



VETERINARY MEDICAL BOARD
Registered Veterinary Technician Committee

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Fee Increases Effective October 1, 2007

The Office of Administrative Law recently approved an increase in examination and licensing fees for veterinarians and registered veterinary technicians. The increase will become effective October 1, 2007. The following table reflects the new fee amounts:

FEE TYPE	AMOUNT
Veterinarian Licensing Fees	
Initial License	\$250
License Renewal – Biennial	\$250
Temporary License	\$125
Veterinarian Examination Fees	
Application	\$100
State Board Exam	\$150
Veterinary Law Exam	\$50
Veterinary Premises Fees	
Initial License	\$100
License Renewal – Annual	\$100
Registered Veterinary Technician Licensing Fees	
Initial License	\$100
License Renewal – Biennial	\$100
Registered Veterinary Technician Examination Fees	
Application	\$100
State Board Exam	\$150

Injury Reporting for Rodeo Veterinarians

California Penal Code section 596.7(d)(2) requires veterinarians providing health care services at professional rodeos, either as an attending or on-call veterinarian, to submit a brief written report to the Veterinary Medical Board within 48 hours after the conclusion of the event.

A report is required any time an animal injury warrants veterinary medical care. The report should list the title and date of the rodeo, the name of the attending veterinarian, and a brief description of the injury.

Assembly Bill 1614, authored by Assembly Member Strickland, would change the existing law on reporting requirements. For more information on the legislative proposal, visit www.leginfo.ca.gov.

For questions about reporting requirements, contact the Board at (916) 263-2610.





JUNE 2007

Restrictions on Access to Controlled Substances

The U.S. Drug Enforcement Administration regulations, under the U.S. Controlled Substances Act, outline the many restrictions related to dispensing and administration of controlled substances. One of these restrictions is related to employees who have had a felony drug conviction.

Title 21 of the Code of Federal Regulations, Part 1300, section 1301.76 (a) states:

“The registrant (licensees with a DEA registration) shall not employ, as an agent or employee who has access to controlled substances, any person who has been convicted of a felony offense relating to controlled substances or who, at any time,

had an application for registration with the DEA denied, had a DEA registration revoked or has surrendered a DEA registration for cause. For purposes of this subsection, the term ‘for cause’ means a surrender in lieu of, or a consequence of, any federal or state administrative, civil or criminal action resulting from an investigation of the individual’s handling of controlled substances.”

Veterinarians are required to determine whether employees have had any felony convictions involving controlled substances prior to allowing them access to controlled substances.

ADDRESS OF RECORD

A licensee’s “address of record” with the Board is the address displayed on a license, registration, and/or premises permit. This is also the address at which the licensee receives license renewals and other information from the Board. It is up to the individual to choose either the place of work or the home as the address of record. This record is public information and is released upon request. It is also available on the Board’s Web site.

Upcoming Meetings

Veterinary Medical Board and Registered Veterinary Technician Committee Meetings

July 10 and 11, 2007
Sacramento, CA

October 16 and 17, 2007
Southern California

The VMB holds quarterly Board and committee meetings throughout California to discuss various topics relating to the veterinary medicine such as legislation, law changes, licensure, and examinations. The Board has dedicated a portion of each meeting to receive public comments. Meetings are open to the public unless otherwise noted.

If you have any questions regarding the meetings, or if you would like to be added to the mailing list to receive agendas and regulatory notices, please contact the Board at (916) 263-2610.

Attendance at Board meetings is encouraged and welcomed!



Board Member Reappointed

Governor Arnold Schwarzenegger reappointed Terri Becker, DVM, of Cedarpines Park, to the Board for a four-year term. Dr. Becker has served on the Board since 2003 and has been a veterinarian at the Rimforest Animal Hospital since 1989. Becker also owns an equine practice and is the Chair of the Board’s Examinations & Licensing Committee. Thank you, Dr. Becker, and welcome to a second term on the Board.

New RVT Committee Member

Carol Schumacher, RVT, of Menlo Park, was appointed to the Registered Veterinary Technician Committee in May 2007 for a four-year term beginning June 1, 2006 and ending June 1, 2010. Ms. Schumacher has participated in many RVT examination item writing, item review and passing score workshops. She worked as an RVT in private practice for 10 years before becoming a partner in a small animal practice in 1996. She is a member of CaRVTA, BAVTA and SVRVTA. Welcome, Ms. Schumacher!

