In a recent meeting, the Board of Examiners in Veterinary Medicine (BEVM) discussed several issues related to veterinary practice and regulations. The Board agreed to a six-month trial period during which its consultant, Sharron Smith, would act as a consultant, in conjunction with a committee of Sacramento veterinarians, to evaluate auxiliary animal health care tasks.

The Board discussed a related matter at its July meeting. Specifically, some UCD students have objected to performing surgery on live animals from the pound and euthanizing them. Although UC Davis has no provision for an alternative surgical program, Washington State University has such a program in which students work on dead tissue and models. Two UCD students are currently attending this alternative program at Washington State University. Several Board members expressed concern about this issue, and stated that schools with alternative surgical programs should not be accredited, and that schools should rethink students who do not agree to take conventional surgical courses.

Board Considers Fee Increase. At its July meeting, the Board discussed sponsoring a bill to raise the statutory ceiling of BEVM's licensing fees. Business and Professions Code section 4905 establishes BEVM's existing fee ceilings; the Board's current fees equal the maximum amount allowed under the statute. Therefore, BEVM must obtain a legislative amendment in order to raise its licensing fees. The Board was scheduled to discuss this legislative proposal in depth at its October meeting.

Workload Survey. The Department of Consumer Affairs' (DCA) Division of Investigation (DOI) conducted a workload survey of all agencies that refer cases to the DCA for investigation. DOI instigated the survey based on a 13% increase in the number of cases referred by its agencies to DOI during the 1990-91 fiscal year compared to the 1989-90 fiscal year.

In cooperation with this survey, BEVM Enforcement Coordinator Michelle Mason provided information regarding BEVM's past and projected case referrals to DOI. BEVM referred a total of 49 cases to DOI in 1989-90 and 30 cases in 1990-91; BEVM estimated that it will refer 46 cases to DOI in 1991-92 and 56 in 1992-93. Ms. Mason attributed the increase in complaints to the increasing public awareness of BEVM functions, not to an increase in licensees.

The survey results were used by DCA to support a budget change proposal (BCP) to increase its investigatory staff; the BCP is currently pending approval by the Department of Finance.

Animal Teeth Cleaning Discussions Held. At its July 11-12 meeting, the Board discussed the results of a June meeting between Cindy Collins and several southern California veterinarians regarding AB 334 (Bronzan) and the animal teeth cleaning controversy. (See CRLR Vol. 11, No. 3 (Summer 1991) pp. 110-11 for background information.) A BEVM representative was scheduled to meet with UCD Dean Frederick A. Murphy on October 2 to discuss these issues and possible solutions; a report on this meeting was scheduled to be given at the Board's October 3 meeting.

Considers Fee Increase. At BEVM's May 24 meeting, Donald R. Strombeck, DVM, Ph.D., a professor at the University of California, Davis School of Veterinary Medicine, relayed his concerns regarding veterinary standards in California. Dr. Strombeck stated that many professionals believe that students do not receive sufficient instruction in small animal surgery and that curriculum changes in veterinary schools necessitate a change in the Board's examination and licensure methods. (See CRLR Vol. 11, No. 3 (Summer 1991) pp. 111-12 for background information.) A BEVM representative was scheduled to meet with UCD Dean Frederick A. Murphy on October 2 to discuss these issues and possible solutions; a report on this meeting was scheduled to be given at the Board's October 3 meeting.

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Major Projects:

Pilot Program Complaint Review System Implemented. At its May 23 meeting, the Board reviewed an issue paper presented by Michelle Mason, Enforcement Coordinator, and Sharron Smith, Enforcement Technician, regarding the Board's complaint review system. The report proposed three alternative means of improving the efficiency of the Board's complaint review system. The Board agreed to a six-month trial period during which its consultant, in conjunction with a committee of Sacramento veterinarians, would act as a gatekeeper and review 95% of all complaints received; the Board's regional complaint review committees would be used only in extreme cases. (See CRLR Vol. 11, No. 3 (Summer 1991) pp. 111 and Vol. 11, No. 2 (Spring 1991) pp. 107-08 for background information.) At the Board's July 11 meeting, Sharron Smith reported the complaint review system has been implemented. Staff also noted that while initial complaint response time has improved and complaint backlog has decreased, the Board's backlog of closure letters has increased.

Veterinary Surgical Standards. At BEVM's May 24 meeting, Donald R. Strombeck, DVM, Ph.D., a professor at the University of California, Davis School of Veterinary Medicine, relayed his concerns regarding veterinary standards in California. Dr. Strombeck stated that many professionals believe that students do not receive sufficient instruction in small animal surgery and that curriculum changes in veterinary schools necessitate a change in the Board's examination and licensure methods. (See CRLR Vol. 11, No. 3 (Summer 1991) pp. 111-12 for background information.) A BEVM representative was scheduled to meet with UCD Dean Frederick A. Murphy on October 2 to discuss these issues and possible solutions; a report on this meeting was scheduled to be given at the Board's October 3 meeting.

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scheduled to revisit this issue at its October meeting.

