

**Title 16. Professional and Vocational Regulations
Division 20. Veterinary Medical Board**

Proposed Language

Add sections 2086 through 2086.9 as follows:

Section 2086. Definitions: Continuing Education

As used in this article:

(a) "Registrant" means a California registered veterinary technician.

(b) "Continuing education" means education needed to maintain competence and skills consistent with current standards and practices beyond the initial academic studies required for initial registration.

(c) "Approved provider" means an organization, institution, association, university or other person or entity that is approved by regulation by the board pursuant to section 2086.

(d) "Qualifying continuing education" or "qualifying course" means an orderly learning experience, which meets the criteria specified in this article and is administered by a recognized or an approved provider. It includes a variety of forms of learning experiences, including, but not limited to, lectures, conferences, workshops, video conferencing, distance learning technologies, and self-study courses.

(e) "Self-study course" means a form of orderly learning that does not offer participatory interaction between the licensee and the instructor during the instructional period. Self-study includes, but is not limited to, correspondence courses, independent study and home study programs, reading journals, video or audio presentations related to veterinary technology or related fields.

(f) "AAVSB" means the American Association of Veterinary State Boards.

Note: Authority Cited: Sections 4808 and 4838 Business and Professions Code. Reference: Section 4838, Business and Professions Code.

Section 2086.1. Approved Providers and Compliance

(a) On or after **July 1, 2013**, except as provided in this section, the board shall issue renewal registrations only to those applicants who have completed a minimum of 20 hours of continuing education in the preceding two years.

(b) (1) Notwithstanding any other provision of law, continuing education hours shall be earned by attending courses complying with section 2086.6 and sponsored or co-sponsored by any of the statutorily approved entities pursuant to Business and Professions Code, section 4846.5.

(2) In addition to those entities listed in Business Professions Code section 4846.5, continuing education hours may be earned by attending courses complying with section 2086.6 and sponsored or cosponsored by the following:

(A) Registered Veterinary Technician Associations recognized by the California Secretary of State.

(B) California Approved Registered Veterinary Technician Programs

(C) Registered Veterinary Technician Associations recognized by the Secretary of State of other U.S. states

(D) American Veterinary Medical Association (AVMA) approved RVT schools

(E) North American Veterinary Technician Association (NAVTA) recognized RVT specialty organizations

(3) Continuing education credits shall be granted to those registered veterinary technicians taking self-study courses as defined in section 2086.1(e). The taking of these courses shall be limited to no more than four hours biennially.

(4) The board may approve other continuing veterinary medical education providers not specified in paragraph (b)(1) and (b)(2). Applicants seeking continuing education provider approval from the board shall apply to the American Association of Veterinary State Boards' (AAVSB) Registry of Approved Continuing Education (RACE).

(5) Continuing education hours shall be earned in the two years preceding registration expiration. Hours shall be earned by attending courses sponsored or cosponsored by those entities listed in paragraphs (1-4), and on or after **July 1, 2011**, shall be credited toward a registered veterinary technician's continuing education requirement under this section.

(c) Every person renewing his or her registration pursuant to section 4846.4 or any person applying for relicensure or for reinstatement of his or her registration to active status, shall submit proof of compliance with this section to the board certifying that he or she is in compliance with this section. Any false statement submitted pursuant to this section shall be a violation subject to section 4831.

(d) This section shall not apply to a registered veterinary technician's first registration renewal. This section shall apply only to second and subsequent registration renewals granted on or after **July 1, 2013**.

(e) The board shall have the right to audit the records of all applicants to verify the completion of the continuing education requirement. Applicants shall maintain records of completion of required continuing education coursework for a period of four years from the date the course was completed and shall make these records available to the board for auditing purposes upon request. If the board, during this audit, questions whether any course reported by the registered veterinary technician satisfies the continuing education requirement, the registered veterinary technician shall provide information to the board concerning the content of the course; the name of its sponsor and co-sponsor, if any; and specify the specific curricula that was of benefit to the registered veterinary technician.

g) Knowing misrepresentation of compliance with the requirements of this article by a registered veterinary technician constitutes unprofessional conduct and grounds for disciplinary action or for the issuance of a citation and the imposition of a civil penalty.

