

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

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:

Licensing and Registration Examinations

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 November 23, 2026** or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 4808 of the Business and Professions Code (BPC), and to implement, interpret, or make specific sections 135, 4841.1, and 4846 of said code, the Board is considering repealing sections 2014, 2015, and 2015.2 of article 2 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 effect the provisions of the Veterinary Medicine Practice Act (Practice Act) (BPC section 4800, et seq.).

¹ All CCR references are to title 16 unless otherwise noted

BPC section 135 prohibits Department of Consumer Affairs agencies from imposing extra requirements for applicants retaking an examination solely because they failed previous attempts. The only exception is for multi-part examinations where conditional credit is given; in those cases, an agency may require retaking previously passed parts if all sections are not completed within a set timeframe. Applicants must still meet the standard fees and requirements that apply to all examination takers.

BPC section 4841.1 exempts students in California veterinary technology programs from Article 2.5 of the BPC when performing registered veterinary technician (RVT) duties for training, on or off campus, under a licensed veterinarian's direct supervision. However, students may handle controlled substances or compound drugs only under the immediate supervision of an RVT or veterinarian, meaning the supervisor must be within both audible and visual range.

BPC section 4846 outlines the requirements for a California veterinary license. Applicants must graduate from an approved program or hold an Educational Commission for Foreign Veterinary Graduates or Program for the Assessment of Veterinary Education Equivalence certificate, submit a board-approved application, pay fees, pass state and federal background checks, and pass both the national examination and the California Veterinary Law Examination (VLE), with additional conditions for those who passed the national examination over five years ago. They must also disclose all current and past licenses for verification, and applications may be denied under specified statutory grounds.

This regulatory proposal would repeal three regulations for the following reasons:

CCR section 2014 (previously CCR section 2014, subsection (b)): The Board does not administer national examinations and has no authority to set or influence passing scores. National examination vendors determine passing standards according to accepted psychometric and legal requirements across all jurisdictions they serve. Because passing scores fall outside of the Board's authority, CCR section 2014, subsection (b) is not valid or enforced by the Board.

CCR section 2015: BPC section 4846 sufficiently ensures veterinarian license applicants have demonstrated they are competent to practice regardless of the period between the national examination and the VLE. Additionally, subsections (c), (d), and (e) are obsolete (due to the elimination of the California examinations; Assembly Bill 1535, Committee on Business and Professions, Chapter 631, Statutes of 2021 – effective January 1, 2022) and should have previously been repealed in a Section 100 rulemaking package, as there are no longer two examinations (national/California) to mark the beginning and end of the sixty-month period before applicants are required to retake and pass all examinations.

CCR section 2015.2: This regulation does not align with statute regarding the administration of the VLE (BPC section 4846, subdivision (a)(5)(B)). Effective January 1, 2019, the Board was given statutory authority to administer the VLE via

“regular mail, email, or by other electronic means”. With the support of the Legislature, the Board has been administering the VLE via electronic means. Repealing CCR section 2015.2 would eliminate the unintended discrepancy between the statute and the regulation, which can potentially mislead the regulated community that the examination *must* be offered by regular mail when that is not the current practice of the Board.

ANTICIPATED BENEFITS OF PROPOSAL

This regulatory proposal does not affect the health and welfare of California residents, worker safety, or the state’s environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

N/A.

This regulatory proposal would repeal three regulations that: are not valid or enforceable by the Board; are sufficiently addressed in statute; do not align with statute; or, are obsolete.

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 any 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 is intended to better align the Board's regulations with current law and existing practice. The regulations do not result in additional workload or costs to businesses in the state.

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.

This proposal is intended to better align the Board's regulations with current law and existing practice. The regulations do not result in additional workload or costs to individuals or businesses in the state.

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:

This regulatory proposal does not affect the health and welfare of California residents, worker safety, or the state's environment, as this proposal is not related to any of those issues.

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 will not affect small businesses. This proposal is intended to better align the Board's regulations with current law and existing practice. The regulations do not result in additional workload or costs to small businesses in the state.

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 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