

VETERINARY MEDICAL BOARD

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Protection of the public shall be the highest priority for the Veterinary Medical Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

— Business and Professions Code section 4800.1

The California Veterinary Medical Board (VMB) is a consumer protection agency within the Department of Consumer Affairs (DCA). Pursuant to the Veterinary Medicine Practice Act (VMPA), Business and Professions Code section 4800 et seq., VMB licenses doctors of veterinary medicine (DVMs), and registered veterinary technicians (RVTs); establishes the scope and standards of practice of veterinary medicine; and investigates complaints and takes disciplinary action against licensees, as appropriate. VMB's regulations are codified in Division 20, Title 16 of the California Code of Regulations (CCR).

VMB is comprised of eight members—four veterinarians, one registered veterinary technician (RVT), and three public members. The Governor appoints all of the Board's DVM members, the RVT member, and one of the public members. In addition, the Senate Rules Committee and the Assembly Speaker each appoint one public member. Board members serve four-year terms and are limited to two consecutive terms. As of this writing, VMB has two vacancies, both public member seats (one from the Governor and one from the Senate Committee on Rules).

Two members have recently been appointed or reappointed to the Board. On May 2, 2023, Governor Newsom [reappointed](#) Christina Bradbury, DVM. Dr. Bradbury, a licensed veterinarian, serves as Board President and has been a member of the Board since 2018. She has worked as a veterinarian at various practices since 2006 after earning a Doctor of Veterinary Medicine degree

from the University of California, Davis School of Veterinary Medicine, and a Master of Science degree in Clinical Science from Colorado State University, College of Veterinary Medicine and Biomedical Sciences. Dr. Bradbury is a member of the California Veterinary Medical Association and the American Veterinary Medical Association.

On June 28, 2023, Governor Newsom [appointed](#) Kristi Pawlowski, RVT, to fill the RVT seat on the Board. Ms. Pawlowski has been Chief Insight Director for the Insight Veterinary Wellness Center since 2020 and has served as Executive Director at the Sacramento Valley Veterinary Medical Association since 1991. She was the Owner and Hospital Manager of Banfield Pet Hospital of Lincoln from 2007 to 2016 and of Banfield Pet Hospital of Folsom from 2002 to 2016.

Pursuant to Business and Professions Code section 4809.8, VMB maintains a nine-member Veterinary Medicine Multidisciplinary Committee (MDC) whose purpose is to “assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement” of the VMPA. Committee members serve three-year terms and are limited to two consecutive terms. As of this writing, MDC has no vacancies. Three new members have recently been [appointed](#) to MDC:

- On April 19, 2023, VMB appointed Kathy Bowler as a public member of MDC.
- On May 24, 2023, VMB appointed Cheryl Waterhouse, DVM, as a licensed member of MDC.
- On June 28, 2023, Kristi Pawlowski, RVT, was appointed to MDC via statutory authority.

Pursuant to Business and Professions Code section 4868, VMB maintains a five-member Wellness Evaluation Committee (WEC) whose purpose is to evaluate veterinarians and RVTs who request participation in the wellness program, to review and designate treatment facilities to which

participants may be referred, to review information concerning veterinarians and RVTs participating in the program, to consider whether veterinarians or RVTs in the program may safely continue or resume the practice of veterinary medicine, and to set forth in writing for each veterinarian and RVT participating in a wellness program a treatment plan with the requirements for supervision and surveillance. WEC holds general meetings at least twice a year, which are open to the public, to review data as required in reports to the Board, to prepare reports to be submitted to the Board, and to suggest proposals for changes in the wellness program. As of this writing, WEC has no vacancies.

On April 19, 2023, two new members were appointed, and two existing members were reappointed: Elle Anzalone was newly appointed as a public member; Andres Dibbern, DVM, was newly appointed as a licensed member; Alan Drusys, DVM, was reappointed as a licensed member; and Justin Johnson was reappointed as a public member.

