



Legislative Update
October, 2023

The 2023 California legislative cycle is past the “half-way” point with assembly bills now being heard in senate policy committees, and vice versa. The CVMA legislative team is meeting with lawmakers, communicating with stakeholders, and testifying in committee hearings in order to represent the interests of the veterinary profession. This year, the team flagged nearly 35 important bills due to their potential impacts on veterinary medicine, animal health and welfare, and employer/employee relations.

While the CVMA legislative team is following all bills closely, a few have risen to a priority level due to their subject matter. Below are summaries of critical bills being addressed by the CVMA.

- [AB 1399](#) (Friedman/Lowenthal) **Veterinary medicine: veterinarian-client-patient relationship and veterinary telemedicine. SIGNED BY THE GOVERNOR.**
CVMA Position: Neutral

The enactment of this bill makes California the sixth state in the nation to permit a veterinarian-client-patient relationship (VCPR) to be established by electronic means, thus discarding the current requirement for a veterinarian to physically examine an animal patient or make medically appropriate and timely visits to the premises where the animals are kept in order to prescribe medication and treat patients. The law requires that a virtual VCPR may only be established by using synchronous audio-visual communication and may only be offered by a California-licensed veterinarian to animal patients that reside in California. Numerous client disclosures must be provided at the onset of a telemedicine appointment, including providing the client with locations in their area where veterinary services are available. The law includes a 14-day limit on the amount of antimicrobials that may be prescribed for an animal patient when telemedicine is being used to diagnose and treat it for the first time. Should a patient require more antibiotics beyond the initial 14-day supply, an in-person examination by a veterinarian will be necessary. The law also prohibits controlled substances from being prescribed when a VCPR is established via telemedicine. Telemedicine used to establish a VCPR is prohibited for racehorses.

AB 1399 was signed by Governor Newsom on October 8, 2023 and will take effect on January 1, 2024. The CVMA will be publishing information on this law in the January/February edition of the *California Veterinarian* magazine and will be offering a webinar about the law in early January.

- **[AB 814](#) (Lowenthal) Veterinary medicine: animal physical rehabilitation**
HELD IN COMMITTEE – DEAD FOR THE YEAR.
CVMA Position: Oppose

This bill is was a second attempt to permit a scope of practice expansion for physical therapists to open their own practices and work on animals without veterinarian supervision. [Current state law](#) permits physical therapists to work on animals, but within a registered veterinary premises, with a veterinarian licensee manager, and under direct veterinary supervision. This bill sought to:

- Add animals to the physical therapy practice act to define the practice of physical therapy to include animals
- Allow physical therapists, after a largely self-guided certification course that focuses on dogs, to work unsupervised on *all* species of animals.
- Create a disparity between the [minimum standards required in practices operated by veterinarians](#) when compared to those operated by physical therapists.

This bill was the highest priority of the CVMA this year. Scope of practice expansion by human health care providers into veterinary medicine is dangerous for both animals and consumers, and often overlooks the intricacies of veterinary medical practice. The CVMA will always fight to protect veterinary practice to ensure that California’s animals are protected. The CVMA wishes to thank it’s coalition opposition partners, which include several local veterinary medical associations as well as the American Veterinary Medical Association (AVMA).

Read the CVMA coalition opposition letter [here](#) and additional materials/ fact sheets [here](#).

- **[AB 1232](#) (Connolly) Department of Food and Agriculture: resilient and higher-welfare grant program.** **HELD IN COMMITTEE – DEAD FOR THE YEAR.**
CVMA Position: No position- Write Letter of Concern

This bill tasks the California Department of Food and Agriculture (CDFA) with creating and implementing a grant program to support the implementation of higher standards of care and more climate-smart farming practices. The bill would require the CDFA to establish an annual competitive grant application process that enables producers and processors seeking to improve farm animal welfare to apply to the CDFA for financial assistance. Grant priority would be accorded based on the satisfaction of specified qualifying criteria.

As currently written, the bill creates new defined terms relating to the higher welfare grant program. Among those terms are “animal welfare certification” and “higher welfare” —both of which specify when and how antibiotics may be administered to animals.