Registered Veterinary Technician Job Tasks

AUTHORIZED TASKS PERFORMED BY REGISTERED VERSUS UNREGISTERED PERSONS

What tasks are considered "Registered Veterinary Technician (RVT) only?" What is the difference between what an RVT and a layperson can do? What are the responsibilities of the employing/supervising veterinarian? Who determines what tasks can be done and what level of supervision is required? What tasks can RVTs perform outside the veterinary hospital? What if I do not have an RVT on staff? The following article is designed to provide information and resources to answer these critical questions.

The laws provided by the Business and Professions Code and the California Code of Regulations govern the practice of veterinary medicine in California. These laws allow veterinarians to utilize registered veterinary technicians and unregistered personnel to perform a wide range of auxiliary animal health care tasks. There is a legal, divisional line that separates those tasks that may be performed by licensed veterinarians, RVTs and unregistered assistants (laypersons). In California, there are now five tasks that are identified as "RVT only." Regardless of the number of years a layperson works in a veterinary hospital, the only way they can be authorized to perform RVT only job tasks is to take the State licensing examination and become registered. Other than the RVT tasks specifically outlined in California law, it is the veterinarian who determines whether an RVT or layperson is competent to perform non-restricted veterinary tasks.

In medicine, tasks are intentionally segmented out and restricted by law based on potential for harm. The higher the potential for harm is, the higher the level of accountability becomes. California law is written intentionally to restrict certain duties to specific licensed or registered persons. RVTs and laypersons have been granted a limited right to perform certain auxiliary animal health care tasks only at the direction of and under the direct or indirect supervision and control of a licensed veterinarian. Direct supervision means the veterinarian must be present and available. Indirect supervision means the veterinarian does not have to be present.

Unregistered Assistants—Laypersons

Unlike veterinarians and RVTs, laypersons working in a veterinary hospital are not required to possess any State-verified education, training, qualifications, or skills. The State and its consumers, as a result, are wholly dependent upon the assessment made by the veterinarian of the competency of the layperson to perform a given animal health care task. This aspect of veterinary medicine is unusual. No other health care profession allows a layperson to engage in such a broad range of health care tasks without State licensure or certification.

Laypersons are not allowed to perform any of the functions restricted exclusively to veterinarians and/or RVTs. If a practice does not have an RVT on staff, the veterinarian must perform the RVT job tasks. Other than the RVT job tasks, laypersons are

authorized to engage in a host of activities including supportive roles in the surgical process, the administration of a number of treatment modalities, and the rendering of certain preventive health procedures. The degree of supervision required by the veterinarian over a layperson is required by law to be equal to or higher than the degree of supervision required when an RVT performs the same task. Laypersons may perform tasks under either direct or indirect supervision of a veterinarian or under the direct supervision of an RVT, however, when performing tasks under indirect supervision, laypersons are restricted to performing those tasks within the animal hospital setting.

Operating Radiographic Equipment

California law, as provided under the Health and Safety Code, requires the employing/supervising veterinarian to provide radiation safety training to all persons operating radiographic equipment. By way of their registration, RVTs are authorized to operate radiographic equipment under the indirect supervision of a licensed veterinarian. Laypersons may operate radiographic equipment, but only under direct supervision of either a veterinarian or an RVT and after proper training.

To assist veterinarians in complying with training requirements for lay staff, the California Registered Veterinary Technician Committee (RVTC) has produced a Radiation Safety Guide and Examination that is published at the end of the Veterinary Medicine Practice Act. Prior to allowing laypersons to operate any radiographic equipment, veterinarians should require them to read the Guide and take the Radiation Safety Examination. By retaining the results of the examination within the personnel records, the employing/supervising veterinarian can document that training has taking place.

Registered Veterinary Technicians

California law states that there are five legally restricted job tasks that RVTs can perform only under direct supervision of a California licensed veterinarian. Laypersons may NOT perform these tasks at any time or under any circumstances.