Note: Authority Cited: Sections 4808 and 4838 Business and Professions Code. Reference: Section 4838, Business and Professions Code.

Section 2086.2. Registration Renewal Requirements.

(a) (1) On or after **July 1, 2013**, a registrant applying for renewal, or who is reactivating an inactive license, shall certify in writing that during the preceding renewal period the licensee has completed at least twenty (20) hours of approved continuing education and furnish a full set of fingerprints as required by section 2010.05

(2) Notwithstanding subdivision (a)(1) of this section, a registered veterinary technician shall not be required to comply with the continuing education requirements when applying for his or her first license renewal. Thereafter, such registered veterinary technicians shall be required to meet the continuing education requirement specified herein as a condition for renewal of his or her registration.

Note: Authority cited: Sections 4808 and 4838, Business and Professions Code. Reference: Section 4838, Business and Professions Code.

Section 2086.3. Continuing Education Waivers.

The board, in its discretion, may exempt from the continuing education requirement, any registered veterinary technician who for reasons of health, military service, or undue hardship, cannot meet those requirements.

(a) A registrant may request a waiver from complying with the continuing education requirements. A request for a waiver from the continuing education requirements shall be submitted to the board on form VMB/CE/1 (10/04), which is hereby incorporated by reference. The application shall include a letter explaining the reason for the waiver request in addition to documents that verify the request for waiver. Supporting documents shall include military orders and letters from treating physicians. The application shall be signed by the licensee under penalty of perjury. The board will notify the licensee, whether the waiver was granted, within seventy-five (75) working days after receipt of the request for waiver and supporting documentation.

(b) If the request for waiver is denied, the registrant shall complete the continuing education requirements as set forth in this article. If the request for waiver is granted, it shall be valid only for the current renewal period. The board may deny the request if granting the requested waiver would pose a risk to the health or safety of animal patients, consumers, or the public.

(c) The board shall grant the waiver if the registrant can provide documents, satisfactory to the board, that:

(1) For at least one year during the registrant's current license period the registrant was or will be absent from California due to military service; or

(2) For at least one year during the registrant's current license period the registrant is prevented from practicing as an RVT and from completing continuing education courses for the following reasons of health or undue hardship, which includes:

(A) A significant physical and/or mental disability of the registered veterinary technician; or

(B) A significant physical and/or mental disability of an individual where the registered veterinary technician has total responsibility for the care of that individual.

Note: Authority Cited: Sections 4808 and 4838 and, Business and Professions Code. Reference: Section 4838 Business and Professions Code.

Section 2086.4. Continuing Education Credit.

(a) Registrants will earn one hour of continuing education credit for each hour of a qualifying course. One credit hour shall consist of not less than 50 minutes of actual instruction. Qualifying course shall be a minimum of one credit hour. Qualifying courses or presentations that are between 25 and 49 minutes in excess of one hour shall be granted credit in half-hour increments.

(b) One academic quarter unit is equal to 10 hours of continuing education credit and one academic semester unit is equal to 15 hours of continuing education credit.

(c) A registrant who teaches a qualifying continuing education course may claim credit for the course only one time during a renewal period.

(d) A registrant who participates as an expert examiner in an examination preparation workshop for the California state registration examination may claim, on an hour for hour basis, up to a maximum of sixteen (16) hours per renewal period, continuing education credit for such participation.

(e) A registrant shall not be allowed to use, for purposes of renewal, more than 15 hours of continuing education credit for courses in business practice management or stress seminars.

(f) A registrant who takes a course as a condition of probation resulting from disciplinary action by the board may not apply the course as credit towards the continuing education requirement.

Note: Authority Cited: Sections 4808 and 4838, Business and Professions Code. Reference: Sections 4838, Business and Professions Code.

Section 2086.5. Courses Relevant to Veterinary Medicine and/or Veterinary Technology

All qualifying continuing education courses shall be relevant to veterinary medicine. A course shall be deemed to be relevant to veterinary medicine if it meets the following standard:

(a) The content of the course shall reflect the educational needs of registered veterinary technicians, contain information that is relevant to the practice of veterinary technology, have written education goals, and shall:

(1) Be related to the scientific knowledge and/or technical skills required for veterinary medicine and/or veterinary technology; or

(2) Be related to direct and/or indirect patient/client care.

