

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

Initial Statement of Reasons

Hearing Date: 10 a.m. on Wednesday, July 24, 2013

Subject Matter of Proposed Regulations: Veterinary Technician National Examination Transition

Sections Affected: Title 16, Division 20, California Code of Regulations (CCR) sections 2002, 2010, 2010.1, 2010.2, 2014, 2014.1, 2015, 2015.1, 2068.6, and 2071

Specific Purpose of each adoption, amendment, or repeal:

1. Problem being addressed:

Business and Professions Code (BPC) sections 135, 4800, 4841.1, 4841.4, 4841.5, 4842.5, 4846.1, and 4848 establishes the Veterinary Medical Board (Board) shall determine a method of examination for veterinarian and veterinary technician applicants, determine the professional qualifications of those applicants, evaluate those applicants for examination eligibility, and regulate the means by which those applicants are eligible for licensure.

BPC section 4841.4 specifically directs the Board, among other things, to establish that the examination for veterinary technicians shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians. The Board currently administers a single veterinary technician examination that measures knowledge on health care tasks in California.

The Board's Registered Veterinary Technician Committee (RVTC) contracted with the Department of Consumer Affairs' Office of Professional Examination Services (OPES) to evaluate the national veterinary technician examination to determine whether it meets examination standards for California Licensure. OPES determined in their report to the RVTC that California accept the national veterinary technician examination, but only if a supplemental California veterinary technician examination was developed. The RVTC approved OPES's recommendation at their November 16, 2010 meeting and the Board approved the RVTC's recommendation at their January 25, 2011 meeting.

Most states and Canadian provinces use the Veterinary Technician National Examination (VTNE) as one component for determining the professional qualifications of veterinary technician applicants for licensure. The Board has not, up to this point, adopted the VTNE as a component for determining the professional qualifications of veterinary technician applicants for licensure. The affected sections of the proposed regulations will adopt the VTNE, as well as an examination specific to animal health care tasks limited to California registered veterinary technicians, as a component for determining the professional qualifications of veterinary technician applicants in California.

Specifically the proposed language would:

Amend CCR section 2002

The proposed regulation removes reference to the RVTC.

Amend CCR section 2010

The proposed regulation specifies an application for eligibility evaluation includes California veterinary technician examination and that once eligibility is established the applicant is authorized to take both the national veterinary technician examination and the California veterinary technician examination.

Amend CCR section 2010.1

The proposed regulation makes non-substantive clarifying changes to the language.

Adopt CCR section 2010.2

The proposed regulation specifies the Board will solely determine an applicant's eligibility for the VTNE, will notify the applicant and the American Association of Veterinary State Boards (AAVSB) upon eligibility determination, and will transfer the applicant's eligibility to the AAVSB or authorized representative.

Amend CCR section 2014

The proposed regulation makes non-substantive clarifying changes to the language.

Adopt CCR section 2014.1

The proposed regulation specifies that the veterinary technician licensing examination will include both the national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians (California registered veterinary technician examination). Every applicant who passes the national licensing examination and the California registered veterinary technician examination by a prescribed pass point is deemed to have passed both veterinary technician examinations.

Amend CCR section 2015

The proposed regulation requires an applicant for the national licensing examination and the California registered veterinary technician examination pass both examinations within a 60-month period immediately following the date the applicant took their first examination in order to meet examination requirements for licensure. If the applicant fails to pass the national licensing examination and the California registered veterinary technician examination within a 60-month period the applicant is required to retake and pass both examinations within a subsequent 60-month period.

The proposed regulation also makes non-substantive clarifying changes to the language.

Amend CCR section 2015.1

The proposed language specifies that applicants for veterinary technician licensure who passed the national veterinary technician examination outside of California will receive conditional credit for the examination. Applicants receiving conditional credit are required to pass both the national veterinary technician examination and California veterinary technician examination within a 60-month period immediately following the date of the conditional credit in order to meet examination requirements for licensure. If the applicant fails to pass the national licensing examination and the California registered veterinary technician examination within a 60-month period the Board withdraws its conditional credit and applicant is required to retake and pass

both examinations within a subsequent 60-month period.

The proposed language also specifies that applicants for veterinary technician licensure may meet examination requirements for licensure, in lieu of passing both the national veterinary technician examination and California veterinary technician examination within a 60-month period, in accordance with requirements in CCR section 2086.6.

The proposed regulation also makes non-substantive clarifying changes to the language.

Amend CCR section 2068.6

The proposed language specifies that an applicant, licensed in specified jurisdictions, who's license is in good standing, and who has taken the national veterinary technician examination or its equivalent is eligible for the California registered veterinary technician examination (provided the applicant meets all the other requirements in the section).

The proposed regulation also makes non-substantive clarifying changes to the language.

Amend CCR section 2071

The proposed language specifies the fee for the California registered veterinary technician examination.

2. Anticipated benefits from this regulatory action:

The Board currently administers a single veterinary technician examination that focuses on California animal health care tasks. By incorporating the national veterinary technician examination as a prerequisite to eligibility for licensure the Board is formally adopting the national minimum competency standard for veterinary technicians. Then, by creating a separate examination specific to animal health care tasks in California the Board will be more effective testing for all minimum competencies of veterinary technology in California and thereby affording increased protection to the consumer through increased assessment of their knowledge and ability to perform veterinary technician specific job tasks.

The American Association of Veterinary State Boards (AAVSB) approves veterinary technician applicants for most licensing jurisdictions. Only those applicants who have graduated from American Veterinary Medical Association accredited schools are eligible to take the Veterinary Technician National Examination (VTNE) through the AAVSB approval process. California veterinary technician candidates who apply for examination eligibility through California's "alternate route" (CCR section 2068.5) will be made eligible to take the VTNE. Adopting the VTNE as the single standard for competency provides consumer protection and allows veterinary technicians more licensure mobility from state to state.

