

DEPARTMENT OF CONSUMER AFFAIRS  
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
**DIVISION 20. VETERINARY MEDICAL BOARD**

**INITIAL STATEMENT OF REASONS**

RVT Equivalent Experience and Education

**HEARING DATE:** No hearing has been scheduled for the proposed action

**SUBJECT MATTER OF PROPOSED REGULATIONS:** RVT Equivalent Experience and Education

**SECTION(S) AFFECTED:** Amend section 2068.5 of article 6 of division 20, title 16 of the California Code of Regulations (CCR)<sup>1</sup>.

**BACKGROUND AND STATEMENT OF THE PROBLEM**

The Veterinary Medical Board (Board) licenses, regulates, and investigates complaints regarding five different license categories in California, totaling approximately 43,000 licensees. These licensing categories include veterinary premises, veterinarians, university veterinarians, registered veterinary technicians (RVTs), and veterinary assistant controlled substance permit (VACSP) holders. It is the Board's duty to enforce and administer the California Veterinary Medicine Practice Act (Chapter 11 (commencing with section 4800) of Division 2 of the Business and Professions Code (BPC) (Practice Act). The Board is authorized to establish necessary rules and regulations for the enforcement of the Practice Act and the laws subject to its jurisdiction (BPC section 4808).

Existing law requires applicants for Board registration as a veterinary technician must satisfy education and experience criteria established in statute and regulation. To take the written and practical examination for registration, applicants must furnish satisfactory evidence of graduation from, at minimum, a two-year curriculum in veterinary technology from a college or other postsecondary institution approved by the Board, or the equivalent thereof (BPC § 4841.5(b)(1)). The applicant's education or a combination of education and clinical practice experience (the latter is known as an alternate route pathway) may constitute the equivalent of the graduation requirement, as determined by the Board (BPC § 4841.5(b)(2)).

The Board has drafted the following proposal that would clarify RVT instructor qualifications and remove the requirement that coursework and experience must be completed within designated timeframes.

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<sup>1</sup> All CCR references are to title 16 unless otherwise noted

## **ANTICIPATED BENEFITS FROM THIS REGULATORY ACTION**

The Board anticipates that RVT students in the alternate route pathway will benefit from Board clarification of instructor requirements in alternate route veterinary technician programs and from the Board allowing RVT applicants to earn their registration without restrictions to complete either the coursework or experience requirements within specific timeframes.

The Board anticipates RVT instructors will benefit from the clarification of the necessary qualifications. This proposal is anticipated to reduce barriers to licensure by eliminating the requirement that an applicant retake already completed coursework and not requiring the experience requirements be met within a set timeframe and will benefit the public by providing greater access to veterinary care by increasing the amount of RVTs in the workforce.

## **SPECIFIC PURPOSE OF, AND RATIONALE FOR, EACH ADOPTION, AMENDMENT, OR REPEAL**

### **Amend § 2068.5. Practical Experience and Education as Equivalent Curriculum.**

The purpose of the proposal is to clarify instructor qualifications and reduce barriers to licensure by eliminating timeframes imposed on RVT students in the alternate route pathway in which they must complete their education or their clinical experience. The following addresses each proposed regulatory change:

#### **Amendments to CCR § 2068.5, Subsection (a)**

**Purpose:** This change clarifies that RVT programs are not limited to a total of, but a minimum of, 20 semester units, 30 quarter units, or 300 hours of instruction and cleans up language for readability and corrects the reference to the section containing the requirements for qualified instructors to teach RVT courses.

**Rationale:** The regulation will allow schools to further develop veterinary technician programs as it deems appropriate, and the current section had incorrectly cited to existing subsection (e), which sets out the requirements of RVT applicants. The correct citation to qualified instructor criteria is under existing subsection (f), as renumbered here, current subsection (e)(1). Accordingly, the amendments are necessary to correct the cross-reference to the appropriate subsection.

#### **Repeal of CCR § 2068.5, Subsection (c), Re-Lettering, and Cross References**

**Purpose:** The removal of this subsection is intended to remove barriers to licensure by allowing RVT students in an alternate route program additional time to complete the education component for licensure. The removal of the five-year requirement will also allow Board staff to assess an RVT applicants' education faster as they will no longer need to check for, or require, an RVT applicant to retake prior coursework. This proposed action is intended to improve the processing times for RVT alternate route applicants so that they may focus on their registration instead of retaking older courses.

In addition to the removal of subsection (c), this change requires subsequent sections to be re-lettered, and a correction made to the reference in re-lettered subsection (g).

**Rationale:** The Board seeks to allow RVT alternate route applicants sufficient time to complete all requirements before registration. BPC section 4841.5 does not specify a deadline for an RVT applicant to complete the education component before they can sit for the national examination for veterinary technicians. Additionally, the Board does not seek to penalize RVT applicants, if the delay in their registration is due to a processing delay of their application related to Board review of an applicant's education. In addition, the re-lettering the subsequent sections is necessary for consistency and necessitates the revision of the cross-reference in new subsection (g).

### **Amendments to CCR § 2068.5, Re-Lettered Subsection (e)(1)**

**Purpose:** This change makes clear that the list of qualifying criteria applies to a qualified instructor, not to "education." Additionally, the rulemaking would strike an unnecessary and repetitive cross-reference back to this regulation section.

