

## MEMORANDUM

DATE	October 9, 2025
TO	Multidisciplinary Advisory Committee (MDC)
FROM	<u>Unlicensed Practice Subcommittee (Subcommittee)</u> Mark Nunez, DVM Maria Solacito, DVM
SUBJECT	<b>Agenda Item 6. Update, Discussion, and Possible Action on Recommendations from the Unlicensed Practice Subcommittee</b>

### **A. Legislative Proposal to Amend Business and Professions Code (BPC) 4827 Regarding Veterinary Medicine Practice Exemptions**

As previously discussed during the MDC's [October 15, 2024](#), and [January 14, 2025](#) meetings, the Subcommittee was, among other things, tasked with pursuing legislation to narrow the scope of the licensure exemptions in BPC section 4827 to prevent unintended consequences.

Specifically, the Board raised concerns with the owner exemption in BPC section 4827, subdivision (a)(1), and it being applied far beyond its intended purpose of allowing ranchers to provide veterinary services on their owned food production animals. The Board receives many complaints a year against unlicensed individuals who have allegedly caused significant harm to animal patients.

As mentioned in more detail [here](#), the Subcommittee held multiple stakeholder meetings over the last year to understand the various types of unlicensed practice occurring and worked with stakeholders to craft legislative proposals to help address the unlicensed practice concerns.

In April 2025, the Board ultimately approved a legislative proposal that narrowed the owner exemption. Unfortunately, the legislative proposal was unsuccessful due to significant concerns raised by the shelter community.

In general, the shelter community was concerned the legislative proposal was overly broad and would prevent owners from providing any kind of necessary care to their own animals. If owners were unable to provide services to their own animals, the shelter community was concerned that owners would relinquish the animals to the shelters, which would result in the influx of more animals at the shelters.

Similarly, rescue groups also provide necessary care to their animals. The shelter community was concerned that if the rescue groups are not able to provide necessary care to the animals, they would stop taking the animals from the shelters. If more members of the public relinquish their animals and less rescue groups take from the shelters, the shelters would far surpass capacity and would be forced to euthanize more animals.

During public comment at previous meetings, it was suggested the Board focus the exemption on specific acts, such as surgery, that it was trying to prevent rather than overly restricting the owner exemption.

### **Update**

The Subcommittee met with Board counsel and staff on multiple occasions to draft a legislative proposal that leaves the owner exemption intact but prohibits owners from performing dental or surgical operations. Specifically, the proposal would amend the owner exemption as follows (additions in underline; deletions in strikethrough):

**4827.** (a) Nothing in this chapter prohibits any person from:

(1) (A) Practicing veterinary medicine as a bona fide owner of one's own animals. This exemption applies to the following:

(A*i*) The owner's bona fide employees.

(B*ii*) Any person assisting the owner, provided that the practice is performed gratuitously.

(B) The exemption authorized under subparagraph (A) does not include a dental or surgical operation upon an animal under subdivision (d) of Section 4826.

(C) For purposes of this paragraph, "surgical operation" means any procedure performed on an animal in which the skin or tissue of the animal is penetrated or severed, but does not include:

(i) Administration of injectable drugs prescribed by a California licensed veterinarian.

(ii) Artificial insemination.

(iii) Castrating male livestock or dehorning or branding animals.

(iv) Subcutaneous insertion of a microchip for identifying an animal.

(v) Ear tag or tattoo placement for identifying an animal.

[...]

The Subcommittee believes these amendments would prevent the most egregious forms of unlicensed practice (surgery) from occurring while preserving an animal owner's ability to provide necessary care to their animals.

**Action Requested**

If the MDC agrees with the Subcommittee's legislative proposal recommendation, please entertain a motion to recommend to the Board submission to the California State Legislature the legislative proposal described herein to amend BPC section 4827 regarding unlicensed practice.

**B. Animal Shelter Community Challenges Related to Licensure and/or Practice Requirements**

On October 9, 2025, the Subcommittee will meet with representatives from the shelter community to receive feedback on the above-mentioned legislative proposal. In addition, the Subcommittee will solicit input on what statutes and/or regulations are hindering the shelter community's ability to provide necessary services.

