

Reg/Leg Report

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MDC – The MDC met on January 19, 2016 in Sacramento. A new legal counsel, Kurt Heppler, was introduced.

Shelter Medicine - David Johnson, RVT & Dr. Alan Drusys reported on the results of the Shelter Medicine Sub-Committee. They reported that it is impossible for a veterinarian to examine every shelter animal prior to providing treatment and that the VCPR requirement must be re-evaluated for shelter medicine. CVMA has a Shelter Task Force that is meeting on 2/10 in which the VMB is participating. There will also be the Animal Care Conference in March where the entire shelter community will attend. The VMB will attempt to get feedback at the ACC regarding the needs of the variety of types of shelters.

The VMB voted to ask legal council to review Sec. 4840 (b), which authorizes RVTs to treat animals at public shelters according to written protocols. He is to research what the limits of the regulation are.

In the meantime, the sub-committee will continue working on minimum standards for shelter medicine.

Animal Rehab – The VMB sent AR back to the MDC after pulling their previous proposed regulation due to many adverse comments from the public. After considerable discussion, the MDC voted to table any further discussion of AR until after the Legislative Task Force working on Sunset Review .

Compounding – Federal law requires each state to have its own enabling legislation to allow veterinarians to compound drugs. California does not have such legislation in place yet, so veterinarians in California have actually been compounding drugs illegally. Dr. Richard Sullivan has been reviewing the federal rules and has proposed legislation that would permit veterinarians and RVTs under Direct Supervision to compound. The VMB would implement this legislation through the Sunset process. The MDC approved Dr. Sullivan's recommendations to be sent to the VMB.

Even once the legislation is in place, federal rules allow practitioners to compound drugs only for immediate use (within 1 hour) and not for bulk use. All drugs compounded in a veterinary facility must be for single use only and not put on the shelf for later use. Once the legislation is in place, the VMB will put the guidelines on their web site.

Complaint Process Task Force – This Task Force has been reviewing past complaints and has found that expert witnesses are inconsistent, lack accuracy & specificity in referencing the Minimum Standards. The MDC approved sending the following recommendations re Expert Witnesses to the VMB:

1. Improve training
2. Provide additional resource
3. Improve the selection process
4. Explore adding a dedicated investigator to the VMB
5. Continue the Audit Task Force

MDC Priorities – Extended duties for RVTs should be on the next agenda. David Johnson, RVT suggested that RVTs should be able to neuter male cats in a shelter environment since there are not sufficient veterinarians to perform that duty. This is one of the potential extended duties that an RVT might be able to perform with additional training and certificate.

VMB – The VMB met on 1/20-21 in Sacramento. IT was announced that Elsa Flores, Public Member had tendered her resignation. The new legal counsel, Kurt Heppler, was introduced.

Election of Officers – Dr. Mark Nunez was elected President for a second term. Dr. Cheryl Waterhouse was elected as Vice-President for second term.

Microchips – The legislature had asked the VMB to review a veterinarian's responsibility to check a patient for a microchip prior to treatment to determine the patient's ownership. The VMB members agreed that veterinarians should not have any legal responsibility to determine who actually owns an animal presented to them for treatment. They stated that this issue is a civil matter to be determined by a court. Veterinarians who are reluctant to treat a patient due to ownership issues are free to turn the client away unless the patient is in critical condition.

RVT Approved School Regulations – The VMB is proposing to amend Sec. 2064, which currently exempts AVMA approved schools from some of the requirements to state that AVMA approved schools meet all of the requirements for California approval. Legal counsel was directed to review the AVMA standards to see if such a change would result in a loss of consumer protection. In the meantime, the VMB does not intend to enforce Sec. 2064, meaning that they will not be approving RVT schools in California that are current approved by AVMA.

Nancy Ehrlich, RVT, CaRVTA's Regulatory Advocate, pointed out that this means that the VMB is failing to enforce Sec. 4843, the statute that requires the VMB to approve all RVT schools in the state.

Pet Lover's License Plate – The Spay & Neuter license plate has been issued for a while, but the money collected still has not been distributed. It had been assumed that the non-profit that started the project would disperse the funds, but legal counsel now says that there must be competitive bidding to determine which non-profit will actually handle the distribution. A sub-committee consisting of Judie Mancuso, Public Member, Jennifer Loreda, RVT & Kathleen Bowler, Public Member will meet ASAP to create criteria for selecting the non-profit and for implementing the law.

CE About Important Antimicrobial Drugs – A new bill requires veterinarians to take at least 1 hour of CE every 4 years on Important Antimicrobial Drugs. The law has an implementation date of January 1, 2018. Since it is not clear if veterinarians will be required to have the 1 hour in 2018, or if they have 4 years to acquire it, legal counsel will be researching the legislative intent.

MDC Report – The VMB adopted the proposed compounding legislation with a few minor amendments. They voted to accept the MDC's recommendation to table discussion of Animal Rehab until after Sunsetting. They approved moving the discussion of Extended Duties for RVTs up into the current list of priorities for the MDC.

Sunset Review – The VMB will be receiving questions from the JLSCR in February in advance of the hearing, which will be held in early March.

CURES – There is a new system. All prescribers of controlled drugs must register on-line by July 1, 2016. This is separate from registering to dispense. The MB will put the requirements on their web site.

Budget – the VMB has received 4 new positions to handle the VACSP. They are hoping that the program will be up and running in 2-3 months.

Exam Statistics –

VTNE:

7-8/14 70%

3-4/15 59%

11-12/15 59%

Law:

7-12/14 62%

1-6/15 96%

7-12/15 94%

Agenda Items for next meeting –

1. RVT School Approval regs
2. Definition of written and standing orders
3. CE start date for Antimicrobial
4. Sunset Review issues

Future meetings – 4/20-21 LA, 7/20-21 Sacto, 10/19-20 Sacto. The MDC plans to meet the day before the VMB.