



years; (2) fails to test the competency of its registrants, as it requires no examination; and (3) provides only minimal protection for consumers.

Program Administrator Don Procidia responds that a recitation of these factors fails to reveal the complete picture. He states that eleven cases are currently pending in the Attorney General's office, which represents the Tax Preparers Program in any administrative hearings. He also points out that in the previous fiscal year, five disciplinary cases had to be abandoned because the program lacked sufficient funds to pay for the administrative hearings. He also argues that the success of a program should not necessarily be based solely upon the number of disciplinary actions taken. The Program has found that a letter of warning is often sufficient and preferable to more time- and funds-consuming methods of discipline.

*AB 160 (Jones)* would authorize a tax preparer to renew an expired registration by paying the applicable fees and showing proof of completion of twenty hours of continuing education for each year of delinquency up to two years after expiration. After two years, the applicant would be required to apply as a new registrant and provide evidence of completion of sixty hours of tax preparation coursework within the preceding year.

#### RECENT MEETINGS:

There have been no meetings of the Advisory Committee to the Tax Preparers Program since November 7, 1986, due to the fact that travel funds were exhausted at that time. The next meeting is scheduled to take place in July, after the new budget period begins.

#### FUTURE MEETING:

To be announced.

### BOARD OF EXAMINERS IN VETERINARY MEDICINE

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

The Board of Examiners in Veterinary Medicine (BEVM) 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. Dr. Arthur Hazarabedian and Dr. Herbert Ott have recently been elected President and Vice-President, respectively.

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 National Examination was held on December 9, 1986, with 288 candidates attending. Fifty-three percent of these candidates achieved passing scores. The Clinical Competency Test (CCT) was held the following day with a total of 53 candidates attending, including 20 for reciprocity and 33 foreign graduates. Twenty-eight percent passed the CCT. The California Practical Examination was administered on February 24 at the University of California at Davis. Of the 343 candidates who took the February exam, 48% passed.

Presently, over 700 multiple-choice questions are stored in the Board's computer bank. These questions are randomly selected for each administration of the California Practical Exam to facilitate greater test validity.

At the January meeting, the Board discussed the recent trend toward "limited licensure," which limits a veterinarian's practice to specific species of animals. The Board determined that, should this trend continue, the California State Exam would test specific areas of practice. The exam is presently divided into three categories including food animal, pet animal, and equine. The Board, however, expressed its concern that the primary goal of veterinary schools should be to produce veterinarians who are "complete practitioners." Schools could offer additional education and training beyond their traditional four-year programs which would allow a veterinarian to specialize in a particular area of practice.

*Drug and Alcohol Diversion Program.* Dr. Blaine McGowan, Program Manager of the Diversion Program, recently reported that the compliance and surveillance aspect of the program has been effective. Participants are visited every two to three weeks. These visits are very valuable to the program and to the participants in maintaining their freedom from chemical dependency. Dr. McGowan has also announced that he is retiring as program manager.

Sealed bids on the new contract for the Diversion Program were to be opened at the Board's March meeting.

*Proposed Regulations.* At its January meeting, the Board continued its discussion of several proposed changes in the animal health technician regulations. (See CRLR Vol. 7, No. 1 (Winter 1987) p. 63.) One of the proposed changes which has stimulated considerable debate concerns the possible repeal of the 1,000 hours of practical experience which a graduate must obtain prior to becoming a licensed AHT. Questions concerning whether these hours should be required at all and, if so, when they should be completed, remain unanswered. The Board voted to establish an Ad Hoc Committee to study these questions in further detail. The other proposed changes, which would create two new eligibility categories for AHT applicants, were also referred to the Committee for further study. The Committee will report to the full Board in May with its findings and recommendations.

#### RECENT MEETINGS:

In response to the many inquiries received regarding advertising for veterinary hospitals, the Board discussed price advertising at its January meeting. Many hospitals now advertise "low cost" vaccinations, spaying, and neutering. According to section 651(c) of the Business and Professions Code, "any price advertisement shall be exact, without the use of such phrases as 'as low as', 'and up', 'lowest prices' or words or phrases of similar import." The Board passed a motion to inform members of the profession of the requirements of section 651.

