Board President from January 2011 through June 2012.

Dr. Ferguson was thoroughly dedicated to supporting the Board's mission to protect consumers and animals. She also served on the Board's Enforcement and Strategic Planning committees. Her dedication to the Board was endless. We thank her for her service to California, its consumers, and its animals. Thank you, Dr. Ferguson!

Subject Matter Experts Needed for Examination Development Program

Help make your profession better — join other active and committed practitioners by becoming a part of the examination development process! The Veterinary Medical Board is looking for current licensed Veterinarians and Registered Veterinary Technicians who are actively working in California to help write and review test questions (items) for the Veterinary Medical Board (VMB) and the Registered Veterinary Technician (RVT) examinations.

Two-day workshops, conducted in Sacramento, are led by personnel from the Department of Consumer Affairs' Office of Professional Examination Services. Item writing workshops start with instruction in question and answer writing and progress to composing items in a clear, relevant manner. Item review workshops are separate events that concentrate on ensuring that test questions are correct, comprehensive, and applicable to practice and that they are written at the appropriate level of difficulty.

What's in it for you? You get to feel good about your role in contributing to your profession by ensuring the examinations are current and relevant,

and you can engage in spirited discussions on hot topics. Your travel expenses will be paid, you'll receive a stipend, meet interesting colleagues, and finally, you earn up to 16 hours of continuing education credit.

Feedback from past participants indicates the experience is a satisfying one. Not only do you have the opportunity to have an impact on the examination, you also gain from meeting and exchanging views with other practitioners from throughout the State who represent a diverse group in terms of their specialties, their years licensed, and their practice settings.

Invite a colleague to join you! Veterinarians and Registered Veterinary Technicians, particularly newly licensed individuals from all areas of expertise — including exotic, feline, emergency, small animal, food animal, equine, dentistry, and surgeons — are needed.

If you are interested, go to the Board's Web site at www.vmb.ca.gov and link to an application under "What's New," or call Karen Robison at (916) 263-2610.

(Reprinted from Business Wire, a global press release distributor.)

California Meets Pre-Order Goal to Begin Pet Lover's License Plate Program

Specialty License Plate Program Will Provide Funding for Spay and Neuter of Cats and Dogs in the Golden State

February 14, 2013 (LOS ANGELES) — The California Spay and Neuter License Plate Fund Inc. is proud to announce that the pre-order goal of 7,500 license plates needed to begin the Pet Lover's License Plate program has been met thanks to the support of animal lovers all over the State, including Governor Edmund G. Brown Jr., Pierce Brosnan, and Cesar Millan.

The Pet Lover's License Plate was created to provide funding for free and low-cost spay and neuter in an effort to cut down on the number of dogs and cats that end up in shelters each year.

Now that the pre-order goal has been met, the California Department of Motor Vehicles has begun the implementation process which will allow California residents to purchase a Pet Lover's License Plate for their registered vehicles through the DMV.

The unique plate features artwork designed and donated by international actor, artist, and animal lover Pierce Brosnan. "Over a half million dogs and cats are killed in California shelters every year," said Mr. Brosnan. "This license plate will provide much needed funds which will enable people who couldn't necessarily afford to spay or neuter their pets to do so."

Dog behaviorist, TV star and founder of the Cesar Millan Foundation, Cesar Millan, backs the program's efforts to raise awareness on the importance of spaying and neutering pets. "The most humane way not to kill a dog is to spay and neuter," he said. "When we kill four to five million dogs nationally per year, what that says about our behavior is that we have become a disposable society. To me, a spay and neuter campaign is just as important as the 'Buckle Up' campaign; it saves lives."

Millan added that he personally ordered plates for his pack, the Cesar Millan Foundation, and his staff at the Dog Psychology Center.

"The first dog Sutter wants everyone to buy the license plates to raise money for spaying and neutering animals, so not as many get killed," said Governor Brown.

Approximately \$40 from each purchased plate will go towards spay and neuter programs throughout the State. Proceeds will be distributed to cities and counties for free and low-cost spay and neuter programs. The plates can be purchased for \$50 for registered vehicles in the State of California, or for \$98 for a personal plate.