LEGISLATION:
AB 1660 (Speier), as amended August 29, would require the presence of a licensed veterinarian during any rodeo sanctioned by the Professional Rodeo Cowboy Association or the International Professional Rodeo Association; require that a veterinarian be on call at all other rodeos and available to respond as expeditiously as possible; authorize the Director of the Department of Food and Agriculture to waive the requirement that a veterinarian be present at the rodeo, under specified conditions; and require the immediate treatment of animals injured during the course of, or as a result of, any rodeo. This two-year bill is pending in the Senate Appropriations Committee.

The following is a status update on bills reported in detail in CRLR Vol. 11, No. 3 (Summer 1991) at page 112:

**AB 2021 (Polanco),** as amended September 10, prohibits a dog from being offered for sale by a pet dealer until the dog has been examined by a licensed veterinarian, and requires a pet dealer to have each dog examined by a licensed veterinarian within five days of receiving the animal and once every fifteen days thereafter while the animal is in the possession of the dealer, provide any sick dog with proper veterinary care without delay, and cage any dog found to be afflicted with a contagious or infectious disease separately from healthy dogs until the time that a licensed veterinarian determines that the dog is free from contagion or infection. This bill also requires a veterinarian to humanely euthanize an animal if the veterinarian deems an animal to be unfit for purchase due to a fatal disease, illness, or congenital condition, as prescribed. This bill was signed by the Governor on October 7 (Chapter 654, Statutes of 1991).

**SB 664 (Calderon),** as introduced March 5, would prohibit veterinarians, among others, from charging, billing, or otherwise soliciting payment from any patient, client, customer, or third-party payor for any clinical laboratory test or service if the test or service was not actually rendered by that person or under his/her direct supervision, except as specified. This two-year bill is pending in the Senate Business and Professions Committee.

**SB 663 (Maddy),** as amended May 2, would, among other things, require licensed veterinarians to complete a minimum of 50 hours of continuing education (CE) approved by the Board during each two-year licensure period as a condition of license renewal, and require the Board to publish a list of professional associations, organizations, educational institutions, and other providers which it approves to provide CE to veterinarians for credit under this bill. (See CRLR Vol. 11, No. 1 (Winter 1991) pp. 89–90; Vol. 10, No. 4 (Fall 1990) p. 108; and Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 127 for background information on this issue.) This two-year bill is pending in the Assembly Agriculture Committee. The Board has postponed work on this bill pending a Department-wide study of mandatory CE currently being conducted by DCA.

LITIGATION:
In Hall v. Kelley, No. G009476 (Fourth District Court of Appeal), Dr. Linda Hall, who suffers from dyslexia, appeals the Orange County Superior Court's dismissal of her lawsuit against BEVM for its alleged failure to provide an adequate setting for her to take the practical exam. (See CRLR Vol. 11, No. 3 (Spring 1991) p. 113; Vol. 11, No. 2 (Spring 1991) p. 109; and Vol. 11, No. 1 (Winter 1991) p. 91 for extensive background information.) Dr. Hall seeks a ruling that she adequately alleged causes of action against BEVM for violation of her statutory rights under 29 U.S.C. section 794, Government Code sections 11135 and 12946, and her rights to due process and equal protection under the U.S. Constitution. Alternately, Dr. Hall seeks leave to re-amend her amended complaint to correct any deficiencies the court may find. The Fourth District Court of Appeal heard oral argument on September 19; the court is expected to issue a decision by the end of the year.

RECENT MEETINGS:
At BEVM's July 11–12 meeting, Executive Officer Gary Hill reported that the average length of time to complete a citation and fine hearing is four months. The average staff cost of an informal citation and fine hearing is $172; the average fine is over $400.

Also at its July meeting, the Board decided to draft a sample news release regarding legal issues raised by chiropractors and acupuncturists who work on animals. BEVM staff will work with DCA Public Information Officer Robin Witt in preparing the document.

FUTURE MEETINGS:
To be announced.

BOARD OF VOCATIONAL NURSE AND PSYCHIATRIC TECHNICIAN EXAMINERS
Executive Officer: Billie Haynes
(916) 445-0793(916) 323-2165

This agency regulates two professions: vocational nurses and psychiatric technicians. Its general purpose is to administer and enforce the provisions of Chapters 6.5 and 10, Division 2, of the Business and professions Code. A licensed practitioner is referred to as either an “LVN” or a “psych tech.”

The Board consists of five public members, three LVNs, two psych techs, and one LVN with an administrative or teaching background. At least one of the Board’s LVNs must have had at least three years’ experience working in skilled nursing facilities.

The Board’s authority vests under the Department of Consumer Affairs as an arm of the executive branch. It licenses prospective practitioners, conducts and sets standards for licensing examinations, and has the authority to grant adjudicatory hearings. Certain provisions allow the Board to revoke or reinstate licenses. The Board is authorized to adopt regulations, which are codified in Division 25, Title 16 of the California Code of Regulations (CCR). The Board currently licenses 65,830