



# REGULATORY AGENCY ACTION

provide evidence of completion of sixty hours of coursework within the preceding twelve months.

## RECENT MEETINGS:

At the November 6 meeting in San Diego, it was reported that registration statistics, as of October 7, showed 13,960 tax preparers, 6,241 tax interviewers, 814 entities, and 743 branches.

With regard to disciplinary actions, the Committee reported that for the period of July to October, thirteen citations were issued for unregistered practice which resulted in three convictions; two actions are currently pending.

## FUTURE MEETINGS:

To be announced.

## BOARD OF EXAMINERS IN VETERINARY MEDICINE

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

The Board of Examiners in Veterinary Medicine licenses all veterinarians, veterinary hospitals, animal health facilities, and animal health technicians (AHTs). All applicants for veterinary licenses are evaluated through a written and practical examination. The Board determines through its regulatory power the degree of discretion that veterinarians, animal health technicians, and unregistered assistants have in administering animal health care. 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. Charlene Drennon has recently been appointed to the Board, representing the public.

The Animal Health Technician Examining Committee consists of three licensed veterinarians, one of whom must be involved in AHT education, three public members and one AHT.

## MAJOR PROJECTS:

*Examinations.* The Exam Review Committee met for a two-day workshop in October to develop a new California State Exam. The Committee categorized 200 new questions and developed over 300 new test items. The exam is scheduled to consist of 240 questions, with

approximately 60 items (25%) referring to slides accompanied by questions.

After a public hearing at the October meeting, the Board of Examiners in Veterinary Medicine (BEVM) adopted an amendment to section 2019 of Chapter 20, Title 16 of the California Administrative Code, which allows an applicant who fails the veterinary or animal health technician examinations to inspect his/her examination answer sheet only. At the hearing, the Board heard oral testimony from the California Veterinary Medical Association (CVMA) in support of this amendment. Testimony in opposition to the proposed amendment was also heard, which advocated the students' rights to review their exams so they could learn from their mistakes. Board member Art Hazarabedian pointed out that it is not the Board's responsibility to teach the applicants but to test the applicants' previously-acquired knowledge of veterinary medicine and animal health technology.

The Board has become aware that some applicants are utilizing the time allowed for test item review as a means of studying for future examinations and also for memorizing individual examination questions for study sessions with fellow applicants. Because the examination question bank is limited, it is often necessary to reuse a certain number of questions in future exams. Therefore, in order to best ensure the integrity of future exams, the Board's goal is to protect all existing bank questions. The amended regulation makes it possible for any applicant to review his/her answer sheet against the key for detection of computer grading errors, but would remove the chance of abuse by some applicants of the examination inspection provision which would result in degradation of the examination's integrity. In support of this action, the Board noted that only one of the other nine healing arts boards allows exam candidates to review examination booklets after failing an exam. (That board has a practical exam only and no multiple-choice questions are used.)

*Drug and Alcohol Diversion Program.* The Drug and Alcohol Diversion Program for veterinarians and animal health technicians was established and the first applicants accepted in June 1984. As of October 1986, fifteen professionals were participating in the program and three applications to the program were pending. After its first eighteen months of operation, the Diversion Program had 0.35% of the total California resident veterinarians as participants. The Board

is seeking a contract for operation of the program from July 1, 1987 through June 30, 1988 with the possibility of renewal on an annual basis beginning July 1, 1988. The contract became available for bid in January 1987.

Dr. Blaine McGowan, Program Manager of the Diversion Program, serves on the American Veterinary Medical Association's (AVMA) Committee on Impaired Veterinarians. This committee drew up a model program to assist other states in establishing their own diversion programs. California stands alone in this area of development in that its Diversion Program is not allied with any other diversion programs. Significant support and resources are responsible for this unique accomplishment.

The Diversion Program has identified families and staff of veterinarians as viable sources of increased Program participation when family member or employers demonstrate an alcohol or drug-related problem. Local ethics committees could also be very influential in reporting and/or enforcing the necessary treatment required for a colleague.

## LEGISLATION:

*AB 3032 (Johnston)* amends existing law to include professional societies of veterinarians within the category of professional societies which have immunity from liability for certain referral services. This bill has been signed by the Governor.

## RECENT MEETINGS:

At the October meeting, the Board adopted section 2021 and 2021.1, Title 16, California Administrative Code, which implement a system of staggered license expiration dates for veterinarians and AHTs, respectively. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 55.)

The Board's amendment to section 2070 was recently approved by the Office of Administrative Law. This amendment increases the fees for initial and renewal licenses to \$150, and examination fees for the national and practical examinations to \$120 and \$100, respectively.

The Board also discussed the responsibilities of the supervising veterinarian under section 2035. A veterinarian is required to examine an animal prior to the delegation of a task to an AHT or assistant, including any vaccinations to be given to an animal. Some concerns were expressed regarding the impact of this requirement on low-cost mobile vaccination clinics. The Board has referred this issue to the CVMA for development of a working definition of "examination."



