

MEMORANDUM

DATE	April 10, 2025
TO	California Veterinary Medical Board (Board)
FROM	Justin Sotelo, Policy Specialist
SUBJECT	Agenda Item 7.B. Recommendation to Initiate a Rulemaking to Repeal CCR, Title 16, Sections 2014, 2015, and 2015.2 Regarding Licensing and Registration Examinations

California Code of Regulations (CCR), Title 16, Section 2014

As noted under Agenda Item 7.A., the Board's Section 100 regulatory package for California Examinations, Temporary License, California Curriculum, and Appeals Process of Examination Results was approved by the Office of Administrative Law (OAL) on February 12, 2025.

However, one proposed change in this package (to repeal what was formerly CCR, title 16, section [2014](#), subsection (b)) was deemed substantive by OAL and was not approved as part of the package. This provision deals with the grading method for the national veterinarian examination and the administration of the Veterinary Law Examination (VLE).

More specifically, the regulation in question discusses how the pass point for the national veterinarian examination is determined and that passing scores may vary moderately with changes in test composition. Board staff and Regulations Counsel explained to OAL that the Board does not administer the national examination, nor does it have authority over the examination vendors to dictate what a passing score is or how it is determined. Despite the explanation, OAL concluded that the proposed repeal of that regulation fell outside of the definition of a Section 100 change (the proposed change must not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision). (CCR, tit. 1, [§ 100](#), subs. (a).)

The national veterinary examination is periodically reviewed by the Board for compliance with BPC section [139](#) to ensure the validity of the examination to test minimum skills and education necessary for California veterinary medicine practice. However, as noted above, the Board does not administer the national veterinarian examination and has no authority to dictate what is the passing score or how the score is determined. As such, Board staff recommend CCR, title 16, section 2014 be repealed.

CCR, Title 16, Section 2015

Prior to the Section 100 Rulemaking package discussed in Agenda Item 7.A., CCR, title 16, section 2015, required veterinarians to take the national examination, the California State board examination, and the veterinary law examination (VLE) within a 60-month period. Similarly, it required RVTs to take the national examination and the California veterinary technician examination within a 60-month period.

If candidates fail to take the specified examinations within the 60-month period, they are required to retake and pass all examinations.

With the recent passing of the Section 100 package, references to the California examinations were struck.

However, Board staff now believes subsections (c), (d), and (e) should have been struck in their entirety, as there are no longer two examinations to mark the beginning and end of a 60-month period. As such, those subsections are obsolete.

While Board staff could pursue another Section 100 package to strike those three subsections, the Board is being asked to consider repealing CCR, title 16, section 2015 in its entirety.

The state and national veterinary examinations measured the minimum competency of an applicant necessary to begin practicing on animal patients. The VLE measures the veterinarian applicant's knowledge on the laws that would govern their license. The 60-month period was intended to ensure the measures in competency and knowledge occur reasonably close together.

Now, the national examination (high stakes, multi-part, proctored examination) and the VLE (a low-stakes, open book, electronic examination) must be completed with the 60-month period or both examinations will have to be retaken.

Notably, there has not been any applicant who has had to retake all examinations due to not meeting the 60-month period in at least the last decade. However, if it did occur, it would occur in one of two scenarios described as follows:

Passing the VLE First:

If an applicant passed the VLE first and subsequently passed the national examination 60 months and one day later, that applicant would be required to retake both examinations. If this ever occurred, Board staff believes it would be an unreasonable and unnecessary barrier to licensure.

Board staff also believes the national examination vendor would not allow candidates who just passed the national examination to take it again in such a short period of time for examination security reasons.

Passing the National Examination First:

Business and Professions Code (BPC) section [4846](#), subdivision (a)(5), states that if a veterinarian license applicant passed the national exam over five years from the date of submitting the license application, the applicant would have to: (1) retake and pass the national exam; (2) submit proof of having practice clinical veterinary medicine, as specified, within the three years immediately preceding filing the application; or (3) complete the minimum continuing education requirements, as specified, for the current and preceding year. Pursuant to CCR, title 16, section 2015, if a candidate passed the national examination first and subsequently passed the VLE 60 months and one day later, BPC section [4846](#), subdivision (5)(A), would require the candidate to either retake and pass the national examination, submit proof of having practiced a specified amount of practice hours, or complete continuing education requirements.

