

**BEFORE THE
VETERINARY MEDICAL BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Citation Against:

**ALFREDO OROZCO GOMEZ
Respondent**

Citation No. 2021-4

CITATION

Complainant alleges:

PARTIES

1. Jessica Siefertman ("Complainant") brings this Citation solely in her official capacity as the Executive Officer of the Veterinary Medical Board ("Board"), Department of Consumer Affairs, State of California.
2. The Board's records fail to reveal that Alfredo Orozco Gomez ("Respondent") has been issued a veterinarian license.
3. The Board's records fail to reveal that Respondent has been issued a premises permit.

STATUTORY PROVISIONS

4. Business and Professions Code (BPC) sections 125.9, 148, and 4875.2 and California Code of Regulations (CCR), title 16, section 2043 authorize the Executive Officer of the Board to issue citations containing orders of abatement and/or administrative fines against a licensee of the Board, or to an unlicensed person, who has committed any acts or omissions in violation of the Veterinary Medicine Practice Act (Act).
5. BPC section 4825 provides that it is unlawful for any person to practice veterinary medicine or any branch thereof in this State unless at the time of so

doing, such person holds a valid, unexpired, and unrevoked license as provided in the Act.

6. BPC section 4826 provides, in relevant part, a person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when he or she performs any act set forth in BPC section 4826, including representing himself or herself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches.
7. BPC section 4853 requires all premises, including a building, kennel, mobile unit, or vehicle, where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof are being practiced to be registered with the Board.

REGULATORY PROVISIONS

8. CCR, title 16, section 2037(a) defines the term “dental operation” as used in Business and Professions Code section 4826 means:
 - (1) The application or use of any instrument, device, or scaler to any portion of an animal's tooth, gum or any related tissue for the prevention, cure or relief of any wound, fracture, injury or disease of an animal's tooth, gum or related tissue; and
 - (2) Preventive dental procedures including, but not limited to, the removal of calculus, soft deposits, plaque, stains or the smoothing, filing, scaling or polishing of tooth surfaces.

CAUSE FOR CITATION

9. On or about November 5, 2016, Respondent engaged in performed a dental procedure on animal patient B, as defined in CCR section 2037, subdivisions (a)(1) and (2). The Board has not issued a license to practice veterinary medicine to Respondent. Such unlicensed conduct constitutes a violation of BPC section 4825 as set forth in BPC section 4826(d)
10. On or about November 5, 2016, Respondent performed a dental operation upon an animal as defined in CCR Section 2037, subdivisions (a)(1) and (2) without a current and valid premises registration. Such conduct constitutes a violation of BPC section 4853.

DETERMINATION OF ISSUES **CAUSE OF ACTION**

11. Violations exist pursuant to BPC section 4825 as set forth in BPC section 4826, subdivision (d). A cause of action thereby exists.

12. Violations exist pursuant to BPC section 4853. A cause of action thereby exists.

PENALTY

13. In compliance with BPC sections 148 and 4875.2 and CCR, title 16, section 2043, it is determined that:

Respondent be cited for a Class "C" violation in the amount of \$2,000 for the Cause for Citation, based upon a determination that the above-described facts constitute violations of BPC section 4825 as set forth in BPC section 4826, subdivision (d).

Respondent be cited for a Class "C" violation in the amount of \$2,000 for the Cause for Citation, based upon a determination that the above-described facts constitute violations of BPC section 4853.

14. In compliance with BPC sections 125.9 and 4875.2, and CCR, title 16, section 2043, the total penalty for the above violations is \$4,000.

ORDER OF ABATEMENT

The Board hereby orders Respondent to cease and desist from violating BPC sections 4825 and 4826, subdivision (d) and 4853.

March 29, 2021

DATE

SIGNATURE ON FILE

JESSICA SIEFERMAN
Executive Officer
Veterinary Medical Board
Department of Consumer Affairs
State of California