The CVMA was actively involved in shaping California’s judicious antibiotic use and stewardship laws in 2014 and 2015, when then-senator Jerry Hill sponsored bills supporting the veterinarian’s professional judgment in the judicious use of antibiotics. Legislation passed at

that time also set California apart from other states by requiring that all veterinarians take at least one unit of continuing education every four years on the judicious use of antibiotics.

The CVMA reached out to the author's office with this [letter of concern](#) and is pleased to report that the bill Author announced in a recent committee hearing that he would make a commitment to accept the CVMA's requested amendments.

This bill was held in the Assembly Appropriations suspense file and will not progress forward this year.

- **[SB 669 \(Cortese\) Veterinarians: veterinarian-client-patient relationship.](#)**
Position: Support

This bill will codify the majority of a [regulatory proposal](#) currently being considered at the Veterinary Medical Board (VMB) to permit veterinarians to utilize registered veterinary technicians (RVTs) as agents in establishing the veterinarian-client-patient relationship (VCPR) for the specific purposes of administering prophylactic vaccinations and/or providing preventative procedures for parasite control.

In 2021 and 2022, the CVMA convened a task force of veterinarians and RVTs with specific expertise to address the issue of Access to Veterinary Care. The task force's work was approved by the CVMA's Board of Governors in 2022 and culminated in a position statement and a list of action items for the CVMA to pursue in an effort to address the access issue. Both of those resources are available [here](#).

Thereafter, the CVMA presented its findings to the VMB, including the data-supported determination that RVTs possess adequate knowledge and skill to act as an agent of the veterinarian to establish a VCPR for the specific purposes of (1) administering vaccines, and (2) performing preventative procedures for parasite control. The VMB, in turn, reviewed the information provided by the CVMA, and ultimately drafted regulatory language that would modify the California Veterinary Medicine Practice Act to allow for such RVT practice. The VMB voting board, which is comprised of veterinarians, an RVT, and public members, unanimously voted to approve the introduction of the proposed regulations into the regulatory process.

This regulatory effort did not go unnoticed by the state legislature and [Senator Dave Cortese](#) chose to champion a bill based on the draft regulation. The CVMA is pleased to be working with Senator Cortese and the [Sacramento SPCA](#) (the bill sponsor) to ensure that the bill addresses important technical changes and clarifications in the bill language to ensure that it works in the Veterinary Medicine Practice Act. Read the CVMA Support letter [here](#).

- **[SB 373](#) (Menjivar) Board of Behavioral Sciences, Board of Psychology, and Medical Board of California: licensees' and registrants' addresses. **VETOED BY GOVERNOR.**
Position: Support, if Amended**

This bill, when originally written, was intended to limit the California Board of Behavioral Sciences and the Board of Psychology from disclosing contact information for licensees and registrants under their jurisdiction, specifying that only the city, state, county, and ZIP codes could be provided.

The CVMA contacted the bill's author—Senator Caroline Menjivar—and requested that the VMB be added to the list of boards that must limit their public disclosure of licensee contact information. Many house call and ranch call veterinarians base their business at their home; as a result, some practitioners have experienced stray animals being left on their doorsteps, while others have reported angry clients coming to their home. In an effort to protect these veterinarians and their families, Senator Menjivar agreed to include veterinary licensees among the healthcare professionals whose contact information will be limited.

Governor Gavin Newsom vetoed this bill indicating in a veto message that consumers need to know the address of their healthcare providers in order to be able to request medical records. He further stated that healthcare providers may provide a PO Box as an address of record to protect their home address. (Unfortunately, a P.O. box will not suffice in the case of California veterinary medical licensees.)

2023 Legislative Calendar

January 4	Legislature reconvenes
January 10	Deadline for Governor to submit budget
February 17	Last day for bills to be introduced
May 28	Last day for bills to pass out of house of origin
July 1	Last day for policy committees to meet and hear bills
July 14	Budget bill must be passed by midnight
September 8	Last day to amend bills on the Floor (general session)
September 14	Last day for each house to pass bills
October 14	Last day for Governor to sign or veto legislation

CVMA Legislative Action Center

For specific information on bills or to track CVMA-monitored bills through the legislative process, CVMA members may login to cvma.net and visit the CVMA Legislative Action Center in the Advocacy section.