**Rationale:** The existing regulation is confusing in that it provides qualifying criteria for educational programs rather than qualifying criteria for an instructor teaching RVT courses. The existing regulation also unnecessarily cross-references the regulation section that this subsection sits within. The proposal is necessary to clarify the language so that alternate route veterinary technician students understand the qualifications of the instructor from whom the students receive their education.

### **Amendments to CCR § 2068.5, Re-Lettered Subsection (f)**

**Purpose:** The purpose of amending "4416" to "4,416" is to correct the technical error of omitting the comma in the number. The removal of the 24-month requirement along with the removal of the last sentence referencing the five-year requirement will allow Board staff to assess RVT alternate route applicants' experience and education faster and eliminates any need for an RVT alternate route applicant to have to strive to complete directed clinical practice hours within 24 months, or to complete the experience within the 5 years prior to taking the exam.

**Rationale:** The Board seeks to allow RVT alternate route applicants sufficient time to complete all requirements before registration. Striking the language in the first sentence removes the requirement that directed clinical practice experience hours be completed in no less than 24 months. Striking the last sentence eliminates the requirement that the directed clinical practice experience hours be completed within five years of taking the exam. BPC section 4841.5 does not specify a deadline for an RVT applicant to complete the clinical practice component or education component before they can sit for the national examination for veterinary technicians. This proposed action is intended to improve the processing times for RVT alternate route applications and allow the applicant to focus on their registration instead of completing their directed clinical practice experience hours within dictated timeframes.

## **UNDERLYING DATA**

- August 29–30, 2018 Board Meeting Agenda, Relevant Materials, and Minutes
- July 23–24, 2020 Board Meeting Agenda, Relevant Materials, and Minutes
- October 19–20, 2022 Board Meeting Agenda, Relevant Materials, and Minutes
- April 19–20, 2023 Board Meeting Agenda, Relevant Materials, and Proposed Minutes
- Program Technician (PT) II Workload Costs

## **BUSINESS IMPACT**

The Board has made the initial determination that this proposal will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, as the proposal only clarifies RVT instructor qualifications and removes the requirement that coursework and experience must be completed within designated timeframes.

## **ECONOMIC IMPACT ASSESSMENT**

The Board has determined that this regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it does not impose requirements for businesses to hire or eliminate RVTs.
- It will not create new business or eliminate existing businesses within the State of California because RVTs must work under a licensed veterinarian to practice in California.
- It will not affect the expansion of businesses currently doing business within the State of California because it does not impose additional requirements for a managing licensee (veterinarian) or owner of a veterinary premises.

This regulatory proposal has the following benefits:

- It affects the health and welfare of California residents because it helps to improve access to veterinary care for Californians and their animals by eliminating unneeded time limitations placed on RVT students to complete education requirements; it may help increase the number of RVTs in California.
- It does not affect worker safety because it does not involve worker safety.
- It does not affect the state's environment because it does not involve the environment.

**Impact on Jobs / Businesses:** The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the State of California.

**Benefits of Regulation:** The regulatory proposal benefits the health and welfare of California consumers and their animals because the proposed regulations would clarify RVT instructor qualifications and remove the requirement that coursework and experience must be completed within designated timeframes. The regulatory proposal would also benefit RVT applicants and consumers by addressing the access to veterinary care issue related to veterinary staffing shortages in the state. By removing time restrictions regarding the completion of the education and experience requirements, RVT alternate pathway students face fewer barriers to registration, and Board staff can approve RVTs applications more quickly. The regulatory proposal should positively affect the health and welfare of California residents, as it helps reduce barriers to RVT registration, which may increase the number of RVTs available to assist California consumers and their animals.

**Business Reporting Requirements:** The regulatory action does not require businesses to file a report with the Board.

**Effect on Small Business:** The Board has made an initial determination that the proposal will not affect small businesses, as the proposal only clarifies RVT instructor qualifications and removes the requirement that coursework and experience must be completed within designated timeframes.

## **FISCAL IMPACT ANALYSIS/ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** The Board anticipates a minor decrease in Board costs as a result of amending the section identified in the regulatory proposal. By revising these requirements, instructor qualifications are made clearer, and coursework and experience will not have to be completed within designated timeframes.

The Board estimates approximately 426 applicants will be impacted per year. It takes a Program Technician II approximately 30 minutes to review an individual's education and experience history at estimated costs of \$32 per application, which result in annual costs (savings) of approximately \$13,600 per year.

The regulations do not result in costs or savings in federal funding to the state.

## **SPECIFIC TECHNOLOGIES OR EQUIPMENT**

This regulatory proposal 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.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

- Alternative 1: Do not pursue regulations. The Board rejected this alternative because there will still be a barrier to licensure for RVT applicants who may have to retake a course or courses which the Board determines the five year time limit has been reached for those courses. This results in the applicant expending additional resources and delays in registration due to Board re-evaluation of the new courses taken to replace the expired courses. In addition, when compared to the veterinarian profession, veterinarian applicants are not required to complete their education within a certain timeframe.
- Alternative 2: Adopt the regulation: The Board determined that this alternative is the most feasible because the current statute, BPC section 4841.5, does not specify a deadline for an RVT applicant to complete their education and experience before they can sit for the national RVT examination. This would also eliminate an unnecessary barrier to licensure without posing a risk to the consumers or their animals.