The Subcommittee will provide an update during the MDC meeting.

**Attachment**

1. Legislative Proposal to Amend BPC section 4827 Regarding Veterinary Medicine Practice Exemptions

**CALIFORNIA VETERINARY MEDICAL BOARD**

**LEGISLATIVE PROPOSAL TO AMEND BUSINESS AND PROFESSIONS CODE  
SECTION 4827 REGARDING VETERINARY MEDICINE PRACTICE EXEMPTIONS**

Proposed additions are indicated in single underline.

Proposed deletions are indicated in ~~single strikethrough~~.

Additions included in AB 1502 (Berman, 2025) are indicated in *blue italic*.

Amend section 4827 of the Business and Professions Code as follows:

**4827.** (a) Nothing in this chapter prohibits any person from:

(1) (A) Practicing veterinary medicine as a bona fide owner of one's own animals. This exemption applies to the following:

(A*i*) The owner's bona fide employees.

(B*ii*) Any person assisting the owner, provided that the practice is performed gratuitously.

(B) The exemption authorized under subparagraph (A) does not include a dental or surgical operation upon an animal under subdivision (d) of Section 4826.

(C) For purposes of this paragraph, "surgical operation" means any procedure performed on an animal in which the skin or tissue of the animal is penetrated or severed, but does not include:

(i) Administration of injectable drugs.

(ii) Artificial insemination.

(iii) Castrating male livestock or dehorning or branding animals.

(iv) Subcutaneous insertion of a microchip for identifying an animal.

(v) Ear tag or tattoo placement for identifying an animal.

(2) Lay testing of poultry by the whole blood agglutination test. For purposes of this section, "poultry" means flocks of avian species maintained for food production, including, but not limited to, chickens, turkeys, and exotic fowl.

(3) Making any determination as to the status of pregnancy, sterility, or infertility upon livestock, equine, or food animals at the time an animal is being inseminated, providing no charge is made for this determination.

(4) Administering sodium pentobarbital for euthanasia of sick, injured, homeless, or surrendered domestic pets or animals without the presence of a veterinarian when the person is *administering the treatment in their capacity as* an employee of an animal control shelter and its agencies or humane society and has received proper training in the administration of sodium pentobarbital for these purposes.

(5) Providing the following care to animals lawfully deposited with or impounded by a shelter not registered with the board pursuant to Section 4853:

(A) Administering preventative or prophylactic nonprescription vaccinations to the animal pursuant to protocols written by a veterinarian licensed in this state for the purposes of preventing the spread of communicable diseases, without the presence of a veterinarian when the person has received proper training in the administration of the nonprescription preventative or prophylactic vaccinations.

(B) Administering nonprescription medications to the animal pursuant to protocols written by a veterinarian licensed in this state, for the control or eradication of apparent or anticipated internal or external parasites, including, but not limited to, fleas, ticks, or worms, without the presence of a veterinarian when the person has received proper training in the administration of the nonprescription medications for the control or eradication of those internal or external parasites. A person's decision to administer these medications shall not be construed to mean the person has made a diagnosis of the animal's medical condition.

(C) Administering medications prescribed by a veterinarian licensed in the state to the animal without the presence of a veterinarian when the shelter has received a written treatment plan from the licensed veterinarian for that specific animal and has a dispensing protocol in place for the tracking of dispensed prescribed medications and when the person has received proper training in the administration of prescription medications.

(b) For the purposes of paragraph (5) of subdivision (a):

(1) "Proper training" means completing a training curriculum of at least four hours provided by a veterinarian licensed to practice in this state, and includes, but is not limited to, an overview of intake procedures and preventative medicine, recognizing when an animal is required to be seen by a veterinarian, prescription and nonprescription medications, humane animal restraint techniques, vaccination injection methods and procedures, and documentation.

(2) "Shelter" means a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter that is not registered with the board pursuant to Section 4853.

(c) A shelter providing care to an animal pursuant to this section that is not registered with the board pursuant to Section 4853 shall report to the board any adverse event resulting in significant impairment or death from the care provided, on a form prescribed by the board, including severe injuries, infections, and unintended reactions caused by the incorrect or inappropriate administration of a vaccine or medications.