

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

INITIAL STATEMENT OF REASONS

Handling Animal Remains

Hearing Date: No hearing has been scheduled for the proposed action.

Subject Matter of Proposed Regulations: Handling Animal Remains

Section(s) Affected: Amend section 2030.1 of article 4 of division 20 of title 16 of the California Code of Regulations (CCR).

Background and Statement of the Problem:

The California Veterinary Medical Board (Board) licenses, regulates, and investigates complaints against five different license categories in California, totaling approximately 48,000 licensees. These licensing categories include veterinary premises, veterinarians, university veterinarians, registered veterinary technicians, and veterinary assistant controlled substance permit 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 reasonably necessary regulations for the enforcement of the Practice Act (BPC section 4808).

In recent years, the Legislature has expressed an interest in improving oversight of the pet cremation industry and encouraged collaboration among the Board, the Department of Consumer Affairs, and the Cemetery and Funeral Bureau. This concern was highlighted in the 2025 Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development Sunset Background Paper as "Issue #21."

The Board clarified that its authority applies only to veterinarians and their handling of remains *while the deceased animal is still on the veterinary premises*. Once remains leave the premises, the Board has no jurisdiction. Nonetheless, the Board agreed to evaluate whether additional consumer-protection measures are needed for the period when remains are still under veterinary control and assigned its Multidisciplinary Advisory Committee (MDC) to assess existing regulations and provide recommendations.

Because the Board does not track cremation-related complaints separately, staff conducted a keyword search of approximately 183,000 complaint summaries and found 120 references. Most mentions were incidental, but a number of complaints did involve cremation-related issues. Some of these - such as billing for services not performed, withholding cremains due to unpaid bills, or cremating remains before client authorization - are already addressed under existing laws, including fraud statutes, lien provisions, and CCR §2030.1's 14-day holding requirement.

Other complaints revealed gaps in current regulatory requirements, including unauthorized cremations, using a deceased animal for staff training without consent, mislabeling or miscoding remains for group cremations, and losing or mishandling remains. A Subcommittee of the MDC noted that these issues often stem from inconsistent or informal premises-level protocols for labeling remains, documenting storage, and tracking transfers to cremation providers. While many premises already maintain some form of custody log, there is no standardized requirement or mandatory retention period.

The Subcommittee concluded that additional regulatory guidance may be needed to ensure uniform labeling, tracking, and verification practices before remains leave the premises, enhancing consumer confidence and reducing the risk of misidentification or mishandling.

As such, Subcommittee and Board staff recommendations to amend CCR section 2030.1 were presented to the MDC and Board in April 2026.

The Board approved the proposal to amend CCR section 2030.1, as follows:

Amend Subsection (a):

The proposed change would make minor amendments to improve clarity and assign responsibility more appropriately. It shifts the duty to retain a deceased animal from the individual veterinarian to the veterinary premises, recognizing that veterinarians working within a facility may not control the facility's protocols. Terminology is also updated from "body" to the more humane "deceased animal." The proposed change also clarifies when the required 14-day holding period begins, specifying that it starts on the date the veterinary premises makes a documented attempt to contact the client, rather than the date of the animal's death, since those events may occur on different days.

Add Subsection (b):

The proposed addition would clarify that during the required holding period, a deceased animal may not be cremated or used for any unauthorized purpose, such as research or staff training, without the client's explicit consent. This provision ties directly to the holding period established in subsection (a) and is intended to address situations in which veterinary premises have prematurely cremated animals or used their remains for training procedures, such as dental extractions, without proper authorization from the client.

Add Subsections (c), (e), and (f):

The proposed additions would establish standardized requirements for identifying and tracking deceased animals to prevent mislabeling, loss of remains, or incorrect cremation handling. Subsection (c) requires every deceased animal to be labeled with essential information, including the animal's name or ID number, the client's name if known, the freezer intake date, and any disposition service requested. Subsection (e) creates a mandatory transfer-of-custody log that documents detailed information whenever remains are transferred to a cremation service or other entity, including identifiers for the

animal and client, the disposition requested, dates of transfer and return, and the names and signatures of both the releasing and receiving personnel. Subsection (f) requires the veterinary premises to retain this transfer log for three years.

Collectively, these provisions ensure consistent protocols for labeling, tracking, and record-keeping, helping safeguard the correct handling of remains and ensuring that clients receive the proper cremains associated with their specific pet.

