

MEMORANDUM

DATE	October 8, 2026
TO	California Veterinary Medical Board (Board)
FROM	Jessica Sieferman, Executive Officer (EO)
SUBJECT	Agenda Item 8. Licensee Submission of Complaints and Future Outreach Opportunities

Concerns raised at the July 2026 Board meeting highlighted that licensees may hesitate to file complaints with the Board against their employers or other licensees due to fear of retaliation. There was also some confusion about complaint confidentiality versus anonymity and whether there was a need for whistleblower protection for licensees who report complaints to the Board. The Board's EO offered to provide clarification at the next meeting and identify outreach opportunities to encourage licensees to file complaints.

Licensee Submission of Complaints

Some of the most valuable complaints come from Board licensees who witness something going wrong as it is occurring – or, sadly, after something already went wrong, and they are trying to correct it. The Board's licensees provide a perspective that the consumer and the Board will never see and are a vital part of the Board's consumer protection mission.

Statistically, though, licensees tend not to identify themselves when submitting complaints to the Board, so the complaint is submitted anonymously. Over the past five years, less than 1% of the Board's complainants identified themselves as licensees. In the same timeframe, 14% of the Board's complaints received were submitted anonymously – many of which clearly were or were suspected to have come from Board licensees.

Licensees have shared they hesitate to identify themselves because they want their names to remain confidential. This prompted Board discussions on clarifying the difference between confidential complaints and anonymous complaints.

Confidential Complaints

Confidential complaints means that all complaints submitted to the Board are confidential. They are exempt from public disclosure under Business and Professions Code (BPC) section [800](#), subdivision (c)(1), and the California Public Records Act (CPRA) (Gov. Code, § [7923.600](#), subd. (a)). However, if a complaint proceeds to an

enforcement action (roughly 2% annually), the complaint and related investigative records may become subject to discovery in civil or administrative discipline proceedings. At all other stages, complaints remain confidential and are securely protected.

Anonymous Complaints

Anonymous complaints means the individual submitting the complaint to the Board did not identify themselves as the person submitting the complaint. Anonymous complaints can be incredibly challenging to investigate because they often lack enough information to initiate and guide an investigation. Since the person submitting the complaint did not provide their name or contact information, there is no one to follow up with if clarification or additional information is necessary, and the Board is often forced to close anonymous complaints despite significant patient harm allegations.

Further, the Board is required to notify a complainant of the initial administrative action and final action taken on the complainant's complaint. (BPC, § [129](#), subd. (b).) Since there is no name or contact information submitted with an anonymous complaint, there is no complainant to notify. If anonymous complainants later inquire about the complaint status, the Board would not even acknowledge the complaint exists due to the complaint confidentiality protections.

With that said, the Board has and will continue to take action on anonymous complaints with detailed information. An actionable complaint should include detailed information like:

- Specific dates, patient, or case identifiers (e.g., patient name or file number)
- Name(s) of treating veterinarian(s)
- Clear description of what occurred
- Location/site information
- Names of witnesses
- Relevant documents (medical records, invoices, logs)

With enough information to help guide the investigation to tangible evidence, the Board can proceed with anonymous complaints.

Professional Judgement Interference

BPC section [4854.1](#) prohibits a non-veterinarian premises registrant from interfering with, controlling, or otherwise directing the professional judgment of any California licensed veterinarian or registered veterinary technician (RVT).

To enforce that law, the Board may require any information, including, but not limited to, employment contracts between the premises registrant and a California-licensed veterinarian or RVT, the Board deems is reasonably necessary. If a veterinary premises registrant violates BPC section 4854.1, the Board can take enforcement action against the veterinary premises registration pursuant to BPC sections [4883](#), subdivisions (c) and (t), and [4875.2](#).

In addition, BPC section [4883](#), subdivision (t), authorizes the Board to discipline a license, registration, or permit for “exercising control over, interfering with, or attempting to influence the professional judgment of another California-licensed veterinarian or [RVT] through coercion, extortion, inducement, collusion, or intimidation through any means, including, but not limited to, compensation, in order to require the other California-licensed veterinarian or registered veterinary technician to perform veterinary services in a manner inconsistent with current veterinary medical practice in this state.”

The Board has not received complaints from licensees alleging their employers are interfering with their professional judgement. However, Board members and staff have heard from licensees that professional judgment interference is prevalent, and licensees are afraid to submit complaints to the Board due to fear of retaliation.

California Whistleblower Protection

The Veterinary Medicine Practice Act (Practice Act) does not provide Board jurisdiction over veterinary employer whistleblower violations. Rather, Labor Code section [1102.5](#) prohibits employer retaliation and bans employer policies deterring disclosures to a government or law enforcement agency or refusals to participate in illegal acts (violations of local, state, or federal laws). If an employer does retaliate against their employee for disclosing illegal activity, the employer is liable for a civil penalty of up to \$10,000 per employee for each violation to be awarded to the employee who was retaliated against. (Lab. Code, § [1102.5](#), subd. (f)(1).)

If a licensee submitted a complaint to the Board alleging their employer violated BPC sections 4854.1 or 4883, subdivision (t), or any other violation of the Practice Act, and they are retaliated against, that licensee can file a complaint with the [Department of Industrial Relations](#). The licensee may also file a civil lawsuit under Labor Code section 1102.5.

Outreach Opportunities

The following outreach opportunities can be used to encourage licensees to submit complaints of Practice Act violations to the Board and explain what actionable complaints look like. Licensees can also be provided with information on where to go if they believe they are being subjected to whistleblower retaliation.

- Continuing Education (CE) Events
In September, the Board’s EO met with California Veterinary Medical Association (CVMA) representatives to discuss multiple issues impacting the Board and the veterinary profession. Among them was a request from the EO to provide more CE presentations during their regularly scheduled seminars.
- State/Local Association Newsletter Articles
The Board’s EO has received requests from local associations for articles in their newsletters. The Board’s EO could write an article on this topic and offer it to state/local associations.

- Relaunch Board Newsletter

The Board has not published its newsletter in the last four years. Since articles will be written for state/local associations, they can be used to relaunch the Board's newsletter. The monthly updates emailed to our subscribers can be combined into the newsletter as well.

- Board Webinars

This topic can be included in the Board's free CE webinars. These webinars are provided live and scheduled periodically throughout the year. They are recorded and then posted to the Board's website, which can be used for self-study credit later.

- Western/UC Davis Presentations

The concerns related to interfering with professional judgement are said to be especially common with newer licensees coming right out of college. The presentations given to Western University of Health Sciences and University of California, Davis, students can include an emphasis on these issues and encouragement for the students to file detailed complaints with the Board when they witness or suspect violations of the Practice Act.