Section 2036 of the California Code of Regulations outlines these specific RVT-only tasks:

- (b) An RVT may perform the following procedures only under the direct supervision of a licensed veterinarian:
- (1) Induce anesthesia;
 - (2) Apply casts and splints;
 - (3) Perform dental extractions;
 - (4) Suture cutaneous and subcutaneous tissues, gingival and oral mucous membranes;

(continued on page 4)



Legislative Update

The Board is monitoring the following legislative proposals:

SB 969, AANESTAD. VETERINARY MEDICINE.

This bill would authorize a registered veterinary technician and an unregistered assistant to administer a drug, including, but not limited to, a drug that is a controlled substance, except for the induction of anesthesia, under the direct or indirect supervision of a licensed veterinarian when done pursuant to the order, control, and full professional responsibility of the veterinarian. This bill would also define various terms for purposes of that provision and would make related changes. The bill would be in effect until January 1, 2012.

AB 1634, LEVINE. CALIFORNIA HEALTHY PETS ACT.

This bill would prohibit any person from owning or possessing any cat or dog over the age of four months that has not been

spayed or neutered, unless that person possesses an intact permit, as defined. The bill would establish an intact permit fee in an amount to be set by a local jurisdiction, and would require the revenue from these fees to be used for the administration of the local jurisdiction's permit program. The bill would make a violation of these provisions punishable by a civil penalty. The bill would require all revenues derived from these penalties to be used to fund the outreach efforts in connection with, and the administration and enforcement of, these provisions, and, to the extent funding is available, free and low-cost spay and neuter programs and outreach efforts for those programs, which would be required to be established by each local animal control agency. The bill would become operative on April 1, 2008.

Registered Veterinary Technician Job Tasks *(continued from page 3)*

- (5) Create a relief hole in the skin to facilitate placement of an intravascular catheter.

Other than the tasks listed above, veterinarians can authorize RVTs, under indirect supervision, to provide all other prescribed treatments either in the animal hospital setting or in off-premise settings, such as the client's home. RVTs may also perform animal health care services on those animals impounded by a state, county, or city agency pursuant to the direct order, written order or telegraphic order of a veterinarian licensed or authorized to practice in California.

Authorization To Provide Emergency Care

Because of the special training and qualifications of an RVT, the Legislature also provided that, under emergency conditions, RVTs may render life-saving aid and treatment to an animal independently without direct or indirect supervision of a veterinarian. The emergency authorization includes, but is not limited to, the administration of pharmacological agents to prevent or control shock, including parenteral fluids, after direct communication with a licensed veterinarian or veterinarian authorized to practice in California. In the event that direct communication with a supervising veterinarian cannot be established, the RVT may administer pharmacological agents to prevent or control shock, including parenteral fluids, in

compliance with established written protocols if such protocols exist.

"Emergency," for the purpose of this discussion,

means that the animal has been placed in a life-threatening condition in which immediate treatment is necessary to sustain life.



RVT Eligibility Criteria

The certification process requires that the RVT candidate undergo certain prescribed educational and practical training to establish eligibility for the State examination. California offers a variety of eligibility categories in addition to graduation from an accredited RVT school. RVTs are tested by the State to assure possession of requisite qualifications and skills. Certification for veterinary technicians, much like licensure for veterinarians, creates certain affirmative expectations on the part of the veterinarian that justifies reliance on the RVT's knowledge, training, and education in the performance of delegated animal health care tasks.

Conclusion

It is the licensed veterinarian's legal responsibility to know the laws governing their licensure in California and to be aware of the different levels of authority for RVTs. Before delegating any task, the licensee must be familiar with the RVT job tasks and the laws regarding delegation and supervision of RVTs and laypersons. Aiding and abetting unlicensed activity through inappropriate delegation of tasks is a violation of the California Veterinary Medical Practice Act and can result in action against the supervising licensee.

To become more familiar with the laws and regulations governing the practice of veterinary medicine in California, every practice should have at least one current copy of the California Veterinary Medicine Practice Act. Copies of the Practice Act can be purchased from Lexis-Nexis by calling 1-800-533-1637 or on the Internet at www.lexisnexis.com/bookstore.