Add Subsection (d):

The proposed addition would require veterinary premises to inform clients that alternative disposition services may be available and, if the client requests, to release the deceased animal to the service of their choice. This provision ensures that clients retain the right to choose the cremation or disposition provider they prefer, even if the veterinary premises has an existing contract with a specific company. Modeled after similar consumer-choice protections in state law regarding prescription services, this amendment reinforces client autonomy and prevents veterinary premises from limiting options for handling their pet's remains.

Add Subsection (g):

The proposed addition would require veterinary premises to keep a client's pet cremains for at least six months after attempting to contact the client for pickup. If the client does not retrieve the cremains within those six months, the veterinary premises may dispose of them. This establishes a clear retention period that balances giving clients sufficient time to collect cremains with the practical storage limitations of the premises.

Anticipated benefits from this regulatory action:

The proposed regulations will enhance clarity, accountability, and consumer protections while promoting ethical and efficient handling of deceased animals at veterinary premises. By shifting responsibility to the facility and defining the start of the holding period, the changes reduce ambiguity and ensure consistent procedures. Mandating explicit client consent prevents premature or unauthorized use of remains. Standardized labeling, tracking, and custody logs improve accuracy and reduce instances of misidentification, loss, or mishandling. Allowing clients to choose their preferred disposition provider reinforces autonomy and prevents restrictive business practices. Finally, the six-month requirement for retaining cremains provides a fair window for retrieval, balancing client needs with practical storage limits. Together, these changes will reinforce transparency, trust, and professionalism in the veterinary industry. The proposed regulations are not expected to benefit worker safety or the state's environment.

Specific purpose of, and rationale for, each adoption, amendment, or repeal:

1. Amend Subsection (a) of CCR Section 2030.1

Purpose: The purpose of the proposed change is to clarify responsibility, modernize terminology, and clearly define when the required holding period begins. Specifically, the change shifts the duty to retain a deceased animal from the individual veterinarian to the

veterinary premises, uses more humane language by replacing “body” with “deceased animal,” and specifies that the 14-day holding period starts when the premises makes a documented attempt to contact the client rather than on the date of death. These changes aim to ensure clearer, more accurate, and more consistent regulatory requirements for handling deceased animals.

Rationale: The Board believes the responsibility should be shifted from the veterinarian to the veterinary premises. Many veterinarians may be practicing within a premises and not have any authority over the protocols or procedures the veterinary premises owner has regarding handling animal remains. By shifting responsibility to the veterinary premises, the veterinary premises registration owner would be held accountable to ensure these requirements are met.

The Board also believes changing “body” to “deceased animal” is a more humane description.

In addition, it is currently unclear what starts the 14-day holding period. If the patient passes away at the veterinary premises and the client is not present, the veterinary premises should make a documented attempt to contact the animal patient, which may not occur on the same day the animal passes. That holding period should not start until the veterinary premises attempts that contact.

2. Add Subsection (b) to CCR Section 2030.1

Purpose: The purpose of the proposed new provision is to ensure that deceased animals are treated respectfully and in accordance with the client’s wishes during the required holding period. It prohibits cremation or any other unauthorized use, such as research or staff training, unless the client has given explicit consent. This protects clients’ rights, prevents premature or inappropriate handling of remains, and reinforces ethical standards in veterinary premises.

Rationale: “The holding period” refers to the holding period referenced in subsection (a). This amendment addresses scenarios where veterinary premises cremate the deceased animal or use the deceased animal for training veterinary staff to perform dental extractions and other procedures without the client’s permission.

3. Add Subsections (c), (e), and (f) to CCR Section 2030.1

Purpose: The purpose of the proposed new provisions is to create clear, standardized procedures for identifying, tracking, and documenting the handling of deceased animals and cremains within veterinary premises. These provisions require consistent labeling of each deceased animal, establish a detailed transfer-of-custody log for any movement of remains to outside entities, and mandate that these records be kept for three years. Together, they help prevent mislabeling, loss, or mishandling of remains and ensure accurate, transparent tracking from intake through final disposition.

Rationale: These additions address the scenarios where the veterinary premises improperly codes the remains for group cremations or otherwise loses the remains.

The Board believes these scenarios typically happen when a veterinary premises does not have or fails to follow a standard protocol, including properly labeling the deceased animal prior to freezing and maintaining a transfer of custody log. These are crucial for verifying that the remains returned to the client belong to their specific pet.

