

California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 20. Veterinary Medical Board

PROPOSED LANGUAGE

Proposed amendments to the regulatory language are shown in single underline for new text and ~~single strikethrough~~ for deleted text.

Amend Sections 2032.15 and 2032.25 of Article 4 of Division 20 of Title 16 of the California Code of Regulations to read as follows:

2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication

(a) A veterinarian-client-patient relationship may continue to exist, in the absence of client communication, when:

(1) A veterinarian-client-patient relationship was established with an original veterinarian, and another designated veterinarian serves at the same location where the medical records are kept in the absence of the original veterinarian, and;

(2) The designated veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s), and;

(3) The designated veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) is kept, or has consulted with the veterinarian who established the veterinarian-client-patient relationship, and;

(4) The designated veterinarian has continued the medical, treatment, diagnostic and/or therapeutic plan that was set forth and documented in the medical record by the original veterinarian.

(b) If the medical, treatment, diagnostic and/or therapeutic plan differs from that which was communicated to the client by the original veterinarian, then the designated veterinarian must attempt to communicate the necessary changes with the client in a timely manner.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.

2032.25. Written Prescriptions in Absence of Originally Prescribing Veterinarian.

(a) Absent establishing a veterinarian-client-patient relationship (VCPR) as defined in section 2032.1, Pprescribing, dispensing, or furnishing dangerous drugs as defined in Section 4022 of the ~~Business and Professions Code~~ code ~~without an appropriate prior examination and a medical indication,~~ constitutes unprofessional conduct.

(b) No licensee shall be found to have committed unprofessional conduct within the meaning of this section if, at the time the drugs were prescribed, dispensed, or furnished, any of the following applies:

(1) The licensee was a veterinarian serving in the absence of the treating veterinarian and the drugs were prescribed, dispensed, or furnished on an emergency basis for a traveling patient only as necessary to maintain the health of the animal patient until they could return to the originally treating veterinarian, but in any case no longer than 72 hours. Prior to providing a prescription refill pursuant to this section, the veterinarian shall have made a reasonable effort to contact the original prescribing veterinarian, and shall have documented the communication, or his or her attempt to contact the original prescribing veterinarian, in the animal patient's medical record.

(2) The original prescribing veterinarian was unavailable to authorize the refill, and the veterinarian authorizing the refill was working in the same practice as the original prescribing veterinarian, and: The veterinarian transmitted the order for the drugs to another veterinarian or registered veterinary technician and both of the following conditions exist:

~~(A) The licensee had consulted with the veterinarian or registered veterinary technician who had reviewed the patient's records.~~

~~(B) The licensee was designated as the veterinarian to serve in the absence of the animal patient's veterinarian.~~

~~(3) (A) The licensee was a veterinarian serving in the absence of the treating veterinarian, veterinarian who authorized the refill was in possession of and had reviewed the animal patient's records, and ordered the renewal of a medically indicated prescription for an amount not exceeding the original prescription in strength or amount or for more than one refill, and entered the prescription refill in the animal patient's medical records.~~

(B) In the veterinarian's professional judgment, failure to refill the prescription might have interrupted the animal patient's ongoing care and might have had an adverse effect on the animal patient's well-being.

Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4883, Business and Professions Code.