For information regarding proper utilization of RVTs and/or lay staff, please visit the Veterinary Medical Board's Web site at www.vmb.ca.gov, or call the office at (916) 263-2610.

IN MEMORIAM

Dr. Michael Jay Clark

NOVEMBER 10, 1945 – JANUARY 19, 2007

Dr. Michael Clark, former member of the California Veterinary Medical Board, passed away on January 19, 2007. Dr. Mike, as he was called, served two four-year terms on the Board from 1992 to 2000. He was an active member of the Board and served as Board president from 1998 to 1999 and was Chair of the Legislative and Regulatory Committee. Dr. Clark was instrumental in developing the minimum standards of practice that are still in effect today. He was active in the Republican Party and served as a Delegate at the National Convention in 1976.

Clark was the son of Griffith Clark, DVM, a 1962 graduate of the University of California, Davis; he was the first son of a UCD graduate veterinarian to graduate with a veterinary degree. Dr. Mike worked at the same hospital his entire career. He is greatly missed by his fellow Board members, the Board staff, his veterinary colleagues, and his clients.

IN MEMORIAM

Dr. Raymond A. Weitkamp

JUNE 1, 1930 – MAY 20, 2007

Dr. Raymond Weitkamp, former member of the California Veterinary Medical Board, passed away on May 20, 2007 in Arcadia. Dr. Weitkamp graduated from the University of California, Davis, in 1956 and practiced medicine in Monrovia for 46 years. His special veterinary interests were Neurology, Neurosurgery, and Orthopedics. Dr. Weitkamp was an excellent Board member who cared very much about his profession and understood the need to protect consumers and animals in California. He was a veterinarian who was very professional in everything he did, and always went the extra mile. He will be missed.

2007 VETERINARY MEDICINE PRACTICE ACT LAWBOOK NOW AVAILABLE

Updated for 2007, this publication contains important information for veterinary practitioners, including current laws from the Business & Professions Code, the California Code of Regulations, the Health & Safety Code, and the Penal Code. It also includes a comprehensive index, and the Radiation Safety Guide and self-test.

Copies can be ordered by calling 1-800-533-1637 or via the Internet at www.lexisnexis.com/bookstore (Search: California Veterinary).

Separate Surgery Room Requirement

Title 16, Division 20, Article 1, section 2030(g), of the California Code of Regulations requires all fixed veterinary facilities to have a separate and distinct surgery room. Prior to January 1, 2004, the law did not require veterinary premises registered prior to 1981 to have a separate surgery room. This law now requires all fixed veterinary facilities to have a separate surgery room.

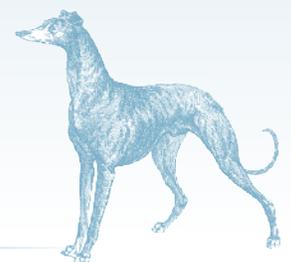
A separate surgery room is required for all aseptic surgical procedures. The intent of the requirement is to provide for an aseptic environment during surgery.

Here are a few questions we have received about the requirement:

- **Is a door to the surgery room required, and if so, what type of door?**
Yes, a door is required. It can be either a solid door with hinges or a barn-style door. Folding and pocket doors are not acceptable.

- **Can there be two doors to the surgery room?**
No. The concern with two doors is the air transfer from under the second door that may carry bacteria. A second door also creates the temptation for traffic through the surgery room.
- **Should the walls of the surgery room extend from the floor to ceiling?**
Yes. The walls of the room must extend from the wall to the ceiling due to air transfer.
- **Can radiograph equipment be in the room?**
Yes. Radiograph equipment can be in the room only if it is to be used for surgery. General radiographic equipment must be housed outside the surgery room.

Should you have any questions regarding the requirements, checkout the Web site at www.vmb.ca.gov or call the office at (916) 263-2610.