While most veterinary premises maintain transfer of custody logs for pet cremations, there is no standard requirement in the Veterinary Medicine Practice Act. There is also no standard for how long to retain the log. While the log is considered not part of the animal patient record, the Board believes the log should be required to be retained for the same timeframe as the patient record (three years).

Because the Board believes most veterinary premises are already maintaining some sort of log, it would not be overly burdensome for this process to be standardized.

4. Add Subsection (d) to CCR Section 2030.1

Purpose: The purpose of the proposed new provision is to ensure that clients are informed of their right to choose how and where their deceased animal is handled for final disposition, rather than being limited to the veterinary premises' preferred or contracted provider. The provision requires the veterinary premises to notify clients that alternative disposition services may be available and, upon request, to release the deceased animal to the service the client selects.

This promotes consumer choice, transparency, and autonomy, preventing facilities from restricting clients to a single cremation or disposition option.

Rationale: The Board believes the client has a right to decide what cremation service they would like to use. The veterinary premises may have an existing contract with a specific company, but the client should have the right to choose an alternative if they would like. The proposed language was mirrored from BPC section 4826.6 (i)(7), which requires a veterinarian to submit a prescription to a pharmacy the client chooses.

5. Add Subsection (g) to CCR Section 2030.1

Purpose: The purpose of the proposed new provision is to establish a clear, uniform retention period for cremains when a client has not picked them up, ensuring both adequate time for the client to retrieve them and a defined point at which the veterinary premises may lawfully dispose of them.

By requiring veterinary premises to hold cremains for a minimum of six months after attempting to contact the client, the provision creates consistency across facilities, reduces disputes about premature disposal, and balances client expectations with the practical storage limitations of veterinary premises.

Rationale: The Board believes a veterinary premises should be required to retain cremains for a specified timeframe that gives the client adequate time to collect, but that timeframe should not be overly burdensome to the veterinary premises.

Underlying Data:

- April 14, 2026 Multidisciplinary Advisory Committee Meeting Agenda, Relevant Materials, and Minutes
- April 15-16, 2026 Board Meeting Agenda, Relevant Materials, and Minutes

Business Impact:

The Board has made the initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the inability of California businesses to compete with businesses in other states.

This initial determination is based on the following facts:

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.

The regulatory proposal would improve clarity, strengthen client protections, and ensure consistent, accurate, and respectful handling of deceased animals and cremains across veterinary premises. It also enhances transparency and consumer choice while reducing errors through standardized tracking and record-keeping requirements.

Any workload and costs to comply with the regulations are anticipated to be completed and incurred within normal business operations.

Economic Impact Assessment:

The Board has determined that this regulatory proposal:

- Will not create or eliminate jobs within the State of California. However, it will improve clarity, strengthen client protections, and ensure consistent, accurate, and respectful handling of deceased animals and cremains across veterinary premises. It also enhances transparency and consumer choice while reducing errors through standardized tracking and record-keeping requirements;
- Will not create new businesses or eliminate existing businesses within the State of California. However, it will improve clarity, strengthen client protections, and ensure consistent, accurate, and respectful handling of deceased animals and cremains across veterinary premises. It also enhances transparency and consumer choice while reducing errors through standardized tracking and record-keeping requirements;
- Will not affect the expansion of businesses currently doing business within the State of California. However, it will improve clarity, strengthen client protections, and ensure consistent, accurate, and respectful handling of deceased animals and cremains across veterinary premises. It also enhances transparency and consumer choice while reducing errors through standardized tracking and record-keeping requirements;

~~• Does not relate to health and welfare or describe benefits consistent with anticipated~~

benefits section;

- Does not involve worker safety or describe benefits consistent with anticipated benefits section; and
- Does not involve the environment or describe benefits consistent with anticipated benefits section.

The proposed regulations will benefit the health and welfare of California residents and their animals and strengthen clarity, accountability, and consumer protection by standardizing custody and handling of remains, ensuring informed client consent, preserving client choice, and establishing fair retrieval timelines, thereby enhancing transparency, trust, and professionalism in veterinary practice. The proposed regulations are not expected to benefit worker safety or the state's environment.

Any workload and costs to comply with the regulations are anticipated to be completed and incurred within normal business operations.

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.

No such alternatives have been proposed, however, the Board welcomes comments from the public.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed, however, the Board welcomes comments from the public.