

Regulatory/Legislative Report

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Multidisciplinary Advisory Committee (MDC)

The MDC met in Sacramento on July 19. All members were present. The first item on the agenda was a report on the **Complaint Process Audit Task Force**. The Task Force concluded that many respondents don't respond in sufficient detail initially. Some may misunderstand the process. Others may "lawyer up" and not provide any information at all. The Task Force believes that with better instructions, respondents may realize that the more information they provide up front, the more likely it is that the case will be resolved quickly and without escalation. It was clarified that the VMB only judges cases on the basis of deviation from the standard of care, not on the outcome of a case. They also reported that the Task Force has not reviewed cases involving RVTs, but that when they do, RVTs will be involved in the review.

The **Minimum Standards for Alternate Premises** were also up for discussion. CVMA had created a Task Force and presented a proposal for standards for Shelters. It was pointed out that the CVMA proposal was just a starting point and that the VMB will be meeting with members of the Shelter Community at their October meeting to further discuss this issue. *See CVMA letter.

Some of the issues raised by the MDC regarding shelter medicine include:

1. The need to consider animals taken from owners for neglect – no VCPR is possible
2. RVTs need to be able to either sedate or anesthetize animals in certain situations like a rescue (leg caught in drain, etc.). Need to define sedation vs. anesthesia.
3. RVT as licensee manager of a shelter

Dr. Allan Drusys created a **Survey of Public & Private Shelters** in order to gather details on how the various shelters operate. He reported that he was having some difficulty with the software needed to tabulate the results so he was unable to make a report. He is hopeful to have the results for the October meeting.

Extended Duties for RVTs were discussed. David Johnson, RVT and Kristi Pawlowski, RVT reported on their Task Force. Both reported that they were not getting much feedback from the community. Ms. Pawlowski stated that she felt that there were no extended duties that would benefit the consumer except in a shelter environment. Mr. Johnson stated that the role of RVTs should be considered in every context and not necessarily as a separate issue. Annemarie DelMugnaio, the EO of the VMB, stated that it was not the role of the VMB to create extended duties for RVTs since the VMB has no role in career enhancement - its only role is consumer protection. She added that additional RVT duties must be considered only to respond to bottlenecks to access of care. Dr. John Klingborg, Chair of the MDC, said that he would carry the RVT Extended Duties agenda item over to the October meeting to give CaRVTA and CVMA an opportunity to weigh in.

The MDC voted to establish a Task Force to include members of the MDC, UCD & Western U) on **Veterinary Student Exemptions**, which will report back at the October meeting. The Task Force was charged with:

1. Clarifying Sec. 4830(5) (statute that creates exemption)
2. Should student exemptions be limited to students at CA veterinary schools because of enforcement issues?

3. Review of Sec. 2027 – regulation that allows junior, senior students and graduates of veterinary school to act as RVTs. Should they get licensed as RVTs? Should they get a VACSP?

The issue of compounding drugs was discussed. Veterinarians have been compounding drugs in California without proper regulations in place. SB 1193, The “Sunrise Bill” includes language specifically permitting veterinarians and RVTs under the supervision of a veterinarian to compound (Sec 4826.5). It was noted that the Pharmacy Board is in the process of promulgating new regulations regarding pharmacies supplying compounded drugs to veterinarians. The federal guidelines and the pharmacy laws on compounding are very complex. The VMB will need to create regulations in order for veterinarians and RVTs to compound in compliance **with all the other laws and regulations on the subject once SB 1193 is in effect.**

The next meeting of the MDC will be on October 18 in Orange County.

Veterinary Medical Board (VMB)

The VMB met in Sacramento on July 20-23. All members were present. The first order of business was to approve amended language for **Animal Control Officers Training in the Use of Controlled Drugs**. Staff will finesse the language and then go forward with a 45 day comment period without a public hearing unless public comment requests a hearing.

The next item on the agenda was the **MDC Report**. In addition to the items previously mentioned, Ms. DelMugnaio informed the VMB that their Sunset Response included mention that RVTs may perform emergency procedures at rodeos as outlined in Sec. 2069. They did not recommend that RVTs be required at rodeos. The VMB voted to add Minimum Standards for mobile specialists and the definition of sedation vs. anesthesia to the priorities of the MDC.

The VMB discussed **RVT School Approval** and the implementation of Sec 2064. On May 31, the VMB sent an application for California approval to the 19 AVMA approved RVT schools in California as required by 2064. In spite of only implementing Sec. 2064 in May, the VMB voted to amend 2064 to automatically approve AVMA approved RVT schools in California. Once the new regulation goes into effect, AVMA approved RVT schools within the state will not have to apply to the VMB for California approval. The VMB emphasized that they would still have jurisdiction over the schools, all existing requirements except for the application would still exist and that the VMB could put the schools on probation or revoke their accreditation for violations of the standards. Nancy Ehrlich, RVT, CaRVTA’s representative, stated that she felt the new regulation was premature as Sec. 2064 was only just being enforced and the VMB did not know how much work would be involved in the current application process. She was also concerned that the schools would not be aware that the VMB was still regulating them. In response, the VMB stated that they could inform the schools that they were still obligated to meet California’s requirements. They pointed out that private RVT schools are also regulated by the Bureau of Private Post-Secondary Education (BPPE), which also requires that the schools inform students of pass rates prior to enrollment.

Dr. Mark Nunez, President of the VMB, gave the Board Chair Report. He noted that several VMB members will be attending the American Association of State Boards (AAVSB) meeting in September. Nancy Ehrlich asked that the VMB address the issue of the low pass rate on the VTNE with the AAVSB. She informed the VMB that CaRVTA has been hearing that the VTNE contains “too many large animal questions” from candidates. She also told the Board that she had contacted the AAVSB to ask about species content on the exam but had not received an answer. The VMB asked CaRVTA to write a letter to the VMB about the issue that they could take to the AAVSB meeting. Ms. DelMugnaio also stated that the VMB had sent the AAVSB a letter asking about the fee charged to RVT candidates to take the VTNE as

requested by CaRVTA. Dr. Nunez also reported on the progress of the Animal Rehabilitation Task Force. He noted that the Task Force came to a consensus on the definition of animal rehab, that rehab is for the treatment of injury or illness and that a VCPR is not needed to wellness procedures like massage. The next meeting of the Task Force will be on October 4.

Jennifer Loreda, RVT gave the first **RVT Report to the VMB**. In her report she mentioned that Ms. DelMugnaio will be attending CaRVTA's Strategic Planning meeting on July 22 in Davis.

Ms. DelMugnaio reported that the **regulations implementing the Veterinary Assistant Controlled Substance Permit Program (VACSP)** should be ready for implementation in September. It is important to note that holding a VACSP only means that the person has been fingerprinted and found free of drug convictions. Holding a VACSP does not in any way suggest that the holder is trained or qualified to safely administer controlled drugs.

At the request of CaRVTA, the VMB placed the issue of foreign graduate RVTs on the MDCs agenda for their next meeting. Currently, there is no specific pathway for RVTs from countries other than Canada. **The VMB also reported that a Practice Analysis Survey will be going out to RVTs in early August.** RVTs are encouraged to fill out the survey and return it promptly so the VMB will be able to update their Test Plan for RVTs based upon the job tasks that RVTs are actually performing in practice.

The next meeting of the VMB will be on October 19-20 in Orange County.