

AMENDED IN ASSEMBLY APRIL 30, 2025

AMENDED IN ASSEMBLY APRIL 23, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1502

**Introduced by ~~Committee on Business and Professions Assembly~~
*Member Berman***

February 24, 2025

An act to amend Sections 4800, 4804.5, ~~4809.8~~, 4826.5, 4826.6, 4839, 4841.1, 4841.4, 4841.5, 4842, 4855, 4875, 4875.1, 4875.2, 4883, 4885, 4886, 4887, 4901.2, and 4905 of, to add Sections 4855.1, 4875.7, and 4882 to, to add Article 3.1 (commencing with Section 4858) to Chapter 11 of Division 2 of, to repeal Sections 4837, 4838, 4842.1, 4843, 4845.5, 4846.5, 4876, and 4881 of, and to repeal and add Sections 4836.2 and 4902 of, the Business and Professions Code, relating to veterinary medicine.

LEGISLATIVE COUNSEL'S DIGEST

AB 1502, as amended, ~~Committee on Business and Professions~~ *Berman*. Veterinary medicine: California Veterinary Medical Board.

(1) Existing law, the Veterinary Medicine Practice Act, establishes the California Veterinary Medical Board, until January 1, 2026, within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of ~~veterinarians~~ *veterinarians, veterinarian technicians*, and the practice of veterinary medicine. Existing law, until January 1, 2026, authorizes the board to appoint a person exempt from civil service as an executive officer to exercise the powers and perform the duties delegated by the board and vested in

them. Existing law establishes the membership of the board, including 4 licensed veterinarians, 1 registered veterinary technician, and 3 public members. *Existing law makes a violation of the act a crime.*

This bill would extend the existence of the board to until January 1, 2030, ~~and would make conforming changes. The bill would add an additional registered veterinary technician member to the board and~~ *board, and make conforming changes. The bill* would require at least one of the licensed veterinarian members to specialize in equine or livestock care, or both.

(2) Existing law requires ~~an individual to meet certain requirements for licensure as a veterinarian, including completing a board-approved license application. Existing law requires an individual to meet certain requirements for registration as a veterinary technician, as defined, including furnishing satisfactory evidence of educational or experiential qualifications, as specified. Existing law requires an individual to meet certain requirements for issuance of a veterinary assistant controlled substance permit, including submitting to the Department of Justice fingerprint images and related information, as specified.~~

This bill would expand the qualifications that the applicant for registration as a veterinary technician may furnish as proof of compliance with the educational or experiential qualifications requirement to include, among other things, graduation from a veterinary college recognized by the board. The bill would expand the requirements of registration as a veterinary technician to include, among other things, submission of a full set of fingerprints for the purpose of conducting a criminal history record check and a state and federal criminal offender record information search, as specified.

(3) *Existing law requires an individual to meet certain requirements for issuance of a veterinary assistant controlled substance permit, including submitting to the Department of Justice fingerprint images and related information, as specified.*

This bill would require an applicant for a veterinary assistant controlled substance permit to disclose each state, Canadian province, or United States territory in which the applicant currently holds or has ever held a license, registration, certificate, or permit to practice veterinary medicine.

(4) *Existing law requires a veterinarian to keep a written record of all animals receiving veterinary services, and to provide a summary of that record to the owner of animals receiving veterinary services, when requested. Existing law requires the board to establish the minimum*

amount of information to be included in written records and summaries and the minimum duration of time that a licensed premises must retain the written record or a copy of the written record.

This bill would instead require a veterinarian to provide a client or client's authorized agent with a copy of that record, upon their request, as specified. The bill would also require the veterinarian, if requested by the client or client's authorized agent, as specified, because the animal is in critical condition or direct transfer to another veterinary premises for medical care is recommended, to provide a copy or summary of the written record to the client or the client's authorized agent. If a written record is not available upon release of the animal patient, the bill would require the veterinarian to communicate information to facilitate continuity of care of the animal patient either to the receiving veterinarian or veterinary premises or, if the receiving veterinary premises is unknown, to the client or the client's authorized agent.

This bill would also require a licensee manager to provide a client or client's authorized agent, upon their request, with a record of client payments made to the veterinary premises related to services and treatment provided, as specified. The bill would require a record of client payments made to the veterinary premises related to services and treatments provided to be maintained for a minimum of 3 years after the animal's last visits.

By expanding the requirements of the act, the violation of which is a crime, the bill would impose a state-mandated local program.

(3)

(5) Existing law authorizes the board to revoke or suspend for a certain time the license or registration of a veterinarian or veterinarian technician to practice veterinary medicine, as specified, and, in addition to its authority to suspend or revoke a license or registration, to assess a fine not in excess of ~~five thousand dollars (\$5,000)~~ \$5,000 against a licensee or registrant, as specified. *Existing law authorizes the board to place a licensee or registrant on probation, as specified, and to issue a probationary veterinary assistant controlled substance permit, as specified.* Existing law requires the board to prioritize its investigative and prosecutorial resources to ensure that veterinarians and registered veterinary technicians representing the greatest threat of harm are identified and ~~discipline~~ *disciplined* expeditiously, as specified.

Existing law authorizes the executive officer to issue a citation to a veterinarian or registered veterinary technician for specified violations.

Existing law authorizes the board to deny, revoke, or suspend a license or ~~permit~~ registration for specified violations, including a violation of any federal statute, rule, or regulation or any of the statutes, rules, or regulations of this state regulating dangerous drugs or controlled substances. Existing law authorizes the board, upon a plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense related to the practice of veterinary medicine, to order the suspension or revocation of the license or registration of the convicted individual or to assess a fine, as specified.

This bill would recast and expand the above-described authorizations and requirements for the board and authorizations for the executive officer related to the disciplinary proceedings of a licensee or registrant to also apply to a veterinary assistant controlled substance permitholder. The bill would ~~also~~ authorize the board to place on probation a license, registration, or permit for certain violations, including ~~a violation of any federal statute, rule, or regulation or any of the statutes, rules, or regulations of this state regulating dangerous drugs or controlled substances~~ *the above-described violations relating to dangerous drugs or controlled substances*, and would specify that dangerous drugs includes antimicrobial drugs in animal feed. *The bill would authorize the executive officer to issue a citation to a person or entity for practicing or offering to practice veterinary medicine without a license, registration, or permit, as specified. The bill would authorize a veterinary assistant controlled substance permitholder to, under the supervision of a licensed veterinarian, compound drugs for animal use, as specified. The bill would authorize a licensee, registrant, or permitholder to enter into a settlement to resolve an administrative action, as specified.*

Existing law authorizes the board, on reinstatement of a license or registration, to impose certain terms and conditions to be followed by the licensee or registrant, including requiring the licensee or registrant to obtain additional professional training and to pass an examination upon completion of the training. Existing law requires *the holder of* a revoked license or registration *that is* reinstated after its expiration to pay a reinstatement fee, as specified. Existing law provides that a person who fails to renew their license within five years of its expiration may not renew it, and it shall not be restored, reissued, or reinstated, but such a person may apply for and obtain a new license, as specified.

This bill would also authorize the board to impose the above-referenced terms and conditions on the reinstatement of a

veterinary assistant controlled substance permit, and would impose the above-described fee requirement on the reinstatement of that permit. The bill would deem a reinstatement petition abandoned if enforcement fees and costs, as applicable, are not paid by a petitioner within one year of the effective date of a decision reinstating the license, registration, or permit. The bill would deem a license, registration, or permit canceled if it is not renewed within five years after its expiration, but would allow the licensee, registrant, or permitholder to apply for and obtain a new license, registration, or permit, as specified.

Existing law requires the executive officer in all cases of suspension, revocation, or restriction of licenses or assessment of fines to enter on the register the fact of suspension, revocation, restriction, or fine, as the case may be. Existing law deems a record of any suspension, revocation, restriction, or fine as made by the county clerk to be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of the board in the matter of the suspension, revocation, restriction, or fine. *Existing law requires the board to, upon denial of an application for registration, provide certain information related to the denial, as specified.*

This bill would delete those provisions.

