

Date of Hearing: June 18, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

SB 1233 (Wilk) – As Amended May 16, 2024

[Note: This bill is double referred to the Assembly Committee on Business and Professions and will be heard by that Committee as it relates to issues under its jurisdiction.]

SENATE VOTE: 38-0

SUBJECT: University of California: Western University of Health Sciences: veterinary medicine: spay and neuter techniques

SUMMARY: Requests, upon an appropriation for this purpose, the University of California (UC) and the Western University of Health Sciences to develop high-quality, high-volume spay and neuter certification programs. Specifically, **this bill:**

- 1) Requests, upon an appropriation, the Regents of the UC and the governing body of the Western University of Health Sciences College of Veterinary Medicine to develop high-quality, high-volume spay and neuter certification programs to be offered as elective coursework to students enrolled at their respective institutions.
- 2) Provides that this bill applies to UC only to the extent that the UC Regents agree by resolution, and to the Western University of Health Sciences if agreed upon by the Office of the Provost.
- 3) Authorizes a certification program to charge a reasonable fee to cover the costs associated with offering the program to a California-licensed veterinarian or a California-registered veterinary technician. This bill requires the fee to be paid directly to the university offering the program.
- 4) Prohibits this bill from authorizing California-registered veterinary technicians to perform surgical procedures.

Certification program components

- 5) Requires the certification programs to do all of the following:
 - a) Provide training in techniques to facilitate safe and efficient ovariectomy, ovariohysterectomy, and gonadectomy of cats and dogs;
 - b) Use and support best practices for high-quality, high-volume spay and neuter procedures and services;
 - c) Consist of both classroom and surgery lab training; and,
 - d) Require students to successfully complete a number of ovariectomies, ovariohysterectomies, and gonadectomies under the high-quality, high-volume spay and neuter model, as determined by the programs.

Certification program students

- 6) Requires the UC and the Western University of Health Sciences College of Veterinary Medicine to allow California-licensed veterinarians and California-registered veterinary technicians to enroll in the certification program for continuing education and certification purposes.
- 7) Requires a university that offers the certification program to provide a California-licensed veterinarian or California-registered veterinary technician who successfully complete the certification program with a certificate of completion and a written confirmation of the number of hours spent in active high-quality, high-volume spay and neuter practice.
- 8) Requires a California-licensed veterinarian or California-registered veterinary technician who successfully complete the certification program to receive continuing education credit for program participation.

Certification program curriculum

- 9) Requires the curriculum offered to a California-registered veterinary technician to be consistent with current law and include, among other topics, all of the following:
 - a) Surgical preparation of the patient;
 - b) Anesthesia induction and maintenance;
 - c) Subcutaneous and cutaneous tissue closure;
 - d) Anesthesia recovery; and,
 - e) Emergency and critical care considerations using techniques under the high-quality, high-volume spay and neuter model.

Certification program services

- 10) Requires a certification program to do all of the following:
 - a) Make available to the public low- or no-cost ovariectomies, ovariohysterectomies, or gonadectomies for cats and dogs that are performed by students or California-licensed veterinarians enrolled in the program;
 - b) Develop policies and procedures that prioritize qualifying for the services above based on, at a minimum, income and socioeconomic status; and,
 - c) Ensure that the training and care provided or coordinated by the program is at a standard of care that is consistent with those standards of care generally accepted within the veterinary profession.

Progress report

- 11) Requires a university that offers a certification program to publicly publish, every three years, a progress report that describes the activities of the program. Requires the progress report to include, but not be limited to, all of the following information:
- a) The number of cat and dog ovariectomies, ovariohysterectomies, and gonadectomies performed under the certification program;
 - b) The number of certifications issued by the program;
 - c) The costs associated with implementing and administering the program; and,
 - d) The subsidized cost, if any, of surgical services provided to the public.

Certification program location

- 12) Requires a university that offers a certification program to determine the best available location or locations to host the program including, but not limited to, any of the following locations:
- a) On-campus facilities;
 - b) A public animal control agency or shelter;
 - c) A society for the prevention of cruelty to animals shelter;
 - d) A humane society shelter; and,
 - e) A rescue group shelter.

Certification program funding

- 13) Authorizes the Regents of UC and the governing body of the Western University of Health Sciences to seek private fund donations.