Disciplinary Actions

Respondent Name and City	License Number	Action	Effective Date	Violations
Rex Wallis Urich Bend, OR	VET 7474	▶ Surrender of License	11/19/2004	<ul style="list-style-type: none"> • Unprofessional conduct • Animal cruelty • Negligence • Record keeping • Criminal conviction
Cynthia Diane Stainer a.k.a Cynthia Diane Cassee Davis	RVT Applicant	▶ Premise revocation stayed with 3 years probation	11/18/2005	<ul style="list-style-type: none"> • Criminal conviction • Unprofessional conduct • Dishonest act
Jane Marie Turrel Veterinary Oncology Specialties Pacifica	VET 9775 HSP 334	▶ Surrender of License	11/21/2005	<ul style="list-style-type: none"> • Negligence • Criminal conviction • Violation of Federal or State laws relating to dangerous drugs • Discipline actions taken by another agency relating to radioactive materials • Fraud in reporting test for radioactive contamination • Record keeping • Cruelty to animals
Alpine Animal Hospital Alpine	HSP 3932	▶ Premise revocation stayed with 3 years probation	5/26/2006	<ul style="list-style-type: none"> • Unsanitary conditions • Minimum standards violations • Failure to have a managing licensee
Dana Harold Ibsen Davis	VET 8571	▶ License Revoked	7/19/2006	<ul style="list-style-type: none"> • Unprofessional conduct relating to controlled substances • Fraud and deception • Self prescribing of controlled substances • Forged or altered prescriptions for controlled substances
Earl E. Tobler Canyon Country	VET 2816	▶ Revocation	8/30/2006	<ul style="list-style-type: none"> • Negligence and Incompetence • Record keeping • Failure to obtain a premise permit • Failure to comply with terms of probation
Harold Hill Florence, AL	VET 3926	▶ Surrender of License	8/30/2006	<ul style="list-style-type: none"> • Minimum standards violations • Unsanitary conditions • Failure to notify Board of managing licensee change
Kamal J. Walia Puyallup, WA	VET	▶ Denial of Licensure	9/8/2006	<ul style="list-style-type: none"> • Previously disciplined in another state
Lisa B. Done Oxnard	VET 12312	▶ Revocation of licensure stayed upon 3 years probation	9/9/2006	<ul style="list-style-type: none"> • Negligence • Incompetence • Record keeping
Keith Berry Agoura Hills Animal Hospital Agoura Hills	VET 6023 HSP 2864	▶ Revocation of licensure stayed upon 5 years probation	9/15/2006	<ul style="list-style-type: none"> • Unprofessional conduct • Violation of regulations relating to dangerous drugs • Failure to establish veterinary-client-patient-relationship
Ignacio A. Lambarri Vista Veterinary Hospital, INC. Vista	VET 5564 HSP 3116	▶ Revocation of licensure stayed upon 3 years probation	9/15/2006	<ul style="list-style-type: none"> • Minimum standards violations • Failure to comply with terms of probation • Aiding or abetting unlicensed practice of veterinary medicine
Eugene M. Kravis Areawide Mobile Pet Clinic	VET 3271 HSP 3512	▶ License Revoked	12/7/2006	<ul style="list-style-type: none"> • Negligence • Incompetence • Record keeping • Violations of Board regulations
Carla Jean Johnson San Jose	VET 13054	▶ Revocation of licensure stayed upon 3 years probation	12/9/2006	<ul style="list-style-type: none"> • Criminal conviction • Unprofessional conduct relating to use of controlled substances • Fraud in obtaining license