Existing law authorizes a person whose license or registration has been revoked or who has been placed on probation to petition the board for reinstatement or modification of penalties, as specified.

This bill would require those petitions to be accompanied by a full set of fingerprints for purposes of conducting a criminal history record check.

(4)

(6) Existing law requires the board to collect specified fees related to, among other things, licensure, registration, issuance of permit, course licensure, and veterinary premises registration and credit those fees to the California Veterinary Medical Board Contingent Fund, an account in the Professions and Vocations Fund subject to appropriation by the Legislature. Existing law requires the fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians to be set by the board at an amount not to exceed \$300 and requires the school or institution to pay for the reasonable regulatory costs incident to an ~~onside~~ *onsite* inspection conducted by the board, as specified. Existing law requires the fees assessed by the board to be reduced, upon specified conditions, but not reduced so as to cause the California Veterinary Medical Board

Contingent Fund to have a reserve of less than 3 months of annual authorized board expenditures.

This bill would recast those provisions and would revise the cost of those fees to not exceed specified amounts. The bill would establish new categories for veterinary premises registration fees based on the number of full-time equivalent veterinarians providing veterinary services at the premises and would define terms for that purpose. The bill would ~~delete delete, among other things,~~ the provisions related to application for approval of a school or institution offering a curriculum for training registered veterinary technicians and reduction of fees.

(5)

(7) Existing law requires the board to issue renewal licenses only to applicants who have completed a minimum of 36 hours of continuing education in the preceding ~~two years~~ *2 years, except as specified*, and provides sources to earn continuing education credit, including courses offered by nonprofit annual conferences established in conjunction with state veterinary medical associations. Existing law authorizes the board to require, if the board determines that the public health and safety would be served by requiring all registrants to continue their education after receiving registration, that they submit assurances satisfactory to the board that they will, during the succeeding renewal period, inform themselves of the developments in the field of animal health technology since the issuance of their certificate of registration, as specified.

This bill would recast those provisions to instead require all holders of veterinarian licenses and veterinary technician registrations to, except for during the first renewal period, obtain continuing education relevant to developments in the practice of veterinary ~~medicine~~ *medicine, as specified*. The bill would require a person applying for renewal to certify, under penalty of perjury, that they are in compliance with the applicable continuing education requirements. By expanding the scope of a crime, the bill would impose a state-mandated local program.

This bill would authorize the board to audit the records of all applicants to verify the completion of the continuing education requirement. The bill would ~~remove certain~~ *revise the* courses that previously fulfilled that continuing education ~~requirement, including, among others,~~ *requirement by, among other things, removing courses offered by* the nonprofit annual conferences described above. The bill would, among other things, authorize a veterinarian *or a veterinarian technician* who teaches a course that meets the continuing education requirement to receive continuing education credit, as specified. The

bill would authorize continuing education requirement credit to be received for, among other things, passing the California Veterinary Law Examination. The bill would delete the above provision related to registrant continuing education.

This bill would require the board to issue renewed veterinary technician registrations to only those applicants who have completed a minimum of 20 hours of continuing education in the preceding two years. The bill would specify sources to earn continuing education credit, including taking self-study courses. The bill would require providers offering continuing education courses for veterinarians or veterinarian technicians to comply with specified requirements and would authorize the board, for good cause, to adopt an order specifying, on a prospective basis, that a continuing education source is no longer an acceptable source.

(6)

(8) Existing law requires the board to approve all schools or institutions offering a curriculum for training registered veterinary technicians and to furnish application forms to schools requesting approval.

This bill would delete those approval and application form requirements.

(7)

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4800 of the Business and Professions
- 2 Code is amended to read:
- 3 4800. (a) There is in the Department of Consumer Affairs a
- 4 California Veterinary Medical Board in which the administration
- 5 of this chapter is vested. The board shall consist of the following
- 6 nine members:
- 7 (1) Four licensed veterinarians, at least one of whom shall
- 8 specialize in equine or livestock care, or both.

1 (2) Two registered veterinary technicians.

2 (3) Three public members.

3 (b) This section shall remain in effect only until January 1, 2030,
4 and as of that date is repealed.

5 (c) Notwithstanding any other law, the repeal of this section
6 renders the board subject to review by the appropriate policy
7 committees of the Legislature. However, the review of the board
8 shall be limited to those issues identified by the appropriate policy
9 committees of the Legislature and shall involve the preparation or
10 submission of a sunset review document or evaluative
11 questionnaire.

12 SEC. 2. Section 4804.5 of the Business and Professions Code
13 is amended to read:

14 4804.5. (a) The board may appoint a person exempt from civil
15 service who shall be designated as an executive officer and who
16 shall exercise the powers and perform the duties delegated by the
17 board and vested in them by this chapter.

18 (b) This section shall remain in effect only until January 1, 2030,
19 and as of that date is repealed.

20 SEC. 3. Section 4809.8 of the Business and Professions Code
21 is amended to read:

22 4809.8. (a) The board shall establish an advisory committee
23 to assist, advise, and make recommendations for the
24 implementation of rules and regulations necessary to ensure proper
25 administration and enforcement of this chapter and to assist the
26 board in its examination, licensure, and registration programs. The
27 committee shall serve only in an advisory capacity to the board
28 and the objectives, duties, and actions of the committee shall not
29 be a substitute for or conflict with any of the powers, duties, and
30 responsibilities of the board. The committee shall be known as the
31 Veterinary Medicine Multidisciplinary Advisory Committee. The
32 multidisciplinary committee shall consist of nine members. The
33 following members of the multidisciplinary committee shall be
34 appointed by the board from lists of nominees solicited by the
35 board: four licensed veterinarians, two registered veterinary
36 technicians, and one public member. The committee shall also
37 include one veterinarian member *of the board and one registered*
38 *veterinary technician member* of the board, *both* to be appointed
39 by the board ~~president, and the registered veterinary technician~~
40 ~~member of the board.~~ *president.* Members of the multidisciplinary

1 committee shall represent a sufficient cross section of the interests
2 in veterinary medicine in order to address the issues before it, as
3 determined by the board, including veterinarians, registered
4 veterinary technicians, and members of the public.

5 (b) Multidisciplinary committee members appointed by the
6 board shall serve for a term of three years and appointments shall
7 be staggered accordingly. A member may be reappointed, but no
8 person shall serve as a member of the committee for more than
9 two consecutive terms. Vacancies occurring shall be filled by
10 appointment for the unexpired term, within 90 days after they
11 occur. Board members of the multidisciplinary committee shall
12 serve concurrently with their terms of office on the board.

13 (c) The multidisciplinary committee shall be subject to the
14 requirements of Article 9 (commencing with Section 11120) of
15 Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
16 Code.

17 (d) Multidisciplinary committee members shall receive a per
18 diem as provided in Section 103 and shall be compensated for their
19 actual travel expenses in accordance with the rules and regulations
20 adopted by the Department of Human Resources.

21 (e) The board may remove a member of the multidisciplinary
22 committee appointed by the board for continued neglect of a duty
23 required by this chapter, for incompetency, or for unprofessional
24 conduct.

25 (f) It is the intent of the Legislature that the multidisciplinary
26 committee, in implementing this section, give appropriate
27 consideration to issues pertaining to the practice of registered
28 veterinarian technicians.

29 ~~SEC. 3.~~

30 *SEC. 4.* Section 4826.5 of the Business and Professions Code
31 is amended to read:

32 4826.5. Notwithstanding any other law, a licensed veterinarian,
33 registered veterinary technician, or veterinary assistant controlled
34 substance permitholder under the supervision of a licensed
35 veterinarian may compound drugs for animal use pursuant to
36 Section 530 of Title 21 of the Code of Federal Regulations and in
37 accordance with regulations promulgated by the board. The
38 regulations promulgated by the board shall, at a minimum, address
39 the storage of drugs, the level and type of supervision required for
40 compounding drugs by a registered veterinary technician or a

1 veterinary assistant controlled substance permitholder, and the
2 equipment necessary for the safe compounding of drugs. Any
3 violation of the regulations adopted by the board pursuant to this
4 section shall constitute grounds for an enforcement or disciplinary
5 action.

