

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

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:

Handling Animal Remains

NOTICE IS HEREBY GIVEN that the California Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Persons" in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under "Contact Persons" in this Notice, must be **received by the Board at its office no later than December 14, 2026** or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 4808 and 4854 of the Business and Professions Code (BPC), and to implement, interpret, or make specific sections 4854 and 4883 of said code, the Board is considering amending section 2030.1 of article 4 of division 20 of title 16 of the California Code of Regulations (CCR¹).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

BPC section 4800.1 mandates that the protection of the public shall be the highest priority of the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

BPC section 4808 authorizes the Board, in accordance with the Administrative Procedure Act (Government Code section 11400, et seq.), to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into

¹ All CCR references are to title 16 unless otherwise noted

effect the provisions of the Veterinary Medicine Practice Act (Practice Act) (BPC section 4800, et seq.).

BPC section 4854 states that all veterinary premises where veterinary medicine, veterinary dentistry, or veterinary surgery is being practiced, and all instruments, apparatus and apparel used in connection with those practices, shall be kept clean and sanitary at all times, and shall conform to those minimum standards established by the Board.

BPC section 4883 authorizes the Board to take disciplinary action - including denying, suspending, revoking, or placing conditions on a license, or imposing fines - for a wide range of violations related to professional conduct, criminal activity, and regulatory compliance. These grounds include crimes related to veterinary practice, unprofessional conduct involving controlled substances or dangerous drugs, fraud, negligence, aiding unlicensed practice, unsanitary conditions, animal cruelty, misleading advertising, and misrepresentation of specialist credentials.

The statute also allows discipline based on out-of-state actions, violations involving cannabis-related conflicts of interest, interference with another licensee's professional judgment, and performing prohibited feline declawing procedures. Overall, BPC section 4883 provides comprehensive authority for the Board to protect the public and animals by ensuring veterinarians meet ethical, legal, and professional standards.

CCR section 2030.1 defines a "small animal fixed veterinary premises" as a facility treating common domestic household pets and adds specific requirements beyond those in CCR section 2030. Notably, if a client has not authorized disposal of their deceased animal, the veterinary premises must store the body in a freezer for at least 14 days before proceeding with disposal. This ensures clients have adequate time and consideration before final disposition.

The regulatory proposal to amend CCR section 2030.1 would do the following:

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 OF PROPOSAL

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.

Evaluation of Consistency and Compatibility with Existing State Regulations

After conducting a review for any related regulations, the Board has found that these are the only regulations relating to the handling of animal remains. Therefore, the proposed regulations are not inconsistent or incompatible with existing state regulations.

INCORPORATION BY REFERENCE

N/A.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The proposed regulations do not result in a fiscal impact to the state. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability 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.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The proposal would require veterinary premises to adopt clearer procedures for storing, labeling, tracking, and documenting the handling of deceased animals and cremains, as well as to honor client preferences for disposition services. While this may add some administrative and storage responsibilities, it also reduces errors, improves transparency, and helps protect premises from liability.

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS

Impact on Jobs / Businesses:

The Board has determined that this regulatory proposal will not have any impact on the following: 1) the creation or elimination of jobs within the state; 2) the creation of new businesses or the elimination of existing businesses within the state; or, 3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts, as explained in the “Business Impact Estimates” section of this notice.

Benefits of Regulation to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment:

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.

Business Reporting Requirements:

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business:

The Board has determined that the proposed regulations may affect small businesses.

Although small businesses owned by licensees of the Board may be impacted, the Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage of small businesses that may be impacted cannot be predicted.

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

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1747 North Market Blvd., Suite 230, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this Notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of ISOR, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1747 North Market Blvd., Suite 230, Sacramento, California 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All of the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Justin Sotelo
Address: California Veterinary Medical Board
1747 North Market Blvd., Suite 230
Sacramento, CA 95834
Telephone No. (916) 905-5511
Fax No.: (916) 928-6849
E-Mail Address: Justin.Sotelo@dca.ca.gov

The backup contact person is:

Name: Matt McKinney
Address: California Veterinary Medical Board
1747 North Market Blvd., Suite 230
Sacramento, CA 95834
Telephone No.: (916) 282-3529
Fax No.: (916) 928-6849
E-Mail Address: Matthew.McKinney@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Regulatory Action, ISOR, Proposed Regulatory Language of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at:

https://www.vmb.ca.gov/laws_regs/proposed_regs.shtml