

Reg/Leg Report
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May 31, 2018

Physical Therapy Bill Dies in Committee: AB 3013, the bill that would have allowed human Physical Therapists with minimal training in Animal Rehabilitation to practice on animals in their own facilities is being “held under submission” in the Assembly Appropriations Committee, which has effectively killed the bill. CaRVTA, CVMA and the VMB all opposed the bill on its substance. However, what appears to have killed the bill is the enormous cost of creating a new licensing program within the VMB for the few PTs who wanted to work on animals. PTs are currently able to work on animals under the Direct Supervision of a veterinarian.

MULTIDISCIPLINARY ADVISORY COMMITTEE (MDC): The MDC met on May 22 in Sacramento. All members were present except for Dr. Allan Drusys. The MDC elected Dr. Jeff Pollard to be their next Chair. They decided to postpone voting for Vice-Chair in the absence of Dr. Drusys.

Shelter Medicine – The MDC spent considerable time reviewing proposals from the Shelter Task Force. The recommendations included a new definition of an “animal shelter”, a new regulation that would allow both RVTs and veterinary assistants to perform animal health care services on impounded animals pursuant to a direct, written or telephonic order of a veterinarian, and would allow rabies vaccines to be administered without a prior exam by a veterinarian. The committee members agreed that adding a new section to Minimum Standards for Animal Shelters could resolve all these issues.

Dental Extraction – The VMB sent the MDC a complaint from a relief veterinarian that she had witnessed “illegal activity” by RVTs when performing dental extractions. The veterinarian recommended amending the regulation allowing dental extraction by RVTs to prevent them from using sectioning and other techniques she considered surgery. The MDC was to review the complaint and determine if any action was needed. There was considerable discussion, including by Nancy Ehrlich, CaRVTA’s Reg/Leg Advocate, that RVTs have been extracting teeth in California for almost 40 years and that during that time, techniques have evolved. Nancy pointed out that RVT schools in California actually teach more dentistry than most veterinary schools. She emphasized that sectioning multi-rooted teeth prior to extraction is the gold-standard, and that preventing RVTs from using that technique would either lead to using inferior techniques or to veterinarians having to stop what they are doing to extract teeth. Additionally, staff reported that they have received no complaints about RVTs incompetently extracting teeth. Ultimately, the MDC decided that it is up to the supervising veterinarian to determine the skills of the RVT to whom they are delegating any task and that only the veterinarian can decide whether a tooth should be extracted. They recommended no change was needed to the current regulation.

Future Meetings: The next MDC meeting is scheduled for August 28 in Sacramento. However, the MDC meeting may be moved to August 21. Watch the VMB’s website, www.vmb.ca.gov for an announcement.

VETERINARY MEDICAL BOARD (VMB): The VMB met on May 23-24 in Sacramento. All members were present.

MDC Report – Dr. Jon Klingborg, out-going Chair of the MDC, reported that the committee recommended no action on RVTs and dental extraction. The VMB members agreed. They did approve amending Sec. 2035, Duties of a Supervising Veterinarian, to change the term “unregistered assistant” to veterinary assistant and to add:

(d) A supervising veterinarian shall not delegate any allowable animal health care task to an RVT, permit holder or VA who does not have the necessary:

- (1) Extensive clinical skill, and
- (2) Demonstrated competency, and
- (3) Requisite training

The VMB also decided to refer the issue of protocols for dental radiographs to the MDC.

MDC Appointments – The terms of Dr. Jon Klingborg, Dr. William Grant and David Johnson, RVT have all expired. The VMB made the following appointments to the MDC:

- Kristi Pawlowski, RVT was reappointed for her 2nd term
- Leah Shufelt, RVT was appointed to her 1st term
- Margaret Warner, DVM was appointed to her 1st term

Stuart Eckman, Public Member, was appointed to his 1st term.

Telehealth – It was reported that the American Association of State Boards (AAVSB) is still formulating its policy on telehealth, so there was nothing to vote on.

Drug Compounding Guidelines – Dr. Sullivan reported that the FDA’s changing guidelines for drug compounding would be extremely onerous for veterinary practice. The AVMA is working with California to address concerns that there should be simple compounding procedures for veterinarians.

Proposed Regulations – The VMB voted to amend Sec. 2069 to allow RVTs to administer “a drug or controlled substance” to prevent or control shock, to administer “controlled substance” to manage pain or to sedate the animal and to “administer a drug or controlled drug to prevent suffering, including euthanasia” and to allow RVTs to perform emergency tasks according to written instructions if the veterinarian can not be reached. The VMB also voted to amend Sec. 2036 to move casting and splinting by RVTs from Direct to Indirect Supervision. The proposed regulations will be noticed for a 45-day comment period.

VMB President’s Report – Dr. Cheryl Waterhouse suggested that the VMB move its meeting dates back to its old schedule, meeting in January and April instead of February and May in order to better align with the legislative calendar.

RVT Report – Jennifer Loreda, RVT suggested that drug compounding be considered an RVT job task. She also asked Nancy Ehrlich to discuss the pass rates on the VTNE. Nancy emphasized that there is a large discrepancy between the pass rates from different schools and that the VMB needs to keep track. CA regulations require schools to maintain a pass rate no lower than 10% below the average. Schools that fall below for 2 years may be put on probation. Since the AAVSB has been slow in getting pass rates to the VMB, it appears that this regulation has not been enforced.

Executive Officer’s Report – Ethan Mathes, Interim EO, gave the report. He said that the VMB will be filing a new regulation package to make the Emergency Fee Increase permanent. He is not expecting any delays. He also stated that the new RVT Exam Outline will be finalized in July and will be posted on the VMB’s website. The new exam outline will be used starting in January 2019.

Enforcement – The VMB is anticipating receiving approximately 1100 complaints in 2017/18. They assume this increase in complaints is a result of better outreach and follow-up. Staff will review the complaints to see if there are any trends.

Hospital Inspection – The VMB is supposed to be inspecting 20% of premises every year, but has been unable to do so due to budget constraints. They have inspected only 12% this fiscal year. Staff is presuming that the fee increase will help. They are also suggesting that a requirement for 20% inspection in the Omnibus Bill would help free up the money needed for inspections.

New Executive Officer – The VMB met in closed session to choose a new Executive Officer (EO). After returning to open session, the VMB reported that they had chosen a new EO, but did not name the person.

Future Meetings - The next meeting of the VMB will be on August 29-30 in Sacramento. The following meeting will be on November 14-15, location to be determined.