6 ~~SEC. 4.~~

7 *SEC. 5.* Section 4826.6 of the Business and Professions Code
8 is amended to read:

9 4826.6. (a) A veterinarian shall not prescribe, dispense, or
10 administer a drug, medicine, application, or treatment of whatever
11 nature for the prevention, cure, or relief of a wound, fracture, bodily
12 injury, or disease of animals unless a veterinarian-client-patient
13 relationship exists or as otherwise permitted by law, except when
14 the animal patient is a wild animal or the owner of the animal
15 patient is unknown. A veterinarian-client-patient relationship exists
16 if all of the following conditions are met:

17 (1) The client has authorized the veterinarian to assume
18 responsibility for medical judgments regarding the health of the
19 animal patient.

20 (2) The veterinarian possesses sufficient knowledge of the
21 animal patient to initiate at least a general or preliminary diagnosis
22 of the animal patient's medical condition.

23 (3) The veterinarian has assumed responsibility for making
24 medical judgments regarding the health of the animal patient and
25 has communicated with the client a medical, treatment, diagnostic,
26 or therapeutic plan appropriate to the circumstances.

27 (b) A veterinarian possesses sufficient knowledge of the animal
28 patient for purposes of paragraph (2) of subdivision (a) if the
29 veterinarian has recently seen, or is personally acquainted with,
30 the care of the animal patient by doing any of the following:

31 (1) Examining the animal patient in person.

32 (2) Examining the animal patient by use of synchronous
33 audio-video communication.

34 (3) Making medically appropriate and timely visits to the
35 premises on which the animal patient is kept.

36 (c) For purposes of paragraphs (1) and (3) of subdivision (a),
37 the client may authorize an agent to act on the client's behalf.

38 (d) Synchronous audio-video communication is not required
39 for the delivery of veterinary medicine via telehealth after a
40 veterinarian-client-patient relationship has been established unless

1 the veterinarian determines that it is necessary in order to provide
2 care consistent with prevailing veterinary medical practice.

3 (e) A veterinarian-client-patient relationship shall not be
4 established solely by audio-only communication or by means of
5 a questionnaire.

6 (f) Only a person who holds a current license to practice
7 veterinary medicine in this state is authorized to practice veterinary
8 medicine via telehealth on an animal patient located in this state.

9 (g) Before delivering veterinary medicine via telehealth, the
10 veterinarian shall inform the client about the use and potential
11 limitations of telehealth and obtain consent from the client to use
12 telehealth, including acknowledgment of all of the following:

13 (1) The same standards of care apply to veterinary medicine
14 services via telehealth and in-person veterinary medical services.

15 (2) The client has the option to choose an in-person visit from
16 a veterinarian at any time.

17 (3) The client has been advised how to receive follow-up care
18 or assistance in the event of an adverse reaction to the treatment
19 or in the event of an inability to communicate resulting from
20 technological or equipment failure.

21 (h) A veterinarian who practices veterinary medicine via
22 telehealth shall do all of the following:

23 (1) Ensure that the technology, method, and equipment used to
24 provide veterinary medicine services via telehealth comply with
25 all current privacy protection laws.

26 (2) Have historical knowledge of the animal patient by obtaining
27 and reviewing the animal patient's relevant medical history, and,
28 if available, medical records. If medical records exist from a
29 previous in-person visit and are available to the client, the client
30 may transmit those records, including any diagnostic data contained
31 therein, to the veterinarian electronically.

32 (3) Employ sound professional judgment to determine whether
33 using telehealth is an appropriate method for delivering medical
34 advice or treatment to the animal patient and providing quality of
35 care consistent with prevailing veterinary medical practice.

36 (4) Be familiar with available medical resources, including
37 emergency resources near the animal patient's location, be able to
38 provide the client with a list of nearby veterinarians who may be
39 able to see the animal patient in person upon the request of the

1 client, and keep, maintain, and make available a copy or summary
2 of the animal patient record, as specified in Section 4855.

3 (5) Provide the client with the veterinarian's name, contact
4 information, and license number.

5 (6) Secure an alternative means of contacting the client if the
6 electronic means is interrupted.

7 (i) (1) A veterinarian shall not prescribe a drug for a duration
8 of time that is inconsistent with the medical condition of the animal
9 patient or the type of drug prescribed.

10 (2) A veterinarian who established the required
11 veterinarian-client-patient relationship by examining the animal
12 patient in person or by making medically appropriate and timely
13 visits to the premises on which the animal patient is kept shall not
14 prescribe a drug for a duration of time that is longer than one year
15 from the date that the veterinarian examined the animal patient in
16 person or visited the premises and prescribed the drug.

17 (3) Except as provided in paragraphs (4) to (8), inclusive, a
18 veterinarian who practices veterinary medicine via telehealth may
19 order, prescribe, or make available drugs, as defined in Section
20 11014 of the Health and Safety Code, in accordance with all
21 relevant state and federal regulations.

22 (4) A veterinarian who established the required
23 veterinarian-client-patient relationship using synchronous
24 audio-video communication shall not prescribe a drug to the animal
25 patient for use for a period longer than six months from the date
26 upon which the veterinarian examined the animal patient or
27 prescribed the drug. The veterinarian shall not issue another
28 prescription to the animal patient for the same drug unless they
29 have conducted another examination of the animal patient, either
30 in person or using telehealth.

31 (5) A veterinarian who established the required
32 veterinarian-client-patient relationship using synchronous
33 audio-video communication shall not prescribe an antimicrobial
34 drug to the animal patient for a period longer than 14 days of
35 treatment. The veterinarian shall not issue any further antimicrobial
36 drug prescription, including a refill, to treat the condition of the
37 animal patient unless the veterinarian has conducted an in-person
38 examination of the animal patient.

39 (6) The veterinarian shall not order, prescribe, or make available
40 a controlled substance, as defined in Section 4021, or xylazine,

1 unless the veterinarian has performed an in-person physical
2 examination of the animal patient or made medically appropriate
3 and timely visits to the premises where the animal patient is kept.

4 (7) The veterinarian shall notify the client that some prescription
5 drugs or medications may be available at a pharmacy and, if
6 requested, the veterinarian shall submit a prescription to a
7 pharmacy that the client chooses.

8 (8) A veterinarian shall not prescribe via telehealth any drug or
9 medication for use on a horse engaged in racing or training at a
10 facility under the jurisdiction of the California Horse Racing Board
11 pursuant to Chapter 4 (commencing with Section 19400) of
12 Division 8.

13 (j) As used in this section, “drug” means any controlled
14 substance, as defined in Section 4021, or any dangerous drug, as
15 defined in Section 4022.

16 (k) A veterinarian is permitted to use telehealth without
17 establishing a veterinarian-client-patient relationship in order to
18 provide advice in an emergency, as defined in Section 4840.5.

19 ~~SEC. 5.~~

20 *SEC. 6.* Section 4836.2 of the Business and Professions Code
21 is repealed.

22 ~~SEC. 6.~~

23 *SEC. 7.* Section 4836.2 is added to the Business and Professions
24 Code, to read:

25 4836.2. (a) To obtain a veterinary assistant controlled
26 substance permit in California, an individual shall satisfy the
27 following requirements:

28 (1) Complete and submit an application furnished by the board.

29 (2) Pay the applicable fees specified in Section 4905.

30 (3) Pursuant to Section 144, submit a full set of fingerprints for
31 the purpose of conducting a criminal history record check and
32 undergoing a state and federal criminal offender record information
33 search conducted through the Department of Justice, pursuant to
34 subdivision (u) of Section 11105 of the Penal Code. The
35 Department of Justice shall provide a state or federal response to
36 the board pursuant to paragraph (1) of subdivision (p) of Section
37 11105 of the Penal Code.