EXISTING LAW:

- 1) Establishes, under the California Constitution, the UC as a public trust to be administered by the Regents of the UC with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university, and such competitive bidding procedures as may be made applicable to the university for construction contracts, selling real property, and purchasing materials, goods and services. (Constitution of California, Article IX, Section 9)
- 2) States, under the California Constitution, that the university be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs. (Constitution of California, Article IX, Section 9 (f))

- 3) Provides that statutes related to UC (and most other aspects of the governance and operation of UC) are applicable only to the extent that the Regents of UC make such provisions applicable. (Education Code (EDC) Section 67400)
- 4) Declares the UC as the primary state-supported academic agency for research. (EDC Section 66010.4 (c))
- 5) Provides for the licensure and registration of veterinarians and registered veterinary technicians and the regulation of the practice of veterinary medicine by the Veterinary Medical Board. (Business & Professions Code Section 4811 et seq)
- 6) Prohibits a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from selling or giving away any cat or dog that has not been spayed or neutered, except as provided. (Food & Agricultural Code Section 30520)
- 7) Requires the owner of a cat or dog that has not been spayed or neutered and that is impounded by a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society to receive a specified fine. (Food & Agricultural Code Sections 31751.7 and 0804.7)

FISCAL EFFECT: According to the Senate Committee on Appropriations, SB 1233 (Wilk) provides that the certification programs would be contingent upon an appropriation by the Legislature, resulting in additional General Fund cost pressures. The UC estimates one-time costs of \$10 million to renovate its current facility at UC Davis to create new surgery and animal holding facilities, and ongoing costs of approximately \$1 million each year for 7.0 positions to run the new certification program and purchase surgical supplies. The bill specifies that the UC and the governing body of the Western University of Health Sciences may seek private fund donations to develop the programs

COMMENTS: According to the author, “As someone with a rescue dog, it breaks my heart to see so many unnecessary euthanizations happening because of overcrowding in our animal shelters. This first-in-the-nation certification program will significantly expand pet owners’ access to low and no-cost spay-neuter services, saving shelters from overcrowding and pets from unnecessary euthanizations. It’s a win for pets, vets, and animal lovers all around.”

University of California. The UC Davis School of Veterinary Medicine launched the first shelter medicine program in the world, the Koret Shelter Medicine Program. This program teaches basics such as how to vaccinate, clean, feed, and handle animals, and provides a guide to the whole animal-shelter system (organizational evaluations, facility design consultations, and assistance with outbreak diagnosis and management), all intended to provide practical, cost-effective advice to improve animal welfare and adoptability. The Koret Shelter Medicine Program appears to be well-positioned to take on the task of developing and implementing standards and guidelines for high-quality, high-volume spay and neuter surgical techniques.

Western University of Health Sciences. Western University of Health Sciences is a private non-profit university accredited by the Senior College and University Commission of the Western Association of Schools and Colleges. Western University of Health Sciences confers graduate-level degrees in dental medicine, health sciences, medical sciences, nursing, optometry,

osteopathic medicine, pharmacy, physical therapy, physician assistant studies, podiatric medicine and veterinary medicine, with campuses in Pomona and one in Oregon. Western University of Health Sciences and UC Davis are the only veterinary medicine colleges in California. California law requires, prior to practicing veterinary medicine, an applicant to graduate from a degree program offered by an accredited postsecondary institution approved by the California Veterinary Medical Board (VMB), pass a national veterinarian examination, and pass an examination provided by the VMB to test the knowledge of the laws and regulations related to the practice of veterinary medicine in California. Existing law exempts faculty and students of the College of Veterinary Medicine at Western University of Health Sciences from the laws regulating the practice of veterinary medicine, and exempts veterinary medical students at the College of Veterinary Medicine at Western University of Health Science from having to take the VMB's law and regulations examination if the student completes certain coursework.

Veterinary technicians. This bill allows California-registered veterinary technicians to enroll in a certification program for purposes of continuing education credit. This bill limits the curriculum for technicians to surgical preparation, anesthesia, tissue closure, and emergency care. This bill reaffirms the existing prohibition on veterinarian technicians from performing surgical procedures.

REGISTERED SUPPORT / OPPOSITION:

Support

American Society for The Prevention of Cruelty to Animals
California Animal Welfare Association
California Veterinary Medical Association
Fix Our Shelters
Humane Society of The United States; the
Humane Society Veterinary Medical Association
San Diego Humane Society and Spca
San Francisco Spca
Social Compassion in Legislation
The Veterinary Medical Board

Opposition

None on file.

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