VET – veterinary license

RVT – registered veterinary technician applicant

TEC – registered veterinary technician

Disciplinary Actions

Respondent Name and City	License Number	Action	Effective Date	Violations
Meghan Snider Citrus Heights	TEC 6475	▶ License Revoked	12/10/2006	<ul style="list-style-type: none"> • Criminal conviction • Unprofessional conduct relating to use of controlled substances • Fraud and deception • Self-prescribing • Federal or State controlled substances violations
Karen Lynn Emery Menifee	RVT Applicant	▶ License issued revocation stayed upon 3 years probation	12/14/2006	<ul style="list-style-type: none"> • Conviction of a crime • Self-prescribing
Jennifer Louise Rosensteel a.k.a. Jennifer Louise Balesteri Monterey	TEC 6441	▶ Surrender of License	12/15/2006	<ul style="list-style-type: none"> • Conviction of a crime
George C. Ferguson Stockton Pelandale Veterinary Hospital Modesto	VET 3465 HSP 5929	▶ Surrender of License	1/24/2007	<ul style="list-style-type: none"> • Unprofessional conduct • Aiding or abetting violations of Board regulations • Professional association with illegal practitioner • Negligence and incompetence • Record keeping • Aiding and abetting unlicensed practice of veterinary medicine
Daniel E. Metz Mill Valley	RVT Applicant	▶ License issued revocation stayed upon 3 years probation	2/15/2007	<ul style="list-style-type: none"> • Misrepresentation on application • Fraud, misrepresentation or deception in application • Conviction of a crime • Unprofessional conduct
Michelle Gilbertson Del Mar	VET 13251	▶ Revocation of licensure stayed upon 5 years probation	3/1/2007	<ul style="list-style-type: none"> • Criminal conviction • Violations of the Veterinary Practice Act • Unprofessional conduct
Gaetan Reina Los Angeles	VET 8044 HSP 3594	▶ Revocation of licensure stayed upon 2 years probation	3/5/2007	<ul style="list-style-type: none"> • Violations of the Veterinary Practice Act • Failure to pay citation and fine
Joseph Michael Kiel	VET 11455	▶ Revocation of licensure stayed upon 2 years probation	3/9/2007	<ul style="list-style-type: none"> • Disciplined in another state
Davinder Singh Sandhu American Pet Hospital Modesto	VET 11425 HSP 5404	▶ Revocation of licensure stayed upon 3 years probation	3/14/2007	<ul style="list-style-type: none"> • Negligence • Incompetence • Violations of Board regulations • Unsanitary conditions • Minimum standards violations • Record keeping

VET – veterinary license

RVT – registered veterinary technician applicant

TEC – registered veterinary technician

DIVERSION PROGRAM

The purpose of the Board's Diversion Program is to identify and rehabilitate licensed veterinary professionals whose competency is impaired due to the abuse of drugs and/or alcohol. The Program is designed so that impaired veterinary professionals can be counseled, guided to appropriate treatment, and returned to practice in a manner which will not endanger public health or safety. The Board contracts with MAXIMUS Inc. to provide confidential intervention, assessment, referral, and monitoring services. For more information, please contact MAXIMUS Inc. at (800) 522-9198.

Veterinary Medical Board

REGISTERED VETERINARY
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Lisa Newell, DVM
Linda Starr, Public Member
Vacant, Public Member
Vacant, Public Member

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Virginia Curtis, Public Member
Carol Schumacher, RVT
Kim Williams, RVT
Vacant, RVT

Susan M. Geranen, Executive Officer

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A SPECIAL THANK YOU TO NANCY EHRLICH, RVT AND ALEX HENDERSON, RVT

Nancy Ehrlich, RVT, and Alex Henderson, RVT, were appointed to the Registered Veterinary Technician Committee (RVTC) in 1998. Working tirelessly for almost ten years, both served two four-year terms that ended June 1, 2006. The Board, RVTC, and staff wish to thank them for their outstanding service, dedication, and commitment to the Committee and to California consumers and their pets. THANK YOU!

California State Board Examination Computerized Testing

The final paper and pencil California State Board examination (CSB) was administered on April 16, 2007. Beginning in November 2007, the CSB examination will be administered via continuous computer-based testing (CBT). Specific information regarding application procedures, deadline dates, and exam scheduling instructions will be included in all mailings of examination application packages. Updated information on computer-based testing will be added to the Veterinary Medical Board's Web site in the near future.

PROCEDURES FOR EXAM APPLICATION

Applicants for the CSB examination will continue to submit the eligibility review and examination application fees directly to the Veterinary Medical Board (VMB). Once the candidate's application and supplemental documentation are approved, the VMB will submit the candidate's eligibility approval to the testing vendor electronically.

PROCEDURES FOR EXAM SCHEDULING

The VMB will continue to approve candidates' eligibility for the examination, but will no longer be involved in the scheduling and administration of the exam. Upon the VMB's determination of the applicant's eligibility for exam, he or she will receive the CSB examination handbook from the new testing vendor. The candidate will then contact the testing vendor directly to schedule his or her individual examination. The handbook will contain all specific instructions and the locations of California test sites for scheduling their examination date with the testing vendor.

Please note that the deadline for filing applications for the next CSB exam has not changed from the original September 15, 2007 due date.