38 (b) The applicant shall disclose each state, Canadian province,
39 or United States territory in which the applicant currently holds
40 or has ever held a license, registration, certificate, or permit to

1 practice veterinary medicine. License verification, including any
2 disciplinary or enforcement history, shall be confirmed through
3 electronic means or direct submission from each state, Canadian
4 province, or United States territory in which the applicant has
5 identified that the applicant holds or has ever held a license to
6 practice veterinary medicine.

7 (c) A veterinary assistant controlled substance permit application
8 shall be subject to denial pursuant to Sections 480 and 4883.

9 ~~SEC. 7.~~

10 ~~SEC. 8.~~ Section 4837 of the Business and Professions Code is
11 repealed.

12 ~~SEC. 8.~~

13 ~~SEC. 9.~~ Section 4838 of the Business and Professions Code is
14 repealed.

15 ~~SEC. 9.~~

16 ~~SEC. 10.~~ Section 4839 of the Business and Professions Code
17 is amended to read:

18 4839. For purposes of this article, “registered veterinary
19 technician” means a person who has met the requirements set forth
20 in Section 4841.5 and is registered by the board.

21 ~~SEC. 10.~~

22 ~~SEC. 11.~~ Section 4841.1 of the Business and Professions Code
23 is amended to read:

24 4841.1. This article shall not apply to students in a California
25 veterinary technology program who perform the job tasks for
26 registered veterinary technicians as part of their educational
27 experience, including students both on and off campus acting under
28 the direct supervision of a California licensed veterinarian. For
29 purposes of this section, “immediate supervision” means
30 supervision by a person who is within audible and visual range of
31 both the animal patient and the person being supervised.

32 ~~SEC. 11.~~

33 ~~SEC. 12.~~ Section 4841.4 of the Business and Professions Code
34 is amended to read:

35 4841.4. (a) The board, by means of examination, shall
36 determine the professional qualifications of all applicants who
37 wish to register as veterinary technicians in California. A
38 registration shall not be issued to anyone who has not demonstrated
39 their competency by examination.

1 (b) The examination for veterinary technicians shall consist of
2 a national licensing examination.

3 (c) For examination purposes, the board may make contractual
4 arrangements on a sole source basis with organizations furnishing
5 examination material as it may deem desirable and shall be exempt
6 from Section 10115 of the Public Contract Code.

7 ~~SEC. 12.~~

8 *SEC. 13.* Section 4841.5 of the Business and Professions Code
9 is amended to read:

10 4841.5. (a) To obtain registration as a registered veterinary
11 technician, the applicant shall satisfy the following requirements:

12 (1) Complete and submit an application upon a form furnished
13 by the board.

14 (2) Pay the applicable fees specified in Section 4905.

15 (3) Pursuant to Section 144, submit a full set of fingerprints for
16 the purpose of conducting a criminal history record check and
17 undergo a state and federal criminal offender record information
18 search conducted through the Department of Justice, pursuant to
19 subdivision (u) of Section 11105 of the Penal Code. The
20 Department of Justice shall provide a state or federal response to
21 the board pursuant to paragraph (1) of subdivision (p) of Section
22 11105 of the Penal Code.

23 (4) Furnish satisfactory evidence of one of the following:

24 (A) Graduation from, at minimum, a two-year curriculum in
25 veterinary technology, in a college or other postsecondary
26 institution accredited by the American Veterinary Medical
27 Association or the equivalent thereof, as determined by the board.
28 In the case of a private postsecondary institution, the institution
29 shall also be approved by the Bureau for Private Postsecondary
30 Education. Proof of graduation shall be confirmed through
31 electronic means or direct submission from the college, other
32 postsecondary institution, or American Association of Veterinary
33 State Boards (AAVSB).

34 (B) Education or a combination of education and clinical
35 practice experience, as determined by the board.

36 (C) Graduation from a veterinary college recognized by the
37 board. Proof of graduation shall be confirmed through electronic
38 means or direct submission from the veterinary college or the
39 AAVSB.

1 (D) Education equivalency certified by the AAVSB's Program
2 for the Assessment of Veterinary Education Equivalence (PAVE)
3 for Veterinary Technicians. The certificate of education
4 equivalence shall be confirmed through electronic means or direct
5 submission from the American Association of Veterinary State
6 Boards.

7 (E) Education equivalency certified by the Educational
8 Commission for Foreign Veterinary Graduates (ECFVG) or PAVE.
9 The certificate of education equivalence shall be confirmed through
10 electronic means or direct submission from ECFVG or PAVE.

11 (5) Pass the national licensing examination for veterinary
12 technicians. If the applicant passed the national licensing
13 examination over five years from the date of submitting the
14 veterinary technician registration application, the applicant shall
15 perform one of the following:

16 (A) Retake and pass the national licensing examination.

17 (B) Submit proof of having practiced clinical veterinary
18 medicine for a minimum of two years and completed a minimum
19 of 2,500 hours of clinical practice in another state, Canadian
20 province, or United States territory within the three years
21 immediately preceding filing an application for licensure in this
22 state.

23 (i) The directed clinical practice shall have provided the
24 applicant with knowledge, skills, and abilities in the areas of
25 communication with clients, patient examinations, emergency
26 procedures, laboratory procedures, diagnostic imaging, surgical
27 assisting, anesthesia, animal nursing, nutrition, dentistry, animal
28 behavior, and pharmacology.

29 (ii) The supervising veterinarian shall complete a checklist
30 attesting to the proficiency in the skill areas described in clause
31 (i).

32 (C) Complete the minimum continuing education requirements
33 of Section 4858.2 for the current and preceding year.

34 (b) The applicant shall disclose each state, Canadian province,
35 or United States territory in which the applicant currently holds
36 or has ever held a license, registration, certificate, or permit to
37 practice veterinary medicine. License verification, including any
38 disciplinary or enforcement history, shall be confirmed through
39 electronic means or direct submission from each state, Canadian
40 province, or United States territory in which the applicant has

1 identified that the applicant holds or has ever held a license to
2 practice veterinary medicine.

3 (c) An application for veterinary technician registration shall
4 be subject to denial pursuant to Sections 480 and 4883.

5 ~~SEC. 13.~~

6 *SEC. 14.* Section 4842 of the Business and Professions Code
7 is amended to read:

8 4842. The board may deny a registered veterinary technician
9 application if the applicant has done any of the following:

10 (a) Committed any act that would be grounds for the suspension
11 or revocation of registration under this chapter.

12 (b) While unregistered, committed, or aided and abetted the
13 commission of, any act for which a certificate of registration is
14 required by this chapter.

15 (c) Knowingly made any false statement in the application.

16 (d) Been convicted of a crime substantially related to the
17 qualifications, functions and duties of a registered veterinary
18 technician.

19 (e) Committed any act that resulted in a revocation by another
20 state of the applicant's license, registration, or other procedure by
21 virtue of which one is licensed or allowed to practice veterinary
22 technology in that state.

23 ~~SEC. 14.~~

24 *SEC. 15.* Section 4842.1 of the Business and Professions Code
25 is repealed.

26 ~~SEC. 15.~~

27 *SEC. 16.* Section 4843 of the Business and Professions Code
28 is repealed.

29 ~~SEC. 16.~~

30 *SEC. 17.* Section 4845.5 of the Business and Professions Code
31 is repealed.

32 ~~SEC. 17.~~

33 *SEC. 18.* Section 4846.5 of the Business and Professions Code
34 is repealed.

35 ~~SEC. 18.~~

36 *SEC. 19.* Section 4855 of the Business and Professions Code
37 is amended to read:

38 4855. (a) A veterinarian subject to the provisions of this
39 chapter shall, as required by regulation of the board, keep a written
40 record of all animals receiving veterinary services, and provide a

1 copy of that record to the client or the client's authorized agent
2 within five days of receiving the client's or the client's authorized
3 agent's verbal or written request.