"The Pet Lover's License Plate provides a fun and easy way for pet lovers to help reduce pet overpopulation," said Judie Mancuso, President of the fund. "The DMV officially began the implementation process on January 8, 2013. Now, more than 32 million registered vehicle owners in the State have the option to buy the new plate."

Please visit www.PetLoversPlate.com for details.

About The California Spay and Neuter License Plate Fund Inc.

The California Spay and Neuter License Plate Fund Inc. is a 501(c)(3) organization. Its sole purpose relates to a California specialty Spay and Neuter License Plate program, from which sales proceeds will provide low-cost and no-cost spay and neuter surgeries. The funds generated by sales of the plate will be distributed by grants to qualifying agencies, organizations, and individuals to provide low-cost and no-cost spay and neuter to dogs, cats, and rabbits in California. For more information please visit www.petloversplate.com.

Order Now: 2013 California Veterinary Medicine Practice Act

The latest issue of the 2013 California Veterinary Medicine Practice Act is now available. The Practice Act contains important information including current laws from the Business and Professions Code, the California Code of Regulations, the Health and Safety Code, and the Penal Code.

The Practice Act also includes Disciplinary Guidelines, the Radiation Safety Guide, and the Radiation Safety Examination (that provides one option for meeting new training requirements for the operation of radiographic equipment).

To order, contact Michael LaLiberte at (800) 424-4200, extension 3257, or Michael.LaLiberte@lexisnexis.com.



Premises Permits

If there are ANY changes to your premises permit — especially a change to the managing licensee — notify the Board immediately by completing an application located at www.vmb.ca.gov/licensees/forms.shtml. Changes to the premises permit will also require a \$25 fee to print the new permit.

Ambulatory Premises Permits

All premises where veterinary medicine is practiced require a premises permit. Premises include mobile units or vehicles except when the mobile unit or vehicle is part of a facility that is the licensee manager's principle place of business and is already registered with the Board. The Board commonly receives questions about the need for a permit for house call and equine practices. The Board's answer is yes — house call and equine practices must have a premises permit and be registered with the Board.

Please contact the Board at (916) 263-2610 if you have any questions.

Expert Witnesses Needed

The Veterinary Medical Board is continually enhancing its enforcement program, and is seeking people interested in participating as expert witnesses. Expert witnesses review complaints from the public and submit written reports of their conclusions back to the Board.

In order to serve as an expert witness, you must:

- » Hold a current and valid license to practice veterinary medicine in California.
- » Have at least five years' work experience in clinical practice.
- » Have some knowledge of State laws, rules and regulations, and standards regarding veterinary medicine.
- » Be currently practicing veterinary medicine.

If you would like additional information, please contact the Board at (916) 263-2610.

New Department of Justice Direct Dispense Reporting Application

Pursuant to California Health and Safety Code section 11165(d), dispensing pharmacies and clinics must provide weekly dispensing reports to the California Department of Justice (DOJ) on Schedule II, III, and IV prescription drugs.

The DOJ, in coordination with Atlantic Associates, Inc. (AAI), released the online Direct Dispense application which can be accessed at **www.aaicures.com**. This application allows direct dispense practitioners and entities, including those reporting zero fills and pharmacies filling less than 25 prescriptions per month, to electronically report dispensing data to the DOJ.

The DOJ no longer accepts paper direct dispense reports, nor grants reporting exemptions. Reporting exemptions previously granted will no longer be in effect. Direct dispensers had until February 28, 2013, to conform to the new electronic reporting format. If you have already registered with AAI and are submitting files through the File Transfer Protocol (FTP), you do not need to reregister for the Direct Dispense application.

In order to access this secured site, you must first complete the registration application at **<http://aaicures.com/register.for.access.php>**. Please note: Once a registration application has been submitted, an e-mail confirmation from AAI will provide approved users with a user name and temporary password. If an e-mail confirmation is not received within 48 hours of submitting the registration application, please contact AAI at CACures@aainh.com or (800) 539-3370.

Instructions on how to register for an account, enter information, and add information can be found on the Direct Dispense application Web site.

