

AMENDED IN ASSEMBLY APRIL 2, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2300

Introduced by Assembly Member Maienschein
~~(Coauthor: Coauthors: Assembly Member~~ **Acosta, Levine, and Waldron**
~~(Coauthor: Coauthors: Senator~~ *Senators Wilk and Newman*)

February 13, 2018

An act to amend Section 4846.5 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2300, as amended, Maienschein. Continuing education: veterinarians.

Existing law creates a Veterinary Medical Board in the Department of Consumer Affairs whose highest priority is to protect the public in exercising its licensing, regulatory, and disciplinary functions. Existing law requires applications for a veterinarian license to be furnished on a form and accompanied by a diploma or other verification of graduation from a veterinary college recognized by the board. Existing law requires each veterinarian licensed by the board to biennially apply for renewal of his or her license. Existing law requires the board to issue renewal licenses to those applicants that have completed a minimum of 36 hours of continuing education in the preceding 2 years, including no more than 6 hours of self-study courses.

This bill would instead authorize an applicant for renewal to earn a total of 6 hours or less of the 36 hours of continuing education ~~doing~~ by either *taking up to 6 hours of self-study courses or providing up to 4 hours of pro bono spaying or neutering services to benefit residents*

of low-income communities, as ~~defined~~ *defined, or a combination thereof.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4846.5 of the Business and Professions
- 2 Code is amended to read:
- 3 4846.5. (a) Except as provided in this section, the board shall
- 4 issue renewal licenses only to those applicants that have completed
- 5 a minimum of 36 hours of continuing education in the preceding
- 6 two years.
- 7 (b) (1) Notwithstanding any other law, continuing education
- 8 hours shall be earned by attending courses relevant to veterinary
- 9 medicine and sponsored or cosponsored by any of the following:
- 10 (A) American Veterinary Medical Association (AVMA)
- 11 accredited veterinary medical colleges.
- 12 (B) Accredited colleges or universities offering programs
- 13 relevant to veterinary medicine.
- 14 (C) The American Veterinary Medical Association.
- 15 (D) American Veterinary Medical Association recognized
- 16 specialty or affiliated allied groups.
- 17 (E) American Veterinary Medical Association’s affiliated state
- 18 veterinary medical associations.
- 19 (F) Nonprofit annual conferences established in conjunction
- 20 with state veterinary medical associations.
- 21 (G) Educational organizations affiliated with the American
- 22 Veterinary Medical Association or its state affiliated veterinary
- 23 medical associations.
- 24 (H) Local veterinary medical associations affiliated with the
- 25 California Veterinary Medical Association.
- 26 (I) Federal, state, or local government agencies.
- 27 (J) Providers accredited by the Accreditation Council for
- 28 Continuing Medical Education (ACCME) or approved by the
- 29 American Medical Association (AMA), providers recognized by
- 30 the American Dental Association Continuing Education
- 31 Recognition Program (ADA CERP), and AMA or ADA affiliated
- 32 state, local, and specialty organizations.

1 (2) Notwithstanding paragraph (1), a total of six hours or less
2 of the required 36 hours of continuing education may be earned
3 ~~by doing either of the following, or a combination of either thereof:~~

4 (A) ~~Taking~~ *Up to six hours may be earned by taking* self-study
5 courses, which may include, but are not limited to, reading journals,
6 viewing video recordings, or listening to audio recordings.

7 (B) (i) ~~Providing~~ *Up to four hours may be earned by providing*
8 pro bono spaying or neutering services to benefit residents of
9 low-income communities. Services shall be provided under the
10 supervision of a public animal control agency or shelter, society
11 for the prevention of cruelty to animals shelter, humane society
12 shelter, or rescue group. Services shall be administered at a facility
13 that is appropriately equipped and staffed to provide those services.

14 (ii) For purposes of clause (i), “low-income communities” means
15 census tracts with median household incomes at or below 80
16 percent of the statewide median income or with median household
17 incomes at or below the threshold designated by the Department
18 of Housing and Community Development as low income on its
19 list of state income limits adopted pursuant to Section 50093 of
20 the Health and Safety Code.