4 (b) If requested verbally or in writing by the client or the client's
5 authorized agent because the animal is in critical condition or direct
6 transfer to another veterinary premises for medical care is
7 recommended, the veterinarian, upon release of the animal patient
8 from the veterinarian's care, shall either:

9 (1) Provide a copy or summary of the written record to the client
10 or the client's authorized agent.

11 (2) If a written record is not available upon release of the animal
12 patient, communicate information to facilitate continuity of care
13 of the animal patient either to:

14 (A) The receiving veterinarian or veterinary premises.

15 (B) The client or the client's authorized agent if the receiving
16 veterinary premises is unknown.

17 (c) The minimum amount of information that shall be included
18 in written records and summaries shall be established by the board.

19 (d) The minimum duration of time for which a registered
20 veterinary premises shall retain the written record or a complete
21 copy of the written record shall be determined by the board.

22 ~~SEC. 19.~~

23 *SEC. 20.* Section 4855.1 is added to the Business and
24 Professions Code, to read:

25 4855.1. Within 30 days of receiving a written or verbal request
26 by the client or their authorized agent for a record of client
27 payments, the licensee manager of the veterinary premises shall
28 provide a record of client payments made to the veterinary premises
29 related to services and treatment provided. A record of client
30 payments made to the veterinary premises related to services and
31 treatments provided shall be maintained for a minimum of three
32 years after the animal's last visits.

33 ~~SEC. 20.~~

34 *SEC. 21.* Article 3.1 (commencing with Section 4858) is added
35 to Chapter 11 of Division 2 of the Business and Professions Code,
36 to read:

Article 3.1. Continuing Education

4858. (a) Except for the first renewal period, all holders of veterinarian licenses and veterinary technician registrations issued under the provisions of this chapter shall obtain continuing education relevant to developments in the practice of veterinary medicine.

(b) A person applying for renewal of their license or registration in active status shall certify, under penalty of perjury, that they are in compliance with this article, as applicable.

(c) The board shall have the right to audit the records of all applicants to verify the completion of the continuing education requirement. Applicants shall maintain records of completion of required continuing education coursework for a period of four years and shall make these records available to the board upon request for auditing purposes. If the board, during this audit, questions whether any course reported by the applicant satisfies the continuing education requirement, the applicant shall provide information to the board concerning the content of the course, course hours, and the name of its sponsor and cosponsor.

(d) An applicant may apply for an inactive license or to restore an inactive license under the provisions of Article 9 (commencing with Section 700) of Chapter 1.

(e) Notwithstanding Section 4858.1, the board, in its discretion, may exempt from the continuing education requirement an applicant who for reasons of health, military service, or undue hardship cannot meet those requirements. Applications for waivers shall be submitted on a form provided by the board.

4858.1. (a) The board shall issue renewed veterinarian licenses only to those applicants who have completed a minimum of 36 hours of continuing education in the preceding two years.

(b) Continuing education hours for veterinarians shall be earned as follows:

(1) Attending courses relevant to veterinary medicine and sponsored or cosponsored by any of the following:

(A) The American Veterinary Medical Association (AVMA), its accredited veterinary medical colleges, or its recognized specialty or affiliated allied groups or educational organizations.

(B) State veterinary medical associations or their affiliated associations or educational organizations.

1 (C) Federal, state, or local government agencies.

2 (D) Providers accredited, approved, or recognized by the
3 Accreditation Council for Continuing Medical Education
4 (ACCME), American Medical Association (AMA), American
5 Dental Association Continuing Education Recognition Program
6 (ADA CERP), or American Association of Veterinary State Boards
7 (AAVSB).

8 (2) A total of 6 hours or fewer of the required 36 hours of
9 continuing education may be earned by doing either of the
10 following, or a combination thereof:

11 (A) Up to six hours may be earned by taking self-study courses,
12 which may include, but are not limited to, reading journals, viewing
13 video recordings, or listening to audio recordings.

14 (B) Up to four hours may be earned by providing pro bono
15 spaying or neutering services for a public animal control agency
16 or shelter, society for the prevention of cruelty to animals shelter,
17 humane society shelter, or rescue group in compliance with the
18 following:

19 (i) The services shall be performed at a veterinary premises
20 registered with the board pursuant to Section 4853.

21 (ii) Proof of completion of continuing education pursuant to
22 this subparagraph shall be documented by the director or
23 administrator of the public animal control agency or shelter, society
24 for the prevention of cruelty to animals shelter, humane society
25 shelter, or rescue group, with a copy provided to the veterinarian,
26 and include the date of performing the spaying and neutering
27 services, the name, address, and telephone number of the entity
28 for which the spaying and neutering services were provided, and
29 the name, address, and veterinary premises registration where the
30 spaying and neutering services were performed.

31 (3) A veterinarian who teaches a course specified in
32 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
33 (b) may receive continuing education credit for the course one
34 time during a renewal period.

35 (4) Up to 16 hours of continuing education credit may be earned
36 by participating as an expert in an examination preparation
37 workshop for the national licensing examination.

38 (5) Up to 24 hours of continuing education credit may be earned
39 for completing courses in business practice management or licensee

1 mental health and wellness and its impact on the delivery of
2 veterinary services.

3 (6) Up to one hour of continuing education credit may be earned
4 by passing the Veterinary Law Examination (VLE).

5 (7) Up to two hours of continuing education credit may be
6 earned by attending a board of Veterinary Medicine
7 Multidisciplinary Advisory Committee meeting, as verified by the
8 board.

9 (c) Providers offering continuing education courses pursuant to
10 paragraph (1) or (2) of subdivision (b) shall comply with the
11 requirements of Section 4858.3.

12 (d) For good cause, the board may adopt an order specifying,
13 on a prospective basis, that a course provider authorized pursuant
14 to paragraph (1) or (2) of subdivision (b) is no longer an acceptable
15 provider.

16 (e) (1) A licensed veterinarian who renews their license shall
17 complete a minimum of one credit hour of continuing education
18 on the judicious use of medically important antimicrobial drugs
19 every four years as part of their continuing education requirements.

20 (2) For purposes of this subdivision, “medically important
21 antimicrobial drug” means an antimicrobial drug listed in Appendix
22 A of the federal Food and Drug Administration’s Guidance for
23 Industry #152, including critically important, highly important,
24 and important antimicrobial drugs, as that appendix may be
25 amended.

26 4858.2. (a) The board shall issue renewed veterinary technician
27 registrations only to those applicants who have completed a
28 minimum of 20 hours of continuing education in the preceding
29 two years.

30 (b) Continuing education hours for registered veterinary
31 technicians shall be earned as follows:

32 (1) Attending courses provided by those specified in
33 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
34 (b) of Section 4858.1 or sponsored or cosponsored by one of the
35 following:

36 (A) National Association of Veterinary Technicians in America
37 (NAVTA) recognized veterinary technician specialty organizations.

38 (B) State veterinary technician associations recognized by the
39 secretary of state in that state.

1 (2) Up to 4 hours of the required 20 hours of continuing
2 education may be earned by doing either of the following, or a
3 combination thereof:

4 (A) Up to four hours may be earned by taking self-study courses,
5 which may include, but are not limited to, reading journals, viewing
6 video recordings, or listening to audio recordings.

7 (B) Up to two hours may be earned by performing pro bono
8 animal health care tasks related to spaying or neutering services
9 for a public animal control agency or shelter, society for the
10 prevention of cruelty to animals shelter, humane society shelter,
11 or rescue group in compliance with the following:

12 (i) The services shall be performed under the direct supervision
13 of a licensed veterinarian at a veterinary premises registered with
14 the board pursuant to Section 4853.

