

Regulatory/Legislative Report

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Multidisciplinary Advisory Committee (MDC) – The Veterinary Medical Board’s (VMB) MDC met on November 13 in Sacramento. **Jessica Sieferman, the Executive Officer, reported that they are encouraging licensees to use the BreEZe computer system for license renewals rather than mail renewals, as BreEZe is simpler and faster.** She also reported that the VMB is working on making their website more user friendly; they are planning to increase newsletter mailings and are researching why there has been an increase in complaints. The VMB is hoping to hold some of their future meetings at UC Davis, Western University Vet School, and at RVT schools.

The MDC reviewed changes to language in Sec. 2035, replacing the term “permit holder” with “VACSP holder” to avoid confusion. They also agreed to work on a definition of “herd health setting” to clarify that it includes all species of animals kept in large groups. The MDC reviewed a new Sec. 2036 that would define Minimum Standards for Animal Shelters. There was discussion about Hospital Inspectors needing to be able to inspect shelters where animals are housed post surgery even if the facility is separate from the surgical facility. There was also discussion whether there is a need to define Minimum Standards for Animal Shelter Ambulatory Medicine. The Task Force will review input from the shelter community and report back at the next meeting.

The issue of whether to require a veterinary facility that performs dental extractions to have a dental x-ray machine on the premise was discussed. After considerable discussion, the MDC agreed that the current language in the Practice Act requiring veterinary premises to have the capacity to render diagnostic radiological services either on the premises or through other commercial facilities includes dental radiography. They decided to recommend that no additional regulation was required. The MDC also agreed that no new regulations were required for pet ambulances, as there are already standards for Small Animal Mobile Clinics.

The next meeting of the MDC will be on January 22 in Davis.

Veterinary Medical Board (VMB) – The VMB met on November 14-15 in Sacramento.

Jaymie Noland, DVM was elected President and Cheryl Waterhouse, DVM was elected Vice President. They will assume their positions in January.

The first issue discussed was the subject of Animal Ambulances and SB 1305, a new law that will allow non-veterinary emergency service personnel to transport animals and provide first aid. The VMB was unsure if animal ambulances are subject to the same requirements that Mobile Practices are. What about flashing lights and sirens? The VMB decided to send the issue back to the MDC for further discussion.

There was much discussion around the question of requiring dental radiographs be available on premise, or have the ability to refer the patient to a facility that does have the equipment. The statement was made that this information is already declared in the standing requirement that veterinary premises must have radiography equipment, or have a relationship with another facility to refer. The Board did not agree, and felt that intra-oral radiography needs to be addressed in its own regulation, or guideline. They also were very concerned with Standard of Care versus Minimum Standards and how this fits. This issue is to be addressed by the MDC to try to come to a consensus.

Much discussion was spent on Disciplinary Guidelines Article 1, Division 20, Title 16 of CA Code of Regulations. They discussed some of the language used, definition of some of the terms, and some of the penalties.

The VMB reported that they received 3 letters of opposition to the proposed fee increases (1 from CaRVTA), and each point/perspective was addressed. Ultimately they were able to show that their own budget/staff was not the cause of the increase, and showed that RVTs have the smallest increase (14%), with DVMs fees increasing 20%, and Premise Permits increasing 100%. They cited the fact that they are not meeting the

expected revenue from VACSP applicants, as one reason that the budget has been tipping into the red. They also stated that they are unable to increase the premise permit fee any further, as there is a cap, and to change it would require legislative action.

There was discussion of the Corporate Practice of Veterinary Medicine. The VMB has many concerns regarding complaints from DVMs that they are limited, or unduly influenced in how they practice Veterinary Medicine. There were 2 representatives from the Mars Corporation, although they did not speak. Public comment included statement that this same pressure falls onto RVTs in the same manner - quotas, etc., and that not meeting proposed sales goals limits opportunities for advancement, or salary increases. Not all of the Board was in favor regulation. Some were hesitant with how these regulations would impact the non-corporate practice owners. They also had concerns about not having the opportunity to really discuss current activities with the corporations, but notices were mailed out from the Board to corporations that might be affected. The Board did decide to advance to legislation a bill that would regulate how much or how little impact a corporation can influence the DVMs decision making and create penalties for violation. Currently the penalties discussed were very small, \$5000, but the Executive Officer stated that since this amount is not enough to incentivize a large corporation to not violate, other boards (Optometry) were able to raise the penalties to \$50,000. That was an idea to be worked out at a later date. They will be selecting an author to write this bill in the appropriate language, and taking it to legislature in 2019.

Next on the agenda was a summary of Office of Professional Examination Services (OPES) results of the RVT Occupational Analysis and Review of the Veterinary Technician National Exam (VTNE). The summary stated that the CA RVT exam and the VTNE have the appropriate amount of overlap per Subject Matter Experts and the methods used to evaluate tests by OPES. They discussed the possibility that the CA law portion of the exam might be "mail in".

The OPES representative stated that new Task List and Knowledge Statements and References would be available by December for applicants that will take effect for the test that starts in January 2019. This statement was in contradiction to the fact that the VMB has already published this information on their web site. CaRVTA pointed out that some of the Task Lists are inconsistent with the CA Veterinary Practice Act, using different language that changes the meaning, and that some of the references listed are inappropriate. The example given was related to reportable diseases. In the regulation requiring reporting, many types of healthcare professionals are listed EXCEPT for Veterinary Technicians. CaRVTA also pointed out the fact that in light of new fees, that there is even more at stake for the applicants. The Board requested additional information from the public in regards to these concerns. CaRVTA plans to meet with the Executive Officer to resolve these issues.

AB 2138, Revocation or Suspension of Licensure; Criminal Conviction was discussed.

The new legislation makes it so that the question about an applicant having committed a crime will not be asked. If it is determined that there was an offense committed, only offenses that have been committed within the last 7 years can be used as part of the decision making process. Apparently many applicants have disclosed offenses, but then when their fingerprints were processed, no crimes were associated. The Board stated that it behooves an applicant to state any prior offenses, however, the question will not be asked on the application. This is due to be in effect in January 2020.

AB 2215, Use of Cannabis in Animals was also discussed. This new law provides DVMs the ability to discuss the use of cannabis on an animal patient and requires the Board to establish guidelines for these discussions within the client-patient-veterinarian relationship.

The VMB put off the discussion of veterinary compounding until the January meeting.

The next meeting will be on January 23-24 in Davis.