HIGHLIGHTS

Governor Newsom Signs AB 1399 (Friedman), Despite Opposition from Veterinary Medical Board

Governor Newsom signed [AB 1399 \(Friedman\)](#) on [October 8, 2023](#) (Chapter 475, Statutes of 2023), despite opposition from VMB. The bill allows the formation of a veterinarian-client-patient relationship through remote methods, relaxing veterinary telemedicine requirements so that new patients may receive remote care without first attending an in-person visit. Existing law requires all veterinary premises to be registered with the Board. This bill would exempt from registration a location where a veterinarian practices telehealth if specified conditions are met, including, among other things, that the veterinarian does not perform any in-person examination or treatment of animal patients at that location, et al.

At its April 20, 2023, [meeting](#), the Board voted to oppose AB 1399. Further, the Board

authorized its Executive Officer to contact the author of the bill, Assemblymember Laura Friedman, and stakeholders to express the Board’s concerns.

According to the author, the Veterinary Medicine Practice Act has “unreasonably prohibited veterinarians from giving simple advice and direction to pet owners” On April 24, 2023, VMB [notified](#) the author of its opposition to AB 1399 and enumerated its concerns, stating that “eliminating the initial in-person physical examination may lead to incorrect or delayed diagnoses and treatment, which could cause harm or serious injury to the animal patient.” The Board also expressed concerns that if AB 1399 is enacted, “consumers would likely assume that a telemedicine video physical exam is equivalent to an in-person exam, when, in fact, they are not.” It also contended that “AB 1399 would allow a veterinarian to create a veterinarian-client-patient relationship by using real-time video communication, without requiring the veterinarian to perform an in-person examination throughout a patient’s entire lifetime.”

On July 10, 2023, VMB’s Executive Officer testified before the Senate Committee on Business, Professions, and Economic Development to express the Board’s concerns. After testimony, the author addressed some of the Board’s concerns with amendments. However, the author did not accept the 14-day prescription limitation without an in-person examination. In addition, the Executive Officer expressed concern that the bill is too broad and does not authorize the Board to limit telemedicine practice.

At its July 19, 2023, [meeting](#), VMB staff updated the Board on the status of the bill and its negotiations with the author. After discussion, the Board maintained its “Oppose, Unless Amended” position.

RULEMAKING

The following is a status update on the recent rulemaking proceeding VMB has initiated:

- **RVT Equivalent Experience and Education:** On June 21, 2023, VMB published [notice](#) of the proposed regulatory action. On November 27, 2023, VMB submitted [proposed regulatory language](#) amending Title 16, Division 20, Article 6, section 2068.5 of the CCR to the Office of Administrative Law (OAL) for review and approval. This regulation would clarify RVT instructor qualifications and remove the requirement that coursework and experience must be completed within designated timeframes. Specifically, the regulation would remove the 4,416 hours within five years requirement, but not less than two years, in order to give RVT students more flexibility for licensure.

- **Uniform Standards for Substance-Abusing Licensees:** On July 18, 2023, VMB published [notice](#) of a proposed rulemaking to amend Title 16, Division 20, Article 1, sections 2006, 2006.5, 2006.51, 2006.52, 2006.53, 2006.54, 2006.55, and 2006.56 of the CCR. The [proposed regulatory language](#) would add new sections and amend existing sections in the CCR to incorporate the “Veterinary Medical Board Uniform Standards for Substance-Abusing Licensees, January 2022 Edition” (Vet Med Standards), which more clearly define terms and conditions related to licensees who have substance abuse issues. The regulation would emphasize that the Board retains its authority to revoke the probation of a substance-abusing licensee who violates a term or condition of probation. The written comment period for the proposed rulemaking closes December 12, 2023.

LEGISLATION

- [SB 669 \(Cortese\)](#), as amended June 21, 2023, amends section 4840 and adds section 4826.7 to the Business and Professions Code. This Sacramento SPCA-sponsored bill will authorize

an RVT to establish a veterinarian-client-patient relationship (VCPR) under the supervision of a veterinarian to administer preventative or prophylactic vaccines or medications for the control or eradication of apparent or anticipated internal or external parasites, viruses, or bacteria in compliance with the Veterinary Medicine Practice Act. At its July 19–20, 2023, [meeting](#), the Board maintained its position opposing SB 669 unless amended. The Board requested an amendment that requires the veterinarian to review the documentation before the RVT is allowed to administer medication. However, the request was not accepted by the author’s office. Governor Newsom signed SB 669 on October 13, 2023 (Chapter 882, Statutes of 2023).

