



public hearing at the February Board meeting in San Francisco.

At its October 13 meeting, the Board held open elections for SPCB's officers. Dr. Irene Fabrikant, a public member of the Board since November 1985, was unanimously elected President, replacing James Steffenson. William Jones, an industry Board member since September 1986, was elected Vice-President. Both officers will serve for two years.

FUTURE MEETINGS:

May 4 in Orange County.

TAX PREPARER PROGRAM

Administrator: Don Procida
(916) 324-4977

Enacted in 1973, abolished in 1982, and reenacted by SB 1453 (Presley) effective January 31, 1983, the Tax Preparer Program registers approximately 19,000 commercial tax preparers and 6,000 tax interviewers in California, pursuant to Business and Professions Code section 9891 *et seq.* The Program's regulations are codified in Chapter 32, Title 16 of the California Code of Regulations (CCR).

Registrants must be at least eighteen years old, have a high school diploma or pass an equivalency exam, have completed sixty hours of instruction in basic personal income tax law, theory and practice within the previous eighteen months, or have at least two years' experience equivalent to that instruction. Twenty hours of continuing education are required each year.

Prior to registration, tax preparers must deposit a bond or cash in the amount of \$2,000 with the Department of Consumer Affairs.

Members of the State Bar of California, accountants regulated by the state or federal government, and those authorized to practice before the Internal Revenue Service are exempt from registration.

An Administrator, appointed by the Governor and confirmed by the Senate, enforces the provisions of the Tax Preparer Act. He/she is assisted by a nine-member State Preparer Advisory Committee which consists of three registrants, three persons exempt from registration, and three public members. All members are appointed to four-year terms.

RECENT MEETINGS:

The Advisory Board has not met since December 13, 1988.

FUTURE MEETINGS:

To be announced.

BOARD OF EXAMINERS IN VETERINARY MEDICINE

Executive Officer: Gary K. Hill
(916) 920-7662

Pursuant to Business and Professions Code section 4800 *et seq.*, the Board of Examiners in Veterinary Medicine (BEVM) licenses all veterinarians, veterinary hospitals, animal health facilities, and animal health technicians (AHTs). Effective May 1990, the Board will evaluate applicants for veterinary licenses through three written examinations: the National Board Examination, the Clinical Competency Test, and the California Practical Examination.

The Board determines through its regulatory power the degree of discretion that veterinarians, AHTs, and unregistered assistants have in administering animal health care. BEVM's regulations are codified in Chapter 20, Title 16 of the California Code of Regulations (CCR). All veterinary medical, surgical, and dental facilities must be registered with the Board and must conform to minimum standards. These facilities may be inspected at any time, and their registration is subject to revocation or suspension if, following a proper hearing, a facility is deemed to have fallen short of these standards.

The Board is comprised of six members, including two public members. The Animal Health Technician Examining Committee consists of two licensed veterinarians, three AHTs, and two public members.

MAJOR PROJECTS:

Teeth Cleaning Controversy. On March 22, 1989, Department of Consumer Affairs (DCA) Director Michael Kelley rejected BEVM's proposed regulatory section 2037, which would have clarified the term "dental operation" to include the use or application of any instruments or devices to any portion of an animal's teeth or gums for specified purposes, including preventive dental procedures such as the removal of tartar or plaque from an animal's teeth.

This section would have allowed such operations to be performed only by a licensed veterinarian or veterinarian-supervised AHT. It would not prevent dog groomers from providing the cosmetic service of cleaning an animal's teeth with a toothbrush, dental floss, gauze, or similar items. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 82; Vol. 9, No. 1 (Winter 1989) p. 66; and Vol. 8, No. 4 (Fall 1988) pp. 75-76 for detailed background information.)

In his March 22 letter, Mr. Kelley indicated that the restrictions imposed by proposed section 2037 on groomers' teeth cleaning activities would deprive the public of an affordable and valuable service. Apparently, one reason for Mr. Kelley's position is his finding that veterinarians' fees for cleaning teeth are much higher than fees charged by groomers for the same service. The Board recently wrote Mr. Kelley, asking the director to state his source of information on veterinarian fees for teeth cleaning. Mr. Kelley responded that his source was the public testimony included in the rulemaking file BEVM submitted for Office of Administrative Law (OAL) review.

The Board believes the veterinarian fees reported in the rulemaking file were overstated. BEVM's legal counsel Don Chang verified that only those who were opposed to section 2037 testified to fees charged by veterinarians during the rulemaking proceeding. Additionally, BEVM member Dr. Stiern conducted an informal survey of 106 veterinarians. His results indicate that vet fees for teeth cleaning are much lower than indicated in the public testimony. The Board plans to include this survey and additional public testimony in the rulemaking file when section 2037 is resubmitted.

At its November 29 meeting, the Board made what it considers to be non-substantial changes to proposed section 2037, and published these changes for the required fifteen-day public comment period.

Other Regulatory Action. On November 30, the Board held a public hearing on proposed amendments to regulatory section 2014, which would change grading of the California Practical Examination from fixed percentage to a criterion-reference scoring method. (See CRLR Vol. 9, No. 4 (Fall 1989) p. 83 for the history of proposed amendments to section 2014.) Following the hearing, BEVM adopted the