Factual Basis/Rationale

Amend CCR section 2002

The proposed regulation removes reference to the RVTC due to its sunset in statute.

Amend CCR section 2010

The proposed regulation adds application requirements for the California veterinary technician examination due to the establishment of BPC section 4841.4 that requires the Board to

administer both a national veterinary technician examination and California veterinary technician examination.

Amend CCR section 2010.1

The proposed regulation makes non-substantive changes to the language for clarity and consistency.

Adopt CCR section 2010.2

The proposed regulation creates an eligibility evaluation and conveyance process for the national veterinary technician examination due to the establishment of BPC section 4841.4 that requires the Board to administer both a national veterinary technician examination and California veterinary technician examination.

Amend CCR section 2014

The proposed regulation makes non-substantive changes to the language for clarity and consistency.

Adopt CCR section 2014.1

The proposed regulation requires a veterinary technician applicant to take both the national licensing examination and the California registered veterinary technician examination due to the establishment of BPC section 4841.4 that requires the Board to administer both a national veterinary technician examination and California veterinary technician examination. The applicant must pass both examinations by a prescribed pass point in order to establish that the passing score has been psychometrically established as defensible to any subsequent challenge and in accordance with common practice in the development of licensure examinations.

Amend CCR section 2015

The proposed regulation requires a veterinary technician applicant to pass both the national licensing examination and the California registered veterinary technician examination within a 60-month period in accordance with common practice in the development of licensure examinations that professional examinations are recreated and examination plans rewritten approximately every five years. Examinations are recreated approximately every five years in order to accurately capture law and real-world practice changes in professions over the course of several years and to insure the examination captures the current minimum qualifications for licensure. The Board has determined a new occupational analysis and examination plan should be undertaken every five to seven years.

The proposed regulation makes non-substantive changes to the language for clarity and consistency.

Amend CCR section 2015.1

The proposed language establishes conditional credit for veterinary technician applicants who pass the national licensing examination outside of California and require the applicant to also pass the California registered veterinary technician examination within a 60-month period in accordance with common practice in the development of licensure examinations that professional examinations are recreated and examination plans rewritten approximately every five years. Examinations are recreated approximately every five years in order to accurately capture law and real-world practice changes in professions over the course of several years and

to insure the examination captures the current minimum qualifications for licensure. The Board has determined a new occupational analysis and examination plan should be undertaken every five to seven years.

The proposed language also establishes CCR section 2086.6 as an alternate eligibility for veterinary technicians in lieu of passing both the national veterinary technician examination and California veterinary technician examination within a 60-month period for licensure for applicants.

The proposed regulation makes non-substantive changes to the language for clarity and consistency.

Amend CCR section 2068.6

The proposed language specifies a veterinary technician, licensed in another state, may get credit for passing the national veterinary technician examination or its equivalent due to the establishment of BPC section 4841.4 that requires the Board to administer the national veterinary technician examination. The Board determined that applicants should be allowed credit for having passed either the national veterinary technician examination or its equivalent as a result of established regulation not specifying an allowance for national veterinary technician examination credit with the addition of its requirement in statute.

The proposed regulation makes non-substantive changes to the language for clarity and consistency.

Amend CCR section 2071

The proposed language sets the fee for the California registered veterinary technician examination at a fee that is equivalent due to the similarity to the previous registered veterinary technician examination in administration and development costs.

Underlying Data

- Evaluation of the Veterinary Technician National Examination – July 2010
- November 16, 2010 RVTC Meeting Minutes
- November 16, 2010 RVTC Meeting - Attachment 3.B.
- January 25, 2011 Board Meeting Minutes

Business Impact

This regulation will not have a significant adverse economic impact on businesses. BPC section 4841.4 directs the Board to establish that the veterinary technician examination shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians.

Along with other application requirements, veterinary technician candidates are required to have passed the VTNE and California veterinary technician examination prior to licensure and presumed employment by a California business as a registered veterinary technician examination. The Board does not anticipate there will be any change to the number of veterinary technician applicants based on the new examination requirements.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the proposal requires the Board to establish that the veterinary technician examination shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians.
- It will not create new business or eliminate existing businesses within the State of California because the proposal requires the Board to establish that the veterinary technician examination shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians.
- It will not affect the expansion of businesses currently doing business within the State of California because the proposal requires the Board to establish that the veterinary technician examination shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians.
- This regulatory proposal benefits the health and welfare of California residents by requiring California veterinary technician applicants to take the national veterinary technician examination and California veterinary technician examination the applicants will be assured to have examined on both national and California veterinary technician job tasks required for minimum competency and thereby affording increased protection to the consumer through increased assessment of their knowledge and ability to practice veterinary technician specific job tasks.
- This regulatory proposal benefits the health and welfare of California residents because by requiring California veterinary technician applicants to take the national veterinary technician examination and California veterinary technician examination the applicants will be assured to have examined on both national and California veterinary technician job tasks required for minimum competency and thereby affording increased protection to the consumer through increased assessment of their knowledge and ability to practice veterinary technician specific job tasks.
- This regulatory proposal benefits worker safety by requiring California veterinary technician applicants to take the national veterinary technician examination and California veterinary technician examination the applicants will be assured to have examined on both national and California veterinary technician job tasks required for minimum competency and thereby affording increased protection to the consumer through increased assessment of their knowledge and ability to practice veterinary technician specific job tasks.
- This regulatory proposal benefits [does not affect] the state's environment because the proposal requires the Board to establish that the veterinary technician examination shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

BPC section 4841.4 specifically directs the Board to establish that the examination for veterinary technicians shall consist of a national licensing examination and an examination specific to animal health care tasks limited to California registered veterinary technicians.