



FAQs (*with no answers*) based on over ~250 posts by veterinarians on the VIN Boards at

<https://www.vin.com/members/boards/discussionviewer.aspx?boardid=4&folderid=3&documentid=8892432&firstmsg=1&lastmsg=80&threadid=1915941>

regarding California B&P Section 4829.5

(a) Each time a veterinarian initially prescribes, dispenses, or furnishes a dangerous drug, as defined in Section 4022, to an animal patient in an outpatient setting, the veterinarian **shall offer to provide, in person or through electronic means**, to the client responsible for the animal, or his or her agent, a **consultation** that includes the following information:

- (1) The name and description of the dangerous drug.
- (2) Route of administration, dosage form, dosage, duration of drug therapy, the duration of the effects of the drug, and **the common severe adverse effects** associated with the use of a short-acting or long-acting drug.
- (3) Any special directions for proper use and storage.
- (4) Actions to be taken in the event of a missed dose.
- (5) If available, precautions and relevant **warnings provided by the drug's manufacturer**, including common severe adverse effects of the drug.

(b) If requested, **a veterinarian shall provide drug documentation, if available.**

(c) **A veterinarian may delegate to a registered veterinary technician or veterinary assistant** the task of providing the consultation and drug documentation required by this section.

(d) It shall be noted in the medical record of the animal patient if the consultation described in this section is provided or declined by the client or his or her agent.

(Added by Stats. 2018, Ch. 571, Sec. 26. (SB 1480) Effective January 1, 2019.)

Emphasis above added to correspond to questions below

1. Subsection (a) – what does the phrase “in person or through electronic means” mean?
 - a. Is it the “offer” of a consultation that can be done this way, or is the consultation itself?
 - b. Who has the choice to offer “in person” or “electronic”? The veterinarian can choose either one, or does the client have that choice?
 - c. What is “electronic”? an email with all of the information? A phone call? A link to a data-base that has the information in a searchable format (like in human medicine)?
2. Subsection (a)(2) – “the common severe adverse effects”
 - a. Is that an “and” – as in “common and severe”? there are few prescribed drugs that have adverse effects that are both common and severe, so arguably there are few drugs where the nature of adverse effects will need to be addressed
 - b. By what standard is “common” and “severe” to be determined?
3. Subsection (a) – what is a “consultation”?
 - a. Does providing all of the required information over the course of a visit by a number of individuals and means satisfy the requirements? Versus a separate and distinct single review with a client?
 - b. If the information is all provided by the drug manufacturer, or in another drug documentation handout, will that satisfy the code requirement?
4. Delegation under Subsection (c) – since “veterinary assistant” is not a licensed position in California, presumably anyone in the clinic can provide this information? E.g., receptionist? A customer service representative (CSR)?
5. Does the law apply to prescription diets?
6. How to deal with prescriptions filled by compounding pharmacies, since the veterinarian does not necessarily know what formulation they will provide, so cannot advise on storage, etc.? Is it sufficient to say, “Follow the instruction on the label, whatever it may say”?
7. Do refills of prescription originally issued prior to January 1, 2019, require a consultation?
8. Clients often switch pharmacies for the same chronic medication based on price. Many pharmacies consider the change a “new prescription”. Does a veterinarian need to provide new counseling each time a change is made, since a “new” prescription must be provided, or only when the original medication is prescribed?
9. Many pharmacies take called or faxed prescriptions. How does a veterinarian meet the new law, when the client is not in the clinic?