For additional information on reporting controlled substance prescription data, please contact AAI at CACures@aainh.com or (800) 539-3370. If you wish to provide feedback to the DOJ about the direct dispense application, please e-mail PDMP_directdispense@doj.ca.gov.

Mark Your Calendar: Upcoming Meetings

The Veterinary Medical Board and its committees hold quarterly meetings throughout California to discuss various topics such as veterinary law, licensure, examination, and enforcement.

Meetings are open to the public unless otherwise noted on meeting agendas. For agenda copies, visit **www.vmb.ca.gov/about_us/meetings.shtml**. Attendance at Board meetings is encouraged and welcomed.

Here are the upcoming meetings:

- » Veterinary Medical Board
July 23–24, 2013, Sacramento
October 22–23, 2013, Riverside
- » Multidisciplinary Advisory Committee
June 12, 2013, Sacramento
November 13, 2013, Sacramento
- » Registered Veterinary Technician Task Force
June 11, 2013, Sacramento

If you would like to keep updated on meeting agenda postings or other Veterinary Medical Board activities, please visit our Web site at **www.vmb.ca.gov** and sign up to be on the Board's e-mail list by clicking on "Join Our E-mail List" under "Quick Hits" on the home page.



Disciplinary Actions

July 1, 2011 – June 30, 2012				
Respondent Name and City	License Number	Action	Effective Date	Violations
Amy Williams Aguanga, CA	RVT applicant	Revocation stayed upon five years probation with precedent conditions prior to registration	7/17/2011	<ul style="list-style-type: none"> » Criminal convictions » Unprofessional conduct – Conviction of State law regulating controlled substances » Unprofessional conduct – Use of alcohol in a manner dangerous to the public
Romeo S. Veneracion Claremont, CA	TEC 5042	License Surrender	8/18/2011	<ul style="list-style-type: none"> » Criminal conviction » Unprofessional conduct
Rajendra Sanathara Monterey Park, CA	VET 16755 HSP 1436	Revocation stayed upon 3 years probation	8/18/2011	<ul style="list-style-type: none"> » Negligence (3 counts) » Failure to provide pain management plan » Failure to perform physical exam (2 counts) » Failure to maintain treatment records (3 counts) » Failure to document results of physical exam » Failure to document treatment plan » Failure to document surgical details » Failure to properly document medication » Failure to document patient progress » Failure to manage pain » Failure to label radiographic films
Scott W. Ivers Laguna Niguel, CA	VET 7692	Revocation stayed upon 3 years probation with suspension	8/18/2011	<ul style="list-style-type: none"> » Negligence (5 counts) » Incompetence (3 counts) » Violation of regulations adopted by the Board (5 counts) » Deception (2 counts)
Gabriel Flores Upland, CA	VET 14291 HSP 6678 HSP 6359	Revocation stayed upon 5 years probation with suspension	10/26/2011	<ul style="list-style-type: none"> » Criminal conviction » Criminal conviction of manager
Michelle K. Gilbertson Redondo Beach, CA	VET 13251	Stipulated Surrender of License	11/9/2011	<ul style="list-style-type: none"> » Criminal conviction » Violation of Board statutes » Record keeping » Violation of probation » Failure to obey laws » Failure to notify employer of probation
Mohiuddin M. Zafer Fontana, CA	VET 13532 HSP 4253	Revocation stayed upon 5 years probation with suspension	11/9/2011	<ul style="list-style-type: none"> » Criminal conviction » Unprofessional conduct

