

CaRVTA SUNSET TESTIMONY

March 14, 2016

In 2003, the Joint Legislative Sunset Review Committee (JLSRC) recommended that the Registered Veterinary Technician Committee (RVTC) be given *more* authority over issues within its jurisdiction to answer the concern that RVTs were excluded from independent authority over their own profession.

In 2010, there was compromise legislation that added an RVT to the Veterinary Medical Board and sunsetted the RVTC. While CaRVTA was reluctant to give up the RVTC, it was hoped that by adding an additional RVT to the Multidisciplinary Advisory Committee (MDC), the MDC would be able to take up the issues that had previously been handled by the RVTC.

The legislature had given the RVTC a broad mission to assist the Veterinary Medical Board with RVT issues. Specifically:

- Advise and assist the board with examinations
- Investigate and evaluate applications
- Inspection and approval of RVT schools
- Advise and assist in developing regulations for job tasks for RVT and assistants
- Advise and assist the board in developing regulations to define 4840 (c) (regarding DEA licenses)

These specific RVTC mandates sunsetted with the RVTC.

It is now apparent that instead of RVTs having more authority over RVT issues, RVTs actually have less authority than they had prior to the RVTC being eliminated and that important RVT issues continue to be seriously neglected. For example, schools are not being approved or inspected. Exam fees have not been justified.

There are almost 6,000 Registered Veterinary Technicians in California and over 700 new graduates each year seeking licensure as an RVT. In a profession where the cost of education can be upwards of \$40,000 and the starting wage at \$12 to \$17 an hour, the costs of becoming licensed can become a barrier to licensure.

In the case of the exam fees for the California RVT Exam, CaRVTA is questioning the validity of the current fees and asking the JLSRC to help motivate the VMB to take the necessary steps to insure that the fees being charged are not excessive.

In our written testimony we show that the VMB had been unresponsive to requests for a cost analysis of the new law exam and continues to charge \$175 for an exam that their own statistics show should actually cost \$66.00.

It is inexcusable for the VMB to be profiting off of RVT candidates who are among the lowest paid health care professionals.

In 2009, the VMB's legal counsel opined that all RVT schools in California must be approved by the VMB, including American Veterinary Medical Association (AVMA) accredited schools. **However, the primary issue was the risk that students attending schools not approved by California, do not qualify for the State Exam and, therefore, even in-state AVMA approved schools needed California approval.**

This was an issue in the last sunset review process and as a demonstration of progress on recommendations from the JSLRC in 2012, the VMB responded in its most current report that they had promulgated regulations effective January 1, 2015 recognizing AVMA Veterinary Technology programs as having met the academic requirements for California approval. They state that there is a "discrepancy" in the regulations CCR 2064-2065 regarding additional reporting requirements necessitating clarification. We can find no discrepancies. The language and intent are clear.

At its January 20, 2016 meeting, the VMB clearly stated that it would not be enforcing 2064, the regulation they promote as a demonstration of their responsiveness and are now seeking to amend it so they would not have to approve AVMA accredited schools. However, they did not explain how that exempted them from enforcing current laws and regulations.

Since it took almost 6 years for 2064 to go into effect, we can anticipate that it could take another 6 years for the amended version to go into effect. That would mean 12 years of neglecting to approve RVT schools in California, which puts RVT candidates' applications and licensing at risk.

The vast majority of RVT schools in California today are for-profit institutions that charge \$35-40,000, providing units that are often not transferrable to a public institution, thus making the approval process an urgent consumer protection issue.

By failing to approve all of the RVT schools operating in California, the VMB is neglecting one of its most important responsibilities – consumer protection and is potentially jeopardizing the eligibility of existing students of schools not formally "approved" by the VMB to take the California licensing exams.

CaRVTA Recommendations:

1. The California RVT Law Exam should be converted to a Mail Out exam and In-State students who take a jurisprudence course should be exempted from the exam, just as veterinary students are.

When the VMB transitioned to using the national RVT exam (VTNE) plus the California law exam, the cost to RVT candidates doubled from \$300 to \$600. Based on the fact that the law exam for veterinarians is administered in a mail out format and to decrease costs to RVT candidates and workload for staff, the California RVT

Exam should be replaced with a mail out law exam consistent with the one required of veterinary candidates.

Statistics on the RVT law exam show that for the past year, 95% of candidates passed the exam. A computerized examination that achieves a passing score of 95% can and should be replaced by a mail out exam that would get the same results at a much lower cost.

In addition, veterinary students at UC Davis and Western University are exempt from the law exam so that only out of state candidates are required to take the mail out exam. Therefore, the same standard should be applied to RVT students in California approved RVT schools who complete a board approved course on veterinary law and ethics covering the Veterinary Medicine Practice Act – they too should be exempt from taking the exam, just as veterinary students are (see Sec. 4848 (C)). Doing so would save most candidates \$300.

Converting to a mail out exam and creating an exemption will require action by the legislature – an action this body previously took to convert the veterinarian’s law exam and create their exemption (see Sec 4848(C)).

It is inconsistent and arbitrary to impose a more stringent standard at a higher cost on RVTs than what is required for the veterinarians who are going to be supervising them.

2. The RVT should be recreated with the same legislative mandate it had prior to sunseting.

An RVT Committee comprised of a majority of RVTs can insure that RVT issues are handled promptly and consistently and provide RVTs with some of the independent authority that has been lost through sunseting.

The Federal Bureau of Labor Statistics reports that the RVT profession is growing at a rate of 19%, which it states is “much faster than the average for all occupations”. With this dramatic growth of the profession, it is critical that the VMB give the attention required to the RVT application process, exams and fees, school approval and inspection, and job tasks for RVTs and assistants.

3. RVTs should be able to continue to perform Animal Rehabilitation Under Indirect Supervision

Under current regulations, RVTs may perform Animal Rehabilitation (AR) under Indirect Supervision. As far as we are aware, there has never been a complaint regarding an RVT and AR. The VMB has been attempting to write regulations concerning AR, but has had to withdraw its most recent proposal, which required Direct Supervision, due to a large number of adverse comments by the public. One of the most consistent comments concerned the issue of supervision and that requiring Direct Supervision in all

circumstances would substantially increase cost and reduce access. CaRVTA would also recommend that RVTs and PTs who perform AR have advanced training in AR from an approved provider.

The California Registered Veterinary Technicians Association appreciates this opportunity to bring our concerns to the legislature's attention. We have been most grateful for the previous recommendations from the JSLRC and doubt that much attention would have been given to RVT issues at all if not for the Sunset process.