The Board reacquainted itself with the Educational Commission for Foreign Veterinary Graduates (ECFVG), administered by the AVMA and endorsed by the BEVM. California requires that foreign veterinary graduates (FVGs) obtain a certificate from the ECFVG before they are eligible to take the state licensure examination. Candidates who wish to obtain an ECFVG certificate must demonstrate an ability to communicate in and understand written and spoken English. Passing scores must be obtained on the Test of English as a Foreign Language and the Test of Spoken English. FVGs must then pass the National Board Examination and the Clinical Competency Test in veterinary medicine. Successful completion of one year of evaluated clinical experience at a site approved by the ECFVG is the final requirement to earning a ECFVG certificate.

The Board listened to requests from two state Board examination candidates, asking for a modification of the testing procedures in order to accommodate their specific disabilities. The Board was previously aware of each candidates' special situation, and was advised of its responsibility to make reasonable accommodations to each candidate. The special arrangements, as agreed to by both the Board and the candidates themselves, were granted.

The Animal Health Technician Examining Committee held a public hearing at its October meeting concerning several proposed regulation changes. One such change would repeal section 2066, which requires that graduates of a Board-approved, non-two-year curriculum in animal health technology pass an examination and obtain at least 1,000 hours of practical experience prior to registration as an AHT. The proposal would eliminate the 1,000-hour requirement. Two new eligibility categories would be established with the adoption of sections 2068.5 and 2068.6. Section 2068.5 would allow candidates who are currently working in the field as unregistered assistants to combine credits obtained at local community colleges or universities (50 hours) with their practical work experience (36 months) in order to become eligible to sit for the AHT examination. Section 2068.6 would enable certified or registered animal health technicians from other states or countries to become eligible to sit for the AHT exam. The Committee heard oral testimony from the public on these proposed changes. CVMA and students of AHT programs expressed their opposi-

tion to the repeal of the 1,000-hour work requirement. Both groups are concerned with maintaining the "current level of competency" in the profession. Representatives of several private schools with AHT programs related their support for the repeal of this section, claiming that such a requirement is unnecessary. The Committee will continue its discussion of these proposed changes at future meetings.

#### FUTURE MEETINGS:

March 10-11 in San Jose.  
 May 14-15 in Santa Barbara.  
 July 7-8 in San Diego.

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

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. The Board consists of five public members, three licensed vocational nurses, two psychiatric interns, and one licensed vocational nurse 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. A licensed practitioner is either an "LVN" or a "psych tech."

The Board currently licenses approximately 68,000 LVNs and 14,000 psychiatric technicians.

#### MAJOR PROJECTS:

*Licensing Report.* The Board released year-end figures (7/1/85 through 6/30/86) on licensing actions for vocational nurses and psychiatric technicians. The Board issued 5,427 new licenses and 26,560 renewals to vocational nurses. The passage rate for the vocational nurse exam was 54%; 3,929 people passed the exam. The Board issued 582 new licenses and 8,983 renewals to psychiatric technicians. The exam passage rate for psy-

chiatric technicians was 75%; 590 people passed the exam.

*Authorization of Program Changes.* Kaiser Permanente requested that Glendale Community College Vocational Nursing Program start a part-time vocational nursing program. Kaiser specifically asked that the program be tailored for nursing assistants who are currently employed at its facility. The Board approved the additional class for fifteen students for a part-time 79-week program, which is scheduled to begin in late 1986.

The Board removed Cerritos College Vocational Nursing Program from its list of accredited programs. The college graduated its last class in June 1984. The program has not operated since that time due to insufficient enrollment.

The Board released a list of deficiencies to United Health Careers Institute concerning its proposed psychiatric technician program. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 57.) United Health plans to rectify the deficiencies and hopefully present the revised program for approval at the next Board meeting. United Health initiated its request on May 27, 1986. The proposed program would be located in San-Bernardino and would share classrooms and lab space with United Health's accredited vocational nursing program. The initial class enrollment requested is fifteen students.

The Board approved Pacific Coast College's request to allow thirty students into its part-time vocational nursing program four times per year. The first class under this program commenced in October 1986.

*National Council of State Boards of Nursing Report.* The National Council's Delegate Assembly asked its Examination Committee to review and revise the NCLEX-RN test. The Assembly authorized a one-year continuing job analysis of entry-level registered nurses during fiscal year 1988. The California Board plans to provide the National Council with input concerning these issues. The Board referred the study to its Education Subcommittee for monitoring.

The National Council also proposed instituting pass-fail scoring on the exams. Those who pass would receive notice that they passed, while those who failed would receive a numerical score. This change will prevent the test scores from being used as a basis for hiring. The California Board referred the issue to its Examination Subcommittee for a policy decision. The Board plans to submit feedback to the National Council on the issue.