15 (ii) Proof of completion of continuing education pursuant to
16 this subparagraph shall be documented, with a copy provided to
17 the registered veterinary technician, by the supervising veterinarian
18 and include the date of performance of animal health care tasks,
19 the name, address, and telephone number of the entity for which
20 the animal health care tasks were provided, the name and
21 veterinarian license number of the supervising veterinarian, and
22 the name, address, and veterinary premises registration where the
23 animal health care tasks were performed.

24 (3) A registered veterinarian technician who teaches a course
25 described in paragraph (1) of subdivision (b) may receive
26 continuing education credit for the course one time during a
27 renewal period.

28 (4) Up to nine hours of continuing education credit may be
29 earned by participating as an expert in an examination preparation
30 workshop for the national licensing examination.

31 (5) Up to 13 hours of continuing education credit may be earned
32 for completing courses in business practice management or mental
33 health and wellness and its impact on the delivery of veterinary
34 services.

35 (6) Up to one hour of continuing education credit may be earned
36 by passing the Veterinary Law Examination.

37 (7) Up to two hours of continuing education credit may be
38 earned by attending a board or Veterinary Medicine
39 Multidisciplinary Advisory Committee meeting, as verified by the
40 board.

1 (c) Providers offering continuing education courses pursuant to
2 paragraph (1) or (2) of subdivision (b) shall comply with the
3 requirements of Section 4858.3.

4 (d) For good cause, the board may adopt an order specifying,
5 on a prospective basis, that a continuing education source
6 authorized pursuant to paragraph (1) or (2) of subdivision (b) is
7 no longer an acceptable source.

8 4858.3. (a) Upon a course attendee's completion of a
9 continuing education course sponsored by a provider pursuant to
10 paragraph (1) of subdivision (b) of Section 4858.1 or paragraph
11 (1) of subdivision (b) of Section 4858.2, as applicable, the course
12 provider shall issue to the course attendee a certificate of course
13 completion containing the following:

14 (1) The name of the attendee.

15 (2) The course title.

16 (3) The provider name and address.

17 (4) The provider number assigned by the entity accrediting,
18 approving, or recognizing the course provider, if applicable, and
19 the name of that entity.

20 (5) The date of the course.

21 (6) The number of continuing education hours granted for the
22 course.

23 (7) The signature of the course instructor, provider, or provider
24 designee.

25 (b) For providers that hold continuing education events with
26 multiple and concurrent courses, the record of course completion
27 shall specify both of the following:

28 (1) The information specified in paragraphs (1) to (7), inclusive,
29 of subdivision (a).

30 (2) The maximum number of hours offered at the continuing
31 education event, accompanied by a log of the actual courses
32 attended by the attendee. The log of courses attended shall be
33 completed by either the provider or the attendee.

34 (c) The course provider shall maintain records related to
35 continuing education courses provided for a period of four years
36 from the date the course was completed. The records shall include:

37 (1) Syllabi or course outlines for each course.

38 (2) The time and location of each course.

39 (3) Course instructors' curriculum vitae or resumes.

1 (4) Registration rosters with the names and addresses of
2 individuals who attended the courses.

3 (5) A sample of the record of course completion form provided
4 to attendees for verifying attendance.

5 (6) A sample of the evaluation form completed by attendees.

6 ~~SEC. 21.~~

7 *SEC. 22.* Section 4875 of the Business and Professions Code
8 is amended to read:

9 4875. In addition to its authority to suspend or revoke a license,
10 registration, or permit, the board shall have the authority to assess
11 a fine not in excess of five thousand dollars (\$5,000) against a
12 licensee, registrant, or permitholder for any of the causes specified
13 in Section 4883. A fine may be assessed in lieu of or in addition
14 to a suspension or revocation. Notwithstanding Section 4903, all
15 fines collected pursuant to this section shall be deposited to the
16 credit of the California Veterinary Medical Board Contingent Fund.

17 ~~SEC. 22.~~

18 *SEC. 23.* Section 4875.1 of the Business and Professions Code
19 is amended to read:

20 4875.1. (a) In order to ensure that its resources are maximized
21 for the protection of the public, the board shall prioritize its
22 investigative and prosecutorial resources to ensure that individuals
23 representing the greatest threat of harm are identified and
24 disciplined expeditiously. Cases involving any of the following
25 allegations shall be handled on a priority basis, as follows, with
26 the highest priority being given to cases in paragraph (1):

27 (1) Negligence or incompetence that involves death or serious
28 bodily injury to an animal patient, such that the individual
29 represents a danger to the public.

30 (2) Cruelty to animals.

31 (3) A conviction or convictions for a criminal charge or charges
32 or being subject to a felony criminal proceeding without
33 consideration of the outcome of the proceeding.

34 (4) Practicing veterinary medicine while under the influence of
35 drugs or alcohol.

36 (5) Drug or alcohol abuse by an individual involving death or
37 serious bodily injury to an animal patient or to the public.

38 (6) Self-prescribing of any dangerous drug, as defined in Section
39 4022, or any controlled substance, as defined in Section 4021.

1 (7) Repeated acts of excessive prescribing, furnishing, or
2 administering of controlled substances, as defined in Section 4021,
3 or repeated acts of prescribing, dispensing, or furnishing of
4 controlled substances, as defined in Section 4021, without having
5 first established a veterinarian-client-patient relationship pursuant
6 to Section 4826.6.

7 (8) Extreme departures from minimum sanitary conditions such
8 that there is a threat to an animal patient or the public and animal
9 health and safety, only if the case has already been subject to
10 Section 494 and board action.

11 (b) The board may prioritize cases involving an allegation of
12 conduct that is not described in subdivision (a). Those cases
13 prioritized shall not be assigned a priority equal to or higher than
14 the priorities established in subdivision (a).

15 (c) The board shall annually report and make publicly available
16 the number of disciplinary actions that are taken in each priority
17 category specified in subdivisions (a) and (b).

18 ~~SEC. 23.~~

19 *SEC. 24.* Section 4875.2 of the Business and Professions Code
20 is amended to read:

21 4875.2. If, upon completion of an investigation, the executive
22 officer has probable cause to believe that a veterinarian, registered
23 veterinary technician, veterinary assistant controlled substance
24 permitholder, or veterinary premises registration holder has violated
25 provisions of this chapter, the executive officer may issue a citation
26 to the veterinarian, registered veterinary technician, veterinary
27 assistant controlled substance permitholder, or veterinary premises
28 registration holder in accordance with Section 125.9 and the
29 board's regulations established pursuant thereto.

30 ~~SEC. 24.~~

31 *SEC. 25.* Section 4875.7 is added to the Business and
32 Professions Code, to read:

33 4875.7. (a) Notwithstanding paragraph (3) of subdivision (b)
34 of Section 125.9 and Section 148, the executive officer may issue
35 a citation to a person or entity, and that person or entity shall be
36 subject to an administrative fine of no less than two thousand
37 dollars (\$2,000) and not exceeding ten thousand dollars (\$10,000)
38 for each violation of practicing or offering to practice veterinary
39 medicine without a license, registration, or permit issued by the

1 board pursuant to this chapter. The maximum fine for unlicensed
2 activity is separate and not inclusive of fines for other violations.

3 (b) Administrative fines collected pursuant to this section shall
4 be deposited in accordance with Section 4903.

5 ~~SEC. 25.~~

6 ~~SEC. 26.~~ Section 4876 of the Business and Professions Code
7 is repealed.

8 ~~SEC. 26.~~

9 ~~SEC. 27.~~ Section 4881 of the Business and Professions Code
10 is repealed.

11 ~~SEC. 27.~~

12 ~~SEC. 28.~~ Section 4882 is added to the Business and Professions
13 Code, to read:

14 4882. (a) The proceedings under this article shall be conducted
15 in accordance with Chapter 5 (commencing with Section 11500)
16 of Part 1 of Division 3 of Title 2 of the Government Code, and the
17 board shall have the powers granted therein.

