

# CVMA Illegal Practice Campaign

## CVMA Position Statement:

The CVMA is strongly opposed to the illegal practice of veterinary medicine by unlicensed persons providing illegal services in unregulated locations. We further promote and support efforts by the California Veterinary Medical Board and the Department of Consumer Affairs to enforce criminal sanctions against unlicensed activity, thereby protecting the consumer and safeguarding the health and welfare of animals.

## Facts:

- California law restricts the practice of veterinary medicine to licensed veterinarians and persons under the supervision of licensed veterinarians.
- In California, licensing standards include a Doctor of Veterinary Medicine degree from a veterinary college recognized by the California Veterinary Medical Board and the passage of a national and state board examination, as well as a veterinary law exam.
- Veterinarians are medical doctors. They are educated to care for and protect the health of all animal species. Only veterinarians are licensed to provide medical care to animals, and are regulated by the state. Veterinary premises are also regulated and they must adhere to strict rules of animal safety
- RVTs may only perform certain animal health care job tasks under the supervision of a licensed veterinarian.
- An unregistered assistant must be under the supervision of a veterinarian in an animal hospital setting when performing auxiliary health care tasks. An animal hospital setting means “all veterinary premises which are required by Section 4853 of the Code to be registered with the Board.”<sup>1</sup>
- A licensed human medicine professional, like a physical therapist or chiropractor, is limited to treating humans and cannot legally administer veterinary care to animals unless they are under the direct supervision of a veterinarian.
- Direct Supervision means: “(1) the supervisor is physically present at the location where animal health care job tasks are to be performed and is quickly and easily available; and (2) the animal has been examined by a veterinarian at such time as good veterinary medical practice requires consistent with the particular delegated animal health care job task.” - CCR 2034(e)
- Under California law, a veterinarian can only make a referral to another veterinarian. There are no provisions that allow for referral by a veterinarian to anyone else, including persons licensed in another health care profession.
- The California Veterinary Medicine Practice Act regulates the practice of veterinary medicine in California. It is enforced to protect consumer rights, the life and health of animals, and the integrity of veterinary medicine.

- The Illegal practice of veterinary medicine exists in small animal, large animal, and equine medicine.
  - There is limited legal recourse to pursue cases by the Veterinary Medical Board. Stronger enforcement authority is needed.
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**<sup>1</sup>Business and Professions Code:**

**4853. Registration of place of practice**

(a) All premises where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof is being practiced shall be registered with the board. The certificate of registration shall be on a form prescribed in accordance with Section 164.

(b) Premises for the purpose of this chapter shall include a building, kennel, mobile unit, or vehicle. Mobile units and vehicles shall be exempted from independent registration with the board when they are operated from a building or facility which is the licensee manager's principal place of business and the building is registered with the board, and the registration identifies and declares the use of the mobile unit or vehicle.

(c) Every application for registration of veterinary premises shall set forth in the application the name of the responsible licensee manager who is to act for and on behalf of the licensed premises. Substitution of the responsible licensee manager may be accomplished by application to the board if the following conditions are met:

(1) The person substituted qualifies by presenting satisfactory evidence that he or she possesses a valid, unexpired, and unrevoked license as provided by this chapter and that the license is not currently under suspension.

(2) No circumvention of the law is contemplated by the substitution.

Added Stats 1965 ch 1376 3. Amended Stats 1971 ch 716 63; Stats 1978 ch 1314 3; Stats 1997 ch 642 21 (AB 839).