- [SB 373 \(Menjivar\)](#), as amended September 8, 2023, would have amended section 27 and added sections 2937, 4809.9, and 4990.11 to the Business and Professions Code. This bill would have prohibited VMB from disclosing on the internet the public address of record for licensees for the purpose of providing additional safety to providers. At its July 19–20, 2023, [meeting](#), VMB voted to support SB 373. On October 8, 2023, Governor Newsom [vetoed](#) the bill, stating that the bill “would serve as an impediment for patients seeking access to their medical records, as a patient would need their provider’s address to make a request.”

- [SB 372 \(Menjivar\)](#), as amended September 1, 2023, adds section 27.5 to the Business and Professions Code. This bill requires a board within DCA to update a licensee’s or registrant’s license or registration by replacing references to the former name or gender on the license or registration, as specified, if the Board receives documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant’s legal name or gender has been changed. The bill also prohibits a board from publishing the licensee’s or registrant’s former name or gender online, and instead requires the Board to post an online statement to direct the public to contact the Board for more information. Further, for specific licensees or registrants, the Board is prohibited from posting

enforcement records online, but required to post a statement online that the individual was previously subject to an enforcement action and can inquire further by contacting the Board. At the Board's April 19–20, 2023 [meeting](#), members initially expressed concerns related to the public's ability to find disciplinary information on a licensee whose name had changed. However, it was noted at the Board's July 19–20, 2023, [meeting](#) those later amendments resolved such concerns. Governor Newsom signed SB 372 on September 23, 2023 (Chapter 225, Statutes of 2023).

- [SB 544 \(Laird\)](#), as amended September 8, 2023, amends sections 11124, 11123.5, and 11123.2 of the Government Code. This bill amends the Bagley-Keene Open Meeting Act with regard to meeting conduct when a meeting is held via teleconferencing. (*see 29:1 CRLR 121*). At its July 19–20, 2023, [meeting](#), VMB voted to support SB 544. Governor Newsom signed SB 544 on September 22, 2023 (Chapter 216, Statutes of 2023).

- [SB 816 \(Roth\)](#), as amended September 8, 2023, as it applies to VMB, amends sections 4400 and 4836.2 of the Business and Professions Code. This bill deletes the prohibition on the Board issuing a veterinary assistant controlled substance permit to an applicant with a state or federal felony controlled substance conviction. The bill imposes a state-mandated local program by expanding the application of the act, the violation of which is a crime. Governor Newsom signed SB 816 on October 10, 2023 (Chapter 723, Statutes of 2023).

- [SB 887 \(Committee on Business, Professions and Economic Development\)](#), as amended September 8, 2023, as it applies to VMB, amends sections 4846, 4861, 4875.3 of the Business and Professions Code. This bill authorizes license verification of licenses obtained in other states, United States territories, or Canadian provinces to be confirmed through electronic means. SB 887 also revises the composition of Wellness Evaluation Committees to require at least one licensed veterinarian, at least two public members, and at least one registered veterinary technician. It requires

the Board to consider appointing individuals with specified experience, knowledge, or expertise in impairment. Furthermore, SB 887 deletes the provision requiring veterinarians in charge of reviewing and investigating alleged violations to have been licensed or employed by the state and not out of practice for more than four years. The Board was informed at its July 19–20, 2023 [meeting](#) that the Senate Business, Professions and Economic Development committee amended SB 887 per VMB’s request. VMB voted to support the bill. Governor Newsom signed SB 887 on October 8, 2023 (Chapter 510, Statutes of 2023).

- [AB 557 \(Hart\)](#), as amended September 1, 2023, amends section 54953 of the Government Code. This bill revises the authority of legislative bodies under the Brown Act to hold a teleconference meeting under abbreviated teleconferencing procedures when a declared state of emergency is in effect. Governor Newsom signed AB 557 on October 8, 2023 (Chapter 534, Statutes of 2023).

The following bills, reported in Volume 28, No. 2 (Spring 2023), died in committee or otherwise failed to be enacted in 2023: [ACR 86 \(Karla\)](#), spay and neutering services; [AB 814 \(Lowenthal\)](#), animal physical rehabilitation; and [AB 1237 \(Petrie-Norris\)](#), California public interest veterinary debt relief program.