18 (b) Notwithstanding subdivision (b) of Section 11415.60 of the
19 Government Code, a licensee, registrant, or permitholder may
20 enter into a settlement to resolve an administrative action, including
21 through license, registration, or permit surrender, suspension or
22 revocation, or placing the license, registration, or permit on
23 probation, instead of a commencement of proceedings pursuant
24 to Chapter 5 (commencing with Section 11500) of Part 1 of
25 Division 3 of Title 2 of the Government Code. That settlement
26 shall be subject to board approval or a counteroffer of terms of the
27 settlement action. At any time prior to the issuance of a decision
28 and order by the board adopting the settlement, the licensee,
29 registrant, or permitholder may withdraw the settlement and request
30 a commencement of proceedings pursuant to subdivision (a). The
31 decision and order adopting the settlement shall be considered
32 discipline and shall be posted on the board's internet website.

33 ~~SEC. 28.~~

34 ~~SEC. 29.~~ Section 4883 of the Business and Professions Code
35 is amended to read:

36 4883. The board may deny, revoke, suspend, or place on
37 probation a license, registration, or permit or assess a fine as
38 provided in Section 4875 for any of the following:

39 (a) Conviction of a crime substantially related to the
40 qualifications, functions, or duties of veterinary medicine, surgery,

1 or dentistry, in which case the record of the conviction shall be
2 conclusive evidence.

3 (b) For having professional connection with, or lending the
4 licensee's, registrant's, or permitholder's name to, any illegal
5 practitioner of veterinary medicine and the various branches
6 thereof.

7 (c) Violation or attempting to violate, directly or indirectly, any
8 of the provisions of this chapter.

9 (d) Fraud or dishonesty in applying, treating, or reporting on
10 tuberculin or other biological tests.

11 (e) Employment of anyone but a veterinarian licensed in the
12 state to demonstrate the use of biologics in the treatment of animals.

13 (f) False or misleading advertising.

14 (g) Unprofessional conduct, that includes, but is not limited to,
15 the following:

16 (1) Conviction of a charge of violating any federal statutes or
17 rules or any statute or rule of this state regulating dangerous drugs
18 or controlled substances. The record of the conviction is conclusive
19 evidence thereof. A plea or verdict of guilty or a conviction
20 following a plea of nolo contendere is deemed to be a conviction
21 within the meaning of this section. The board may order the license,
22 registration, or permit to be suspended or revoked, or assess a fine,
23 or decline to issue a license, registration, or permit when the time
24 for appeal has elapsed, or the judgment of conviction has been
25 affirmed on appeal or when an order granting probation is made
26 suspending the imposition of sentence, irrespective of a subsequent
27 order under Section 1203.4, 1210.1, or 3063.1 of the Penal Code
28 allowing the person to withdraw a plea of guilty and to enter a plea
29 of not guilty, or setting aside the verdict of guilty, or dismissing
30 the accusation, information, or indictment.

31 (2) (A) The use of, or prescribing for or administering to
32 oneself, any controlled substance.

33 (B) The use of any of the dangerous drugs specified in Section
34 4022, or of alcoholic beverages to the extent, or in any manner as
35 to be dangerous or injurious to a person issued a license,
36 registration, or permit under this chapter, or to any other person
37 or to the public, or to the extent that the use impairs the ability of
38 the licensee, registrant, or permitholder to conduct with safety the
39 practice authorized by the license, registration, or permit.

1 (C) The conviction of more than one misdemeanor or any felony
2 involving the use, consumption, or self-administration of any of
3 the substances referred to in this section or any combination
4 thereof, and the record of the conviction is conclusive evidence.

5 A plea or verdict of guilty or a conviction following a plea of
6 nolo contendere is deemed to be a conviction within the meaning
7 of this section. The board may order the license, registration, or
8 permit to be suspended or revoked or assess a fine, or may decline
9 to issue a license, registration, or permit when the time for appeal
10 has elapsed or the judgment of conviction has been affirmed on
11 appeal or when an order granting probation is made suspending
12 imposition of sentence, irrespective of a subsequent order under
13 Section 1203.4, 1210.1, or 3063.1 of the Penal Code allowing the
14 person to withdraw a plea of guilty and to enter a plea of not guilty,
15 or setting aside the verdict of guilty, or dismissing the accusation,
16 information, or indictment.

17 (3) A violation of any federal statute, rule, or regulation or any
18 of the statutes, rules, or regulations of this state regulating
19 dangerous drugs, including antimicrobial drugs in animal feed, or
20 controlled substances.

21 (h) Failure to keep the licensee's or registrant's premises and
22 all equipment therein in a clean and sanitary condition.

23 (i) Fraud, deception, negligence, or incompetence in the practice
24 of veterinary medicine.

25 (j) Aiding or abetting in any acts that are in violation of any of
26 the provisions of this chapter.

27 (k) The employment of fraud, misrepresentation, or deception
28 in obtaining the license, registration, or permit.

29 (l) The revocation, suspension, or other discipline by another
30 state or territory of a license, certificate, or registration to practice
31 veterinary medicine or as a veterinary technician in that state or
32 territory.

33 (m) Cruelty to animals, conviction on a charge of cruelty to
34 animals, or both.

35 (n) Disciplinary action taken by any public agency in any state
36 or territory for any act substantially related to the practice of
37 veterinary medicine or the practice of a veterinary technician, or
38 veterinary assistant controlled substance permitholder.

39 (o) Violation, or the assisting or abetting violation, of any
40 regulations adopted by the board pursuant to this chapter.

(p) Accepting, soliciting, or offering any form of remuneration from or to a cannabis licensee if the veterinarian or the veterinarian's immediate family have a financial interest with the cannabis licensee. For purposes of this subdivision, the following definitions shall apply:

(1) "Cannabis licensee" shall have the same meaning as "licensee" in Section 26001.

(2) "Financial interest" shall have the same meaning as in Section 650.01.

(q) Discussing or recommending cannabis for use with a client while the veterinarian is employed by, or has an agreement with, a cannabis licensee. For purposes of this subdivision, "cannabis licensee" shall have the same meaning as "licensee" in Section 26001.

(r) Distributing any form of advertising for cannabis in California.

(s) Making any statement, claim, or advertisement that the licensee or registrant is a veterinary specialist or board certified unless they are certified by an American Veterinary Medical Association-Recognized Veterinary Specialty Organization or a National Association of Veterinary Technicians in America-Recognized Veterinary Specialty Organization.

(t) Exercising control over, interfering with, or attempting to influence the professional judgment of another California-licensed veterinarian or registered veterinary technician through coercion, extortion, inducement, collusion, or intimidation through any means, including, but not limited to, compensation, in order to require the other California-licensed veterinarian or registered veterinary technician to perform veterinary services in a manner inconsistent with current veterinary medical practice in this state.

~~SEC. 29.~~

SEC. 30. Section 4885 of the Business and Professions Code is amended to read:

4885. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense related to the practice of veterinary medicine is deemed to be a conviction within the meaning of this article. The board may order the license, registration, or permit to be suspended or revoked, or assess a fine as provided in Section 4883 or may decline to issue a license, registration, or permit when the time for

1 appeal has elapsed, or the judgment of conviction has been affirmed
2 on appeal or when an order granting probation is made suspending
3 the imposition of sentence, irrespective of a subsequent order under
4 the provisions of Section 1203.4, 1210.1, or 3063.1 of the Penal
5 Code allowing that person to withdraw their plea of guilty and to
6 enter a plea of not guilty, or setting aside the verdict of guilty, or
7 dismissing the accusation, information, or indictment.

8 ~~SEC. 30.~~

9 *SEC. 31.* Section 4886 of the Business and Professions Code
10 is amended to read:

11 4886. In reinstating a license, registration, or permit that has
12 been revoked or suspended under Section 4883, the board may
13 impose terms and conditions to be followed by the licensee,
14 registrant, or permitholder after the license, registration, or permit
15 has been reinstated. The authority of the board to impose terms
16 and conditions includes, but is not limited to, the following:

17 (a) Requiring the licensee, registrant, or permitholder to obtain
18 additional professional training and to pass an examination upon
19 completion of the training.