(b) Continuing education courses whose content is primarily intended to promote the use of a commercial product or a commercial service are not deemed to be relevant to veterinary medicine.

Note: Authority Cited: Section 4808 and 4838, Business and Professions Code. Reference: Section 4838, Business and Professions Code.

Section 2086.6. Course Instructor Qualifications.

An approved provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:

(a) A license, registration, or certificate in an area related to the subject matter of the course. The license, registration, or certificate shall be current, valid, and free from restrictions due to disciplinary action by this board or any other health care regulatory agency;

(b) A master's or higher degree from an educational institution in an area related to the subject matter of the course;

(c) Training, certification, or experience in teaching the subject matter of the course; or

(d) At least two years' experience in an area related to the subject matter of the course.

Note: Authority Cited: Sections 4808 and 4838, Business and Professions Code. Reference: Section 4838, Business and Professions Code.

Section 2086.7. Records of Course Completion.

(a) Upon completion of a qualifying continuing education course, the provider shall issue a record of course completion to a registrant containing the following information:

(1) Name of registrant;

(2) Course title;

(3) Provider name and address;

(4) Provider number issued by the approval entity, if applicable;

(5) Date of course;

(6) Number of continuing education hours granted for the course; and

(7) Signature of course instructor, or provider, or provider designee.

(b) (1) For providers that hold continuing education events, with multiple and concurrent courses, the record of course completion must contain the information specified in subsections (a)(1), (a)(3), (a)(4), (a)(5), and (a)(7).

(2) The record of course completion shall also specify the maximum number of hours that an individual attendee can earn, accompanied by a log of the actual courses attended by the licensee. The log of courses attended shall be completed by either the provider or the licensee.

Note: Authority Cited: Section 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

Section 2086.8. Licensee and Provider Course Records.

(a) A registrant shall maintain records of course completion for a qualifying continuing education course for a period of four (4) years from the date the course was completed and shall provide these records to the board upon audit or request.

(b) A provider shall maintain records related to qualifying continuing education courses administered by it for a period of four (4) years from the date the course was completed. Records shall include:

(1) Syllabi or course outlines for all courses;

(2) The time and location of all courses;

(3) Course instructors' vitae or resumes;

(4) Registration rosters with the names and addresses of registrants who attend the courses;

(5) A sample of the record of course completion form provided to participants for verifying attendance;

(6) A sample of the evaluation form completed by participants.

(b) All providers of qualifying continuing education courses shall designate a person who is in overall charge of the continuing education programs.

Note: Authority Cited: Sections 4808 and 4838, Business and Professions Code. Reference: Section 4838, Business and Professions Code.

Section 2086.9. Withdrawal of Approval.

(a) The board may withdraw its recognition of a statutorily recognized provider or approval of an approved provider or the approval entity for good cause after giving the party in question written notice setting forth its reasons for withdrawal and after affording the respondent a reasonable opportunity to be heard by the board or its designee of the specific charges for withdrawal of the board's recognition or approval. Good cause includes, but is not limited to, the following:

(1) Failure to comply substantially with any provisions of Chapter 11 of Division 2 of the Business and Professions Code commencing with section 4800 or Title 16, Division 20 of the California Code of Regulations commencing with section 2000; or

(2) Any material misrepresentation of fact by the respondent in any information required to be submitted to the board or the board-recognized national continuing education provider approval body.

(b) Withdrawal of board recognition or approval from a provider shall be in writing and state the basis of the withdrawn approval. The notice shall state the date on which the withdrawal will take effect if not contested. If the respondent desires to contest the withdrawal of its approval, it shall, within 15 days after receipt of the written notice, notify the board's executive officer in writing of its intent to contest. The board or its designee shall afford the provider an opportunity to be heard, in writing or in person at the election of the board, within a reasonable time after notice of the intent to contest the withdrawn approval. The board shall notify the provider of its decision in writing within a reasonable time after the provider has had an opportunity to be heard.

(c) If the respondent fails to notify the board's executive officer in writing and in a timely manner that it desires to contest the withdrawn approval, the decision to withdraw approval shall become effective.

Note: Authority Cited: Sections 4808 and 4838, Business and Professional Code. Reference: Section 4838, Business and Professions Code.