21 (3) The board may approve other continuing veterinary medical
22 education providers not specified in paragraph (1).

23 (A) The board has the authority to recognize national continuing
24 education approval bodies for the purpose of approving continuing
25 education providers not specified in paragraph (1).

26 (B) Applicants seeking continuing education provider approval
27 shall have the option of applying to the board or to a
28 board-recognized national approval body.

29 (4) For good cause, the board may adopt an order specifying,
30 on a prospective basis, that a provider of continuing veterinary
31 medical education authorized pursuant to paragraph (1) or (3) is
32 no longer an acceptable provider.

33 (5) Continuing education hours earned by attending courses
34 sponsored or cosponsored by those entities listed in paragraph (1)
35 between January 1, 2000, and January 1, 2001, shall be credited
36 toward a veterinarian’s continuing education requirement under
37 this section.

38 (c) Every person renewing his or her license issued pursuant to
39 Section 4846.4, or any person applying for relicensure or for
40 reinstatement of his or her license to active status, shall submit

1 proof of compliance with this section to the board certifying that
2 he or she is in compliance with this section. Any false statement
3 submitted pursuant to this section shall be a violation subject to
4 Section 4831.

5 (d) This section shall not apply to a veterinarian's first license
6 renewal. This section shall apply only to second and subsequent
7 license renewals granted on or after January 1, 2002.

8 (e) The board shall have the right to audit the records of all
9 applicants to verify the completion of the continuing education
10 requirement. Applicants shall maintain records of completion of
11 required continuing education coursework for a period of four
12 years and shall make these records available to the board for
13 auditing purposes upon request. If the board, during this audit,
14 questions whether any course reported by the veterinarian satisfies
15 the continuing education requirement, the veterinarian shall provide
16 information to the board concerning the content of the course; the
17 name of its sponsor and cosponsor, if any; and specify the specific
18 curricula that was of benefit to the veterinarian.

19 (f) A veterinarian desiring an inactive license or to restore an
20 inactive license under Section 701 shall submit an application on
21 a form provided by the board. In order to restore an inactive license
22 to active status, the veterinarian shall have completed a minimum
23 of 36 hours of continuing education within the last two years
24 preceding application. The inactive license status of a veterinarian
25 shall not deprive the board of its authority to institute or continue
26 a disciplinary action against a licensee.

27 (g) Knowing misrepresentation of compliance with this article
28 by a veterinarian constitutes unprofessional conduct and grounds
29 for disciplinary action or for the issuance of a citation and the
30 imposition of a civil penalty pursuant to Section 4883.

31 (h) The board, in its discretion, may exempt from the continuing
32 education requirement any veterinarian who for reasons of health,
33 military service, or undue hardship cannot meet those requirements.
34 Applications for waivers shall be submitted on a form provided
35 by the board.

36 (i) The administration of this section may be funded through
37 professional license and continuing education provider fees. The
38 fees related to the administration of this section shall not exceed
39 the costs of administering the corresponding provisions of this
40 section.

1 (j) For those continuing education providers not listed in
2 paragraph (1) of subdivision (b), the board or its recognized
3 national approval agent shall establish criteria by which a provider
4 of continuing education shall be approved. The board shall initially
5 review and approve these criteria and may review the criteria as
6 needed. The board or its recognized agent shall monitor, maintain,
7 and manage related records and data. The board may impose an
8 application fee, not to exceed two hundred dollars (\$200)
9 biennially, for continuing education providers not listed in
10 paragraph (1) of subdivision (b).

11 (k) (1) Beginning January 1, 2018, a licensed veterinarian who
12 renews his or her license shall complete a minimum of one credit
13 hour of continuing education on the judicious use of medically
14 important antimicrobial drugs every four years as part of his or
15 her continuing education requirements.

16 (2) For purposes of this subdivision, “medically important
17 antimicrobial drug” means an antimicrobial drug listed in Appendix
18 A of the federal Food and Drug Administration’s Guidance for
19 Industry #152, including critically important, highly important,
20 and important antimicrobial drugs, as that appendix may be
21 amended.