Disciplinary Actions *continued*

July 1, 2011 – June 30, 2012				
Respondent Name and City	License Number	Action	Effective Date	Violations
George Grant Capistrano Beach, CA	VET 12717 HSP 6787	Revocation by Default	11/16/2011	<ul style="list-style-type: none"> » Negligence » Treatment and examination of patient in unsanitary construction site » Violation of regulations: anesthesia » Violation of regulations: Record keeping
Athena Redfern Concord, CA	TEC 6949	Revocation	2/24/2012	<ul style="list-style-type: none"> » Unprofessional conduct-obtaining controlled substance by fraud » Unprofessional conduct – possession of controlled Substance » Unprofessional conduct – false statement in prescription » Unprofessional conduct – administering controlled substance to oneself
Ellen Emmons Hollister, CA	RVT Applicant TEC Pending	Revocation stayed upon 5 years probation	2/24/2012	<ul style="list-style-type: none"> » Conviction of a crime (2 counts) » Act involving dishonesty, fraud, or deceit » Conduct – grounds for discipline for a RVT (3 counts) » Unprofessional Conduct
Joelene Storment Turlock, CA	RVT Applicant	License Denial	2/24/2012	<ul style="list-style-type: none"> » Conviction of a crime
Jenine Holladay Temecula, CA	RVT Applicant	License Denial	2/24/2012	<ul style="list-style-type: none"> » Conviction of a crime
Kang Sang Glendora, CA	VET 7320 HSP 3835	Revocation	2/24/2012	<ul style="list-style-type: none"> » Fraud » Failed to perform physical exam » Failed to document treatment provider in medical records » Failed to include medical history in medical records » Inadequate surgical records » Unprofessional conduct
Wesley Hibbs E. Palo Alto, CA	RVT Applicant	Revocation stayed upon 5 years probation	3/25/2012	<ul style="list-style-type: none"> » Conviction of a crime » Acts that would be cause for revocation/suspension of a license (2 counts, conviction & unprofessional conduct)
Fernando Segovia North Hollywood, CA	RVT Applicant	License Denial	4/5/2012	<ul style="list-style-type: none"> » Conviction of a felony » Unprofessional conduct

Disciplinary Actions *continued*

July 1, 2011 – June 30, 2012				
Respondent Name and City	License Number	Action	Effective Date	Violations
Robert Patterson Van Nuys, CA	RVT Applicant	License Denial	4/6/2012	<ul style="list-style-type: none"> » Conviction of crimes » Acts warranting denial of licensure
Lynn Ann Porter Concord, CA	TEC 3666	Revocation by Default	4/26/2012	<ul style="list-style-type: none"> » Criminal conviction
Doreen Daniels Buellton, CA	VET 16344	Revocation stayed upon 3 years probation	4/26/2012	<ul style="list-style-type: none"> » Conviction of substantially related offense » Dangerous use of controlled substances » Deception related to the practice of veterinary medicine » Unprofessional conduct
Kenneth F. Lyon Gilbert, AZ	VET 13959	Revocation by Default	4/26/2012	<ul style="list-style-type: none"> » Out of state discipline » Criminal conviction
Joseph Koschalk Mill Valley, CA	VET 7208	Stipulated Surrender of License	4/26/2012	<ul style="list-style-type: none"> » Petition to revoke probation: » Use of controlled substance/dangerous drug » Failure to obey all laws » Termination from diversion program » Violation of probation
Donna Subocz Gilroy, CA	RVT Applicant	Revocation stayed upon 5 years probation	5/17/2012	<ul style="list-style-type: none"> » Conviction of a crime » Act involving dishonesty, fraud, or deceit » Conviction of violating state statute regulating controlled substances/dangerous drugs » Acts which if done by licentiate would be cause for discipline
James Dawkins Costa Mesa, CA	VET Applicant	Revocation stayed upon 3 years probation	5/17/2012	<ul style="list-style-type: none"> » Criminal convictions
Gerald Clark Somis, CA	VET 2609 HSP 1819	Revocation by Default Decision	5/17/2012	<ul style="list-style-type: none"> » Illness affecting competency
Roger Valentine Pacific Palisades, CA	VET 11395 HSP 5705	Revocation stayed with 3 years probation and suspension	5/24/2012	<ul style="list-style-type: none"> » Negligence and/or incompetence » Negligence (3 counts) » Failure to properly maintain records » Engaging in the unlicensed practice of medicine » Practicing without a valid premise license » Failure to comply with regulations

Veterinary Medical Board

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Patti Aguiar
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- » Outreach events.
- » California Veterinary Medicine Practice Act changes.
- » The Board's newsletter.

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