20 (b) Requiring the licensee, registrant, or permitholder to pass a
21 verbal, written, practical, or clinical examination, or any
22 combination of those examinations, to determine their present
23 fitness to engage in the practice of veterinary medicine.

24 (c) Requiring the licensee, registrant, or permitholder to submit
25 to a complete diagnostic examination by one or more physicians
26 appointed by the board. If the board requires the licensee, registrant,
27 or permitholder to submit to that examination, the board shall
28 receive and consider any other report of a complete diagnostic
29 examination given by one or more physicians of the licensee's,
30 registrant's, or permitholder's choice.

31 (d) Restricting or limiting the extent, scope, or type of practice
32 of the licensee, registrant, or permitholder.

33 ~~SEC. 31.~~

34 *SEC. 32.* Section 4887 of the Business and Professions Code
35 is amended to read:

36 4887. (a) (1) A person whose license or registration has been
37 revoked or who has been placed on probation may petition the
38 board for reinstatement or modification of penalty including
39 modification or termination of probation after the period as
40 described below in subparagraphs (A) to (C), inclusive, has elapsed

1 from the effective date of the decision ordering the disciplinary
2 action. The petition shall state facts as required by the board. The
3 period shall be as follows:

4 (A) At least three years for reinstatement of a surrendered or
5 revoked license.

6 (B) At least two years for early termination or modification of
7 probation of three years or more.

8 (C) At least one year for modification of a condition or
9 termination of probation of less than three years.

10 (2) Notwithstanding paragraph (1), the board may, upon a
11 showing of good cause, specify in a revocation order, a surrender
12 order, or an order imposing probation of more than three years
13 that the person may petition the board for reinstatement or
14 modification or termination of probation after one year.

15 (b) The petition shall be accompanied by both of the following:

16 (1) At least two verified recommendations from veterinarians
17 licensed by the board who have personal knowledge of the
18 activities of the petitioner since the disciplinary penalty was
19 imposed.

20 (2) A full set of fingerprints for purposes of conducting a
21 criminal history record check.

22 (c) The petition shall be heard by the board. The board may
23 consider all activities of the petitioner since the disciplinary action
24 was taken, the offense for which the petitioner was disciplined,
25 the petitioner's activities since the license or registration was in
26 good standing, and the petitioner's rehabilitation efforts, general
27 reputation for truth, and professional ability. The hearing may be
28 continued from time to time as the board finds necessary.

29 (d) The board reinstating the license or registration or modifying
30 a penalty may impose terms and conditions as it determines
31 necessary. To reinstate a revoked license or registration or to
32 otherwise reduce a penalty or modify probation shall require a
33 vote of five of the members of the board.

34 (e) The petition shall not be considered while the petitioner is
35 under sentence for any criminal offense, including any period
36 during which the petitioner is on court-imposed probation or parole.
37 The board may deny without a hearing or argument any petition
38 filed pursuant to this section within a period of two years from the
39 effective date of the prior decision following a hearing under this
40 section.

1 ~~SEC. 32.~~

2 ~~SEC. 33.~~ Section 4901.2 of the Business and Professions Code
3 is amended to read:

4 4901.2. (a) A revoked or surrendered license, registration, or
5 permit is subject to expiration as provided in this article, but it ~~may~~
6 *shall* not be renewed. If it is reinstated after its expiration, the
7 licensee, registrant, or permitholder, as a condition precedent to
8 reinstatement, shall pay a reinstatement fee in an amount equal to
9 the renewal fee in effect on the last regular renewal date before
10 the date on which it is reinstated plus the delinquency fee, if any,
11 accrued at the time of its revocation.

12 (b) ~~If reinstatement,~~ *reinstatement fees*, delinquency fees, or
13 reimbursement of costs of prosecution and enforcement, as
14 applicable, are not paid by a petitioner pursuant to Section 4887
15 within one year of the effective date of a decision reinstating the
16 license, registration, or permit, the petition shall be deemed
17 abandoned, and the license, registration, or permit shall not be
18 reinstated as ordered by the decision.

19 ~~SEC. 33.~~

20 ~~SEC. 34.~~ Section 4902 of the Business and Professions Code
21 is repealed.

22 ~~SEC. 34.~~

23 ~~SEC. 35.~~ Section 4902 is added to the Business and Professions
24 Code, to read:

25 4902. A license, registration, or permit that is not renewed
26 within five years after its expiration shall be canceled and shall
27 not be renewed, restored, reissued, or reinstated thereafter, but the
28 licensee, registrant, or permitholder may apply for and obtain a
29 new license, registration, or permit if the person applies for a
30 license, registration, or permit as a new applicant and meets all of
31 the requirements for the license, registration, or permit.

32 ~~SEC. 35.~~

33 ~~SEC. 36.~~ Section 4905 of the Business and Professions Code
34 is amended to read:

35 4905. (a) For purposes of this section, the following definitions
36 apply:

37 (1) “Small veterinary premises” means a veterinary premises
38 where up to three full-time equivalent veterinarians provide
39 veterinary services.

1 (2) “Medium veterinary premises” means a veterinary premises
2 where four to eight full-time equivalent veterinarians provide
3 veterinary services.

4 (3) “Large veterinary premises” means a veterinary premises
5 where nine or more full-time equivalent veterinarians provide
6 veterinary services.

7 (b) The following fees shall be collected by the board and shall
8 be credited to the California Veterinary Medical Board Contingent
9 Fund:

10 (1) The veterinarian license application fee shall not exceed five
11 hundred forty dollars (\$540).

12 (2) The California Veterinary Medicine Practice Act course fee
13 shall not exceed one hundred fifty-five dollars (\$155).

14 (3) The initial veterinarian license fee shall not exceed eight
15 hundred dollars (\$800).

16 (4) The biennial veterinarian license renewal fee shall not exceed
17 eight hundred dollars (\$800).

18 (5) The university licensee application fee shall not exceed five
19 hundred forty dollars (\$540).

20 (6) The initial university license fee shall not exceed eight
21 hundred dollars (\$800).

22 (7) The biennial university licensee renewal fee shall not exceed
23 eight hundred dollars (\$800).

24 (8) The initial small veterinary premises registration fee shall
25 not exceed eight hundred forty dollars (\$840) annually.

26 (9) The annual small veterinary premises registration renewal
27 fee shall not exceed nine hundred ten dollars (\$910).

28 (10) The initial medium veterinary premises registration fee
29 shall not exceed one thousand one hundred twenty dollars (\$1,120).

30 (11) The annual medium veterinary premises registration
31 renewal fee shall not exceed one thousand one hundred ninety
32 dollars (\$1,190).

33 (12) The initial large veterinary premises registration fee shall
34 not exceed one thousand six hundred seventy-five dollars (\$1,675).

35 (13) The annual large veterinary premises registration renewal
36 fee shall not exceed one thousand seven hundred forty-five dollars
37 (\$1,745).

38 (14) The registered veterinary technician application fee shall
39 not exceed three hundred dollars (\$300).

1 (15) The initial registered veterinary technician registration fee
2 shall not exceed three hundred dollars (\$300).

3 (16) The biennial registered veterinary technician renewal fee
4 shall not exceed three hundred dollars (\$300).

5 (17) The veterinary assistant controlled substance permit
6 application fee shall not exceed three hundred dollars (\$300).

7 (18) The veterinary assistant controlled substance permit fee
8 shall not exceed three hundred dollars (\$300).

9 (19) The biennial veterinary assistant controlled substance
10 permit renewal fee shall not exceed three hundred dollars (\$300).

11 (20) All license, registration, and permit delinquency fees shall
12 be 50 percent of the renewal fee in effect on the date of the renewal,
13 but shall not be less than fifty dollars (\$50) nor more than one
14 hundred fifty dollars (\$150).

15 ~~SEC. 36.~~

16 *SEC. 37.* No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.