

Date of Hearing: May 17, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

AB 814 (Lowenthal) – As Amended April 27, 2023

Policy Committee: Business and Professions

Vote: 14 - 1

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill creates a new registration for a licensed physical therapist (PT) under the Veterinary Medical Board (VMB) and, under specified conditions, to provide animal physical rehabilitation (APR) to an animal patient. This bill also authorizes an APR assistant, as defined, to assist with delegated APR tasks, under the direct supervision of a registered animal physical therapist, among other requirements. The bill requires the owner or operator of an APR facility to register with the VMB. This bill requires the VMB to determine requirements for a PT to register with the VMB to provide APR.

FISCAL EFFECT:

- 1) The VMB estimates costs of \$843,000 in 2024-25, \$315,000 in 2025-26 and \$161,000 in 2026-27 and ongoing to support the increased workload associated with this bill (VMB Contingent Fund). These funds would support one limited term government program analyst and one program technician to process regulations, create new applications, provide outreach, process applications, and take calls related to the new registration requirements.

If an examination is required to determine minimum qualifications for licensure, VMB would need to conduct an occupational analysis, a one-time cost of \$175,000, as well as conduct annual exam workshops, which would cost approximately \$50,000 annually. Additionally, VMB would need to modify existing office space to accommodate for the additional staff which is projected to be up to \$196,000 in one-time costs. Costs to update the BreEZe licensing system, including a new license type, approximately 20 new enforcement codes, and a new modifier are also included in the above cost estimate. The VMB would receive generated revenue, however the amount is unknown at this time.

- 2) The Physical Therapy Board (PTB) projects this bill would create approximately 15 enforcement complaints annually, which would equate to approximately 180 hours of staff time. The total fiscal impact to the Board in staff time would be \$13,000 annually. Additionally, PTB would need to establish and update regulations. PTB assumes a total of four regulatory packages at 80 hours to complete one package. The total fiscal impact to PTB would be \$27,000. The total workload for PTB is considered absorbable at this time.

COMMENTS:

- 1) **Purpose.** The Animal Physical Therapy Coalition (APTC), which describes itself as a grassroots coalition of physical therapists, veterinarians, registered veterinary technicians, and consumers, is the sponsor of this bill. The author states:

California is facing a shortage of veterinarians that has resulted in challenges to accessing veterinary care for animal owners, including physical rehabilitation. AB 814 will help ease the burden on veterinarians by providing them with an additional option for physical rehabilitation care by authorizing a licensed veterinarian, after establishing a veterinary-patient-client-relationship, to refer an animal to an authorized animal physical therapist for treatment. Additionally, the bill authorizes the referring veterinarian to determine the appropriate degree of supervision for an authorized animal physical therapist to provide rehabilitation services on an animal. As the state and veterinary community continue to explore options to address the veterinary shortage and issues with access to care, AB 814 represents a piece of the puzzle that will help balance workload for overburdened veterinary practices and expand options and access to care for animal owners.

- 2) **Background.** In California, only licensed veterinarians may provide veterinary medicine to an animal for a wound, fracture, or bodily injury, which includes all treatment, including physical therapy, except that registered veterinary technicians (RVTs) and unlicensed veterinary assistants may treat animals under a veterinarian's supervision. A licensed PT who wants to perform physical therapy on an animal must pursue additional licensure as a veterinarian, pursue registration as an RVT, or work under the direct supervision of a licensed veterinarian as a veterinary assistant. Direct supervision means the supervising veterinarian is on-site, is readily available, and performs necessary examinations on the animal patient.

Animal Physical Rehabilitation Task Force. Due to the VMB's increasing concern about the welfare of the animals being treated by unlicensed personnel and evidence of animal harm, the VMB created a task force comprised of stakeholders including veterinarians, RVTs, animal rehabilitation and related professionals, among others, to examine the issue and make a recommendation to the VMB. At its third and final meeting, the task force recommended California licensed PTs with advanced certification in APR (to be defined by the VMB and PTB working cooperatively) may provide animal physical rehabilitation under the degree of supervision to be determined by the veterinarian who has established a veterinarian-client-patient relationship, on a veterinary premises or an animal physical rehabilitation premises (to be defined in regulation by the VMB and the Physical Therapy Board working cooperatively), or a range setting. However, the VMB subsequently approved a motion to modify the task force's recommendation to specify that a PT may offer APR under direct supervision, rather than the degree of supervision to be determined by the supervising veterinarian. This bill seeks to codify the task force's original recommendation.