

Reg/Leg Report
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The Emergency Fee Increase was approved by the Office of Administrative Law (OAL) on January 27, 2020 and went into effect on that date. Anyone whose application was sent in prior to January 27 and included the fee payment, will not be charged the new fees. Please see the full Reg/Leg Report for more details.

Multidisciplinary Advisory Committee (MDC) – The MDC met on January 29, 2020 in Sacramento. The committee spent a considerable amount of time amending the language for proposed legislation covering corporate practice. The MDC approved the amended language and will send it to the Veterinary Medical Board (VMB) for their consideration in April.

The MDC also discussed the complaint process and came to the conclusion that they need better standards for expert witnesses. They will be considering creating a check-list for qualifications for the expert witnesses.

The next meeting of the MDC will be on April 29. The location has not been set.

Veterinary Medical Board (VMB) - The VMB met on January 30-31 in Sacramento. The first item on the agenda was Public Comment. Dr. Pascoe from UC Davis complained that the long delay in license processing is causing serious problems for the veterinary school, as veterinarians working at the VMTH are now required to have a University License. As this was public comment, the VMB did not respond at that time, although the issue did come up again later.

The new Director of the Department of Consumer Affairs (DCA), Kelly Kirchmeyer, spoke to the VMB about the DCA's commitment to client services and satisfaction. She stated that they are working to improve the time frame to process regulations; to decrease the time frame for investigations; ADA compliance for their web site; insuring that passed legislation is being implemented. She hoped that new efficiencies within the DCA would help shorten processing times.

Dr. Jeff Pollard gave the MDC report, which included the above information.

Next on the agenda was a discussion of the new Cannabis Guidelines for veterinarians to use when discussing the use of cannabis in animals. The VMB approved the Guidelines, which can be found here: https://www.vmb.ca.gov/forms_pubs/cannabis_discussion.pdf

The VMB reported that the regulation that would allow either a DVM or RVT with a DVM on-call to be present at rodeos is still pending. Currently, the regulations require either a DVM be present or be on-call within 1 hour. Rodeo veterinarians are required to file injury reports with the VMB, but the number of injury reports displayed at the meeting appeared to be very low. The VMB stated that they will review the reports received and see if they have understated the reports. Two veterinarians who volunteer at rodeos stated that the injury rates at their rodeos are low and that they do everything according to the law. Eric Mills from Action for Animals reported that he is sponsoring a bill that will require either a DVM or RVT with a DVM on-call at rodeos.

The VMB then moved on to discuss Pending Regulations. They reported that the Emergency Fee Increase had been approved on January 27 and went into effect on that date. Anyone who applied and sent in the fee prior to that date will not be charged the increased fees. The Emergency Fee Increase can be in place for only 180 days. They have until July 24, 2020 to implement the permanent fee increases and will be opening a 45 day comment period on making the increases permanent at some future date. Jessica Sieferman, the EO of the VMB, pointed out that there were over 550 comments received on the Emergency Fee Increase, but that the OAL was only interested in whether there was a true emergency. She said that comments on the effects of the fee increase would be more effective when submitted for the permanent increase. **She also said that the VMB will be looking at lowering the RVT fees back to the previous fees through the Sunset process.** They plan to determine how much money the RVT increase was generating and look at DVM and Premise Permit fees to make up the difference. **If that happens, the RVT fees would revert back on January 1, 2021.**

The current proposed regulation on Drug Compounding would allow an RVT to compound drugs under Indirect or Direct Supervision. Because the FDA requires Direct Supervision, the VMB voted to change the Drug Compounding regulation to bring it into compliance with the FDA. They also approved some amendments to regulations concerning the Client-Patient-Doctor Relationship, Rehabilitation Criteria and Civil Penalties.

Next was a discussion of Pending Legislation. Governor Newsom wants to eliminate the use of closed colonies of dogs for blood banking in favor of “community” blood banking, where the dogs are kept as pets and brought in to donate as needed. There was much discussion about whether there would be sufficient supply of safe blood if closed colonies are eliminated. The Governor is asking the stakeholders to get together to work something out and asked the VMB to participate. In order to insure that RVT interests were represented, Nancy Ehrlich, RVT from CaRVTA and Cindy Savely, RVT from the Sacramento VTA, will be participating in the Task Force.

The VMB nominated Dr. Mark Nunez for a position on the Board of the American Association of State Board (AAVSB). They also created a sub-committee to simplify their Strategic Plan.

The first item on the agenda on January 31 was the RVT Report by Jennifer Loreda, RVT, the RVT Member on the VMB. She reported that the VMB has finally been able to get the VTNE scores for the California Alternate Route programs from the AAVSB, but they still are waiting for the statistics for the AVMA approved schools and the overall nationwide pass rates. She also brought up the issue of requiring badges for all staff that have contact with the public that include their name & title, so that clients would know who they are dealing with, just as in human medicine. She mentioned that the Tennessee VMB is considering sending a letter to all veterinary premises reminding them that is a violation of the law to refer to veterinary assistants as technicians and that they could be cited for doing so. The VMB agreed to look into these matters.

Next came the Board President’s Report from Dr. Jaymie Noland. She said that some Alternate Route programs are objecting to the requirement in the proposed regulation that would require Alternate Route students to have completed a certain number of hours prior to enrolling. They felt that this would discourage highly qualified applicants. The VMB will review the proposed regulation.

Next up were the Executive Management Reports. The VMB reported that they published their Sunset Report on their web site in December and expect a hearing date in late February or early March. During Sunset Review, the legislature will be looking at whether the VMB is fulfilling its mission and whether any changes need to be made. CaRVTA and any other interested party will be able to testify at the hearing.

There was considerable discussion on the problems created by the extremely long processing times for applications, particularly for Alternate Route Candidates who rely on the VMB to tell the AAVSB that they are qualified to take the VTNE. Because of the delays in processing the applications, some candidates

are waiting 6 months or more after qualifying before they can take the exam. Jessica Sieferman suggested that it would be beneficial if the candidates could take the VTNE prior to completing their education like veterinary students can. She will contact the AAVSB to see if this would be possible.

Ms. Sieferman reported that she is working hard to fix the problems of answering their phone, returning emails and improving processing times. She said that they are actively trying to hire more staff and that the DCA is helping where they can. Currently, there are only 2 people working with application with as many as 1800 outstanding. They are currently taking 18-20 weeks to process applications, which is not acceptable.

As part of the Enforcement Report, the VMB said that they will start separating out the type of licensee in the complaint statistics. Currently, all license types, DVM, RVT, VACSP, are lumped together, so it is impossible to tell how many are in each category. They also said that they are considering allowing Hospital Inspectors to issue citations in order to streamline the process.

The next meeting will be on April 23-24, location to be determined.