Do you need a premise permit?
by Grant Miller, DVM, CVMA Director of Regulatory Affairs

You may need a premise permit, whether you realize it or not. California law requires veterinary practice owners to register their premise with the California Veterinary Medical Board (VMB) regardless of practice type. In California, any person can own a veterinary practice. However, premise permits can only be issued to a California licensed veterinarian who is designated as the licensee manager. The licensee manager acts for and on behalf of the licensed premise, and is responsible for management of the registered premise. The California Business and Professions (B&P) Code Section 4853 specifically states that a premise permit is required in any premise where “veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof is being practiced.” According to the law, the definition of a “premise” includes “a building, kennel, mobile unit, or vehicle.” A premise permit subjects veterinary practices to VMB inspection, which is authorized by law for fixed premises (buildings), mobile, and ambulatory practices.

When the VMB inspects a practice, a set of minimum standards are enforced. The Minimum Standards of Veterinary Practice can be found in the California Code of Regulations, Title 16, Sections 2030-2032. The VMB publishes a Hospital Standards Self-Evaluation Checklist that can be accessed under the “Forms/ Pubs” tab at www.vmb.ca.gov. This checklist provides a “plain English” interpretation by the VMB of the various requirements set forth in the regulatory code. Inspections cover a broad set of topics, including building design requirements, sanitation, record keeping, surgery practices, and mandated postings, to name a few. A premise permit costs $200.00 per year and the application can be accessed under the “Forms/ Pubs” tab at www.vmb.ca.gov.

VMB inspections are unannounced. You may request to see official identification. Inspectors are not obligated to wait for a manager, supervisor or licensee manager when they show up to inspect a premise. Inspectors should be given access to the premise and staff should be instructed to cooperate with inspectors. There are two types of inspections: random and complaint-driven.

Random Inspections
The average random inspection takes about one hour for most premises and the VMB strives to inspect 20% of registered premises annually (currently there are approximately 3,100 premise permits issued in the state). Inspections are designed to be educational and rarely result in immediate action by the VMB. In most circumstances, the inspector will inform the veterinarian whose name is on the premise permit of compliance issues and then allot a specified time period to show proof of correction. A licensee manager may appeal the inspector’s recommendation to the VMB. California B&P Code, Article 4, Sections 4875-4875.6 contains more information about the inspection and appeals process.

The most common deficiencies cited during VMB inspections are:

- Record keeping issues (illegible writing, strength of medications given/prescribed not specified, inadequate description of surgical procedures and failure by the veterinarian or staff to sign or initial entries made in the record)
- Original licenses and premise permit not displayed in a prominent area
- Controlled drug logs issues (missing biennial drug log in the front of the binder, Schedule II substances not in a separate section of the binder, incomplete or inaccurate logs)
- Expired medications
- Human food kept in the medication/vaccination refrigerator
- Surgery room issues (aseptic conditions, through traffic, storage of non-essential equipment and supplies in surgery room)
- Surgical packs and sterile indicators issues (sterility indicators have been cut or altered, no internal sterility indicator included in pack)
- Failure to provide notification of “no staff on premises” and failure to provide name, phone number and address of an after-hour clinic at the entrance of the building
- Radiation compliance issues (missing Title 17 and/or missing radiation safety training documentation for all non-licensed staff who assist in taking radiographs)

Complaint-driven Inspections
Complaint-driven inspections will not only cover all items that routine inspections do, but will also focus on specific
subjects pertinent to the complaint. Complaints can come from any source, but are most commonly received from consumers or from employees. The VMB will not investigate complaints involving monetary disputes, such as a consumer reporting that he or she was overcharged for veterinary services. Some complaint-driven inspections will require the practice to produce records. These inspections may result in citations and fines issued by the inspector as well as orders to show proof of correction of violations to the minimum standards. Veterinary practices involved in complaint-related inspections should contact their insurance provider and consider contacting legal counsel.

The VMB premise permits fund the inspection program and must be current for every business in which the practice of veterinary medicine occurs. As identified on the premise permit, a licensed veterinarian is responsible for the management of the hospital, clinic or mobile practice.

The CVMA is available to assist licensees with Practice Act questions or VMB issues. Please contact Dr. Grant Miller, CVMA Director of Regulatory Affairs, at (916) 649-0599 or gmiller@cvma.net.

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