Board staff believes this statute sufficiently ensures applicants have demonstrated they are competent to practice regardless of the period between the national examination and the VLE.

For these reasons, Board staff recommend CCR, title 16, section 2015 be repealed.

CCR, Title 16, Section 2015.2

Again, as noted under Agenda Item 7.A., the Board's Section 100 regulatory package for California Examinations, Temporary License, California Curriculum, and Appeals Process of Examination Results was approved by OAL on February 12, 2025.

However, another proposed change in this package was deemed substantive by OAL and was not approved as part of the package. This provision deals with the grading method for the national veterinarian examination and the administration of the VLE.

More specifically, the regulation in question discusses the administration of the VLE by mail, which was the older method of administration. (CCR, tit. 16, § [2015.2](#).) However, effective January 1, 2019, the Board was given statutory authority to administer the examination via regular mail, email, or by other electronic means. (BPC, § [4846](#), subd. (a)(5)(B).) Board staff and Regulations Counsel explained to OAL that the underlying statute gives the Board administration options, while the regulation only discusses the regular mail method. It was further explained that this unintended discrepancy between the statute and regulation 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. Despite the explanation, OAL again opined that the proposed repeal of that provision fell outside of the definition of a Section 100 change.

OAL therefore recommended excluding the aforementioned provisions from the Section 100 package and that the Board pursue the changes via the regular rulemaking process.

Action Requested:

The Board is asked to entertain the following motion:

Approve the regulatory proposal to repeal CCR, title 16, sections 2014, 2015, and 2015.2.

Direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, then the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested.

If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking, and repeal the proposed regulations, as described in the text notice for CCR, title 16, sections 2014, 2015, and 2015.2.

Attachment

1. Regulatory Proposal to Repeal CCR, Title 16, Sections 2014, 2015, and 2015.2 Regarding Licensing and Registration Examinations

DEPARTMENT OF CONSUMER AFFAIRS
California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 20. Veterinary Medical Board

PROPOSED REGULATORY LANGUAGE

Licensing and Registration Examinations

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

Repeal sections 2014, 2015, and 2015.2 of Article 2 of Division 20 of Title 16 of the California Code of Regulations as follows:

~~§ 2014. Veterinary Licensing Examination.~~

~~Subject to the provisions under section 2015 of this article, every applicant who obtains a passing score determined by the Angoff criterion referenced method of establishing the pass point in the national veterinarian examination shall be deemed to have passed the national examination. Such a passing score may vary moderately with changes in test composition.~~

~~Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4846, Business and Professions Code.~~

~~§ 2015. Examinations Credit.~~

~~(a) An applicant for licensure as a veterinarian who passes the national veterinarian examination and the veterinary law examination within the sixty month period immediately following the date of the administration of the initial examination shall be deemed to have met the examination requirements for licensure.~~

~~(b) Where an applicant for licensure as a veterinarian fails to pass the national veterinarian examination and the veterinary law examination within the specified sixty month period, the applicant shall be required to retake and pass all those examinations.~~

~~(c) An applicant for registration as a veterinary technician who passes the national veterinary technician examination within the sixty month period immediately following the date of the administration of the initial examination shall be deemed to have met the examination requirements for registration.~~

~~(d) Where an applicant for registration as a veterinary technician fails to pass the national veterinary technician examination within the specified sixty month period, the applicant shall be required to retake and pass the examination.~~

~~(e) Any applicant who has failed an examination or who has failed to pass all required examinations within the specified sixty month period may apply to be re-examined at a subsequent examination.~~

~~Note: Authority cited: Section 4808, Business and Professions Code. Reference: Sections 135, 4841.4 and 4848, Business and Professions Code.~~

~~§ 2015.2. Veterinary Law Examination.~~

~~The veterinary law examination shall be administered by mail. Applicants taking the veterinary law examination shall return the completed examination to the board within 40 days of its date of mailing by the board. Failure to return a completed veterinary law examination to the board within the prescribed time shall cause the applicant to be deemed to have failed the examination and the applicant shall be required to re-apply and re-take the examination.~~

~~Note: Authority cited: Section 4808, Business and Professions Code. Reference: Section 4846, Business and Professions Code.~~