The Board also discussed the application of electronic identification in animals. Such electronic identification is accomplished by inserting a microchip under the skin of the animal. This device is for identification only and does not have a medical or therapeutic function. The Board determined at the January meeting that the insertion of such a



microchip constitutes a surgical procedure and is within the definition of the practice of veterinary medicine (section 4826, Chapter 11 of the Business and Professions Code).

Since California does not have mandatory continuing education for veterinarians, the Board has prepared a statement strongly recommending twenty hours of continuing education for licensed veterinarians within each two-year license renewal period.

#### FUTURE MEETINGS:

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:

*Psychiatric Technician Fee Increases.* On March 17, the Board held a hearing in Sacramento on proposed changes in the fees for psych tech applications, renewals and licensing. The Board proposed to increase the application fee from \$10 to \$25, change the renewal fee from \$48 to \$45 annually, increase the re-examination fee to \$35, and set the initial license fee at \$45.

The Board claims that, due to the general decline in the number of psychi-

atric technician applications, the Board is not able to fund its operations. The Board receives no monies from the General Fund and must rely on the psychiatric licensure process to fully fund its activities and programs.

*NCLEX-PN Test Results.* The Board gave its first National Council Licensure Examination (NCLEX-PN) on October 15, 1986. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 56.) In California, 55% of those taking the exam failed. Executive Officer Haynes stated that several factors probably contributed to the low passage rate. The first factor is the change in the test format from multiple choice to the case method, which requires additional reading comprehension and reading retention. The fact that the majority of California applicants have English as a second language may also have increased the failure rate. Mrs. Haynes recommended that the Board actively participate in the exam review process in light of the low passage rate.

*Survey of the Los Angeles Unified School District Vocational Nursing Program.* Two nursing education consultants surveyed the Los Angeles School District's program from September 22 to October 10, 1986. During the visit the Board detected twenty-five violations of the vocational nurse regulations. The school district has been given until April 1, 1988 to correct all

violations. The school district will not be granted approval to start new classes prior to April 1, 1988 unless all violations are corrected and the school submits an application to the Board for reconsideration.

#### LEGISLATION:

*SB 246 (Watson)* would authorize the issuance of an interim psychiatric technician's permit for a fee of not more than \$20. The bill contains an urgency clause and would take effect immediately. Under the new system, the permittee would work under the supervision of a licensed psychiatric technician or a registered nurse. The supervisor must be present and available at the facility during the hours worked by the permittee.

#### RECENT MEETINGS:

At its January 9 meeting, the Board elected new officers: Gwendolyn Hichey is now President, and Janiece Lackey is the new Vice-President.

The Executive Officer noted that the budget change proposal for the psychiatric technician computerized exam was not approved by the Department of Finance. She made a commitment to the Board to actively seek approval for the computer program in 1987.

#### FUTURE MEETINGS:

To be announced.



## BUSINESS, HOUSING AND TRANSPORTATION AGENCY

### DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

*Director: Jay Stroh (916) 445-3221*

The Department of Alcoholic Beverage Control (ABC) is a constitutionally-authorized state department. The Alcoholic Beverage Control Act vests the Department with the exclusive right and power to license and regulate the manufacture, sale, purchase, possession, and transportation of alcoholic beverages within the state. In addition, the Act vests the Department with authority, subject to certain federal laws, to regulate the importation and exportation of alcoholic beverages across state lines. ABC issues liquor licenses and investigates violations of the Business

and Professions Code and other criminal acts which occur on premises where alcohol is sold. Many of the disciplinary actions taken by ABC, along with other information concerning the Department, are printed in the liquor industry trade publications *Beverage Bulletin* and *Beverage Industry News*.

ABC divides the state into two divisions with assistant directors in charge of each division. The state is further subdivided into 21 districts, with two districts maintaining branch offices.

#### MAJOR PROJECTS:

*Alcohol Abuse Programs.* On March 5, ABC conducted its second public hearing to receive comments on the subject of "happy hours" and other marketing practices and promotions which foster the overconsumption of