

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

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:

Record Keeping; Records; Contents; Transfer

NOTICE IS HEREBY GIVEN that the California Veterinary Medical Board (hereafter, 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 section 4808 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 4855 and 4856 of said code, the Board is considering amending section 2032.3 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

¹ All CCR references are to title 16 unless otherwise noted

reasonably necessary to enable it to carry into effect the provisions of the Veterinary Medicine Practice Act (Practice Act) (BPC section 4800, et seq.).

Legislative amendments that correspond with this regulatory proposal amended BPC sections 4826.6 and 4855 and were included in the Board's Sunset Bill, Assembly Bill (AB) 1502. [Berman, Chapter 195, Statutes of 2025], which was approved by Governor Gavin Newsom on October 1, 2025. These amendments became effective January 1, 2026.

The amendment to BPC section 4826.6 added the requirement that veterinarians providing telehealth services must keep, maintain, **and make available a copy or summary** of the animal patient's record, consistent with BPC section 4855. Previously, telehealth obligations focused on being familiar with local medical resources and providing clients with nearby in-person veterinary options. The added language clarifies that telehealth practitioners must also be prepared to furnish not just a summary but an actual **copy** of the patient record upon request, strengthening record access requirements and aligning telehealth duties with the broader veterinary record keeping standards.

BPC section 4855, as amended, currently requires veterinarians to maintain written records for every animal treated and to provide copies to a client or authorized agent within five days of any verbal or written request. When an animal is in critical condition or being directly transferred for further care, the veterinarian must, upon releasing the animal, either provide the record or a summary, or, if the written record is not yet available, relay essential medical information to the receiving veterinarian or to the client to ensure continuity of care. The Board is responsible for setting the minimum required contents of these records and determining how long veterinary premises must retain them.

BPC section 4856 requires veterinarians to make all legally mandated records - including treatment, diagnosis, and drug-related records - available for inspection by the Board during routine inspections or complaint-driven investigations, and to provide copies immediately upon request. It also authorizes the Board to inspect equipment and drugs at any location where veterinary practice occurs or where such items are kept for professional use. Additionally, the licensee manager of a registered veterinary premises must ensure that any veterinarian can access the records related to the services they personally provided.

The existing regulation - CCR section 2032.3 - requires veterinarians to create and maintain a legible written or electronic medical record for every animal they treat, including detailed identifying information, medical history, examination findings, diagnoses, treatments, medications, surgical details, progress notes, and disposition. These records must be kept for at least three years, and a summary must be provided to the client within five days - or sooner in critical cases. The regulation also governs the handling of radiographs and laboratory data, which belong to the facility that ordered them but must be released when properly requested, with required identifiers and

documentation of transfers. Additionally, when a patient is released from emergency care, the client must receive a copy of essential medical information, including examination findings, medications administered, diagnostic results, radiographs, surgical summaries, diagnoses, prognosis, and follow-up instructions.

This regulatory proposal addresses stakeholder concerns regarding record keeping requirements and would amend CCR section 2032.3 to:

- Clearly define two sets of requirements for records – single animal patient records and group of animal patient records;
- Change the logical order of the required information that makes up an animal patient record to follow a SOAP (Subjective, Objective, Assessment, and Plan) format for recording patient medical encounters and medical record documentation, which is taught in the majority of veterinary schools; and
- Make record keeping requirements less prescriptive and allow veterinarians, in their professional judgment and in accordance with generally accepted standards for practice in the community, the flexibility to add other types of information besides the Board-mandated content.

ANTICIPATED BENEFITS OF PROPOSAL

The Board, along with its Multidisciplinary Advisory Committee and Equine Practice Subcommittee, worked with industry stakeholders, such as the California Veterinary Medical Association, the California Horse Racing Board, and the University of California, Davis, School of Veterinary Medicine to address concerns raised regarding record keeping requirements.

Stakeholders indicated that CCR section 2032.3 was geared more towards small animal medicine, where cases involved individual patients. In equine and production animal medicine, the medical approach is often treating multiple animals (herd health medicine) at the same time, at the same location, and with the same diagnosis and treatment. It was also determined that the regulation was too prescriptive. Lastly, it was also recommended that animal patient records should follow a SOAP format, as noted above.

This proposal addresses stakeholder concerns and, as such, the Board anticipates that veterinarians will benefit from record keeping requirements that are more clear, more logical (and align with what is taught in veterinary schools), and less prescriptive. Additionally, the Board anticipates that California consumers/clients and their animals will benefit from improvements to record keeping requirements for veterinarians.

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 records. Therefore, the proposed regulations are not inconsistent or incompatible with existing state regulations.

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 update, clarify, and improve record keeping requirements for veterinarians.

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.

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.

Benefits of Regulation:

The proposed regulations will benefit veterinarians and California consumers/clients and their pets.

More specifically, the proposed regulations will:

- Address record keeping concerns shared by stakeholders;
- Improve compliance for veterinarians, as two sets of requirements will be clearly defined (one for single animal patient records and one for group animal patient records);
- Change the logical order of required information that makes up an animal patient record to follow a SOAP format for recording patient medical encounters and medical record documentation, which aligns with what is taught in the majority of veterinary schools;
- Provide less prescriptive record keeping requirements, allowing veterinarians the flexibility to add other types of information to the record besides the Board-mandated content; and
- Improve record keeping compliance, which will be a benefit to California consumers/clients and their animals.

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 are not expected to result in additional workload or costs to existing and 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.

However, 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 regulatory proposal 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 the initial statement of reasons, 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 in this Notice, 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 person designated in this Notice as the Contact Person and will be mailed to those persons who submit written 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 persons 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 Person 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
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E-Mail Address: Justin.Sotelo@dca.ca.gov

The backup contact person is:

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Regulatory Action, Initial Statement of Reasons, text 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.