



VETERINARY EXAMINING BOARD

CR 106 Board Room, 2811 Agriculture Drive, Madison, Wisconsin

Contact: Matt Tompach (608) 224-5024

July 26, 2017

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:00 A.M. OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Introductions**
- B. Approval of the Agenda**
- C. [Approval of Board Meeting Minutes of April 26, 2017](#)**

APPEARANCE – Department of Agriculture, Trade, and Consumer Protection (DATCP) Office of the Secretary: Lauren Van Buren and Cheryl Daniels, DATCP Attorneys; Robert Van Lanen, Regulatory Specialist – Senior; Matt Tompach, Administrative Policy Advisor; Sally Ballweg, License/Permit Program Associate; Kelly Markor, Executive Staff Assistant; Scott Gordon and Amy Knoploh, DATCP Bureau of Information Technology Services. Introductions and Discussion.

- D. Public Comments - *Each speaker is limited to five minutes or less, depending on the number of speakers. Each speaker must fill out and submit an appearance card to the Board clerk.***

- E. [MyDATCP Online Licensing Portal Demonstration](#)**

F. Scope of Practice Inquiries

- 1. [Operation of mobile pet imaging services](#)
- 2. [Semen collection/testing of beef bulls by a non-licensed individual](#)
- 3. [Prescribing of hemp to small animal patients](#)

G. Legislative/Administrative Rule Matters

- 1. [VE 1 and 7 - Final Draft to amend Wis. Admin. Code § VE 1.02 \(9\), relating to the definition of veterinary medical surgery, and § VE 7.02\(4\), relating to delegation of veterinary medical acts.](#)

Each side's presentation limited to 10 minutes or less

- a. Dr. Gregg BeVier, COO of Sexing Technologies
- b. Wisconsin Veterinary Medical Association (WVMA) representative

- 2. [VE 1 and 7 - Report on Complementary, Alternative and Integrative Therapies Rules Advisory Committee Meeting of July 12, 2017](#)

Agriculture generates \$88 billion for Wisconsin

H. American Association of Veterinary State Boards (AAVSB) Matters

1. [Annual Meeting, September 14-16, 2017, San Antonio, TX – Update \(agenda, travel, etc.\)](#)
2. Proposed Bylaws and Resolutions - Informational

I. Board Member Reports

J. Future Meeting Dates

1. Screening Committee
2. Next Board Meeting – October 25, 2017 (9:00 a.m.)

K. Future Agenda Items

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

L. Deliberation on Proposed Stipulations, Final Decisions and Orders

1. 17 VET 002 E.B., D.V.M.
2. 16 VET 034 - J. S., L.H., D.G., and A.M.
3. 16 VET 036 M.H., D.V.M.

M. Review of Veterinary Examining Board Pending Cases Status Report as of July 10, 2017

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Open Session Items Noticed Above not Completed in the Initial Open Session

O. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

P. Ratification of Licenses and Certificates

ADJOURNMENT

The Board may break for lunch sometime during the meeting and reconvene shortly thereafter.

Approval of Board Meeting Minutes of April 26, 2017



VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, April 26, 2017

PRESENT: Bruce Berth, Robert Forbes, D.V.M., Philip Johnson, D.V.M., Kevin Kreier, D.V.M., Dana Reimer C.V.T., Sheldon Schall, Lisa Weisensel Nesson, D.V.M. (Absent: Diane Dommer Martin, D.V.M.).

STAFF: Department of Agriculture, Trade, and Consumer Protection (DATCP): Lauren Van Buren and Cheryl Daniels, DATCP Attorneys; Matt Tompach, Administrative Policy Advisory; Sally Ballweg, License/Permit Program Associate; Robert Van Lanen, Regulatory Specialist – Senior; Kelly Markor, Executive Staff Assistant; Heather Bartley, Feed Program Specialist.

CALL TO ORDER

Philip Johnson, Chair, called the meeting to order at 9:07 AM. A quorum of seven (7) members was confirmed.

APPROVAL OF THE AGENDA

MOTION: Sheldon Schall moved, seconded by Kevin Kreier, to approve the agenda as amended, removing Dr. Greg BeVier and Dr. Warren Wilson from the public comments; also move veterinary feed directive (VFD) discussion to follow public comments. Motion carried unanimously.

APPROVAL OF THE BOARD MEETING MINUTES OF THE JANUARY 26, 2017 MEETING

MOTION: Robert Forbes moved, seconded by, Bruce Berth, to approve the minutes from the Wednesday, January 26, 2017 meeting. Motion carried unanimously.

PUBLIC COMMENTS

Dr. Warren Wilson, representing Sexing Technologies, offered comments to the Board relating to the work of Dr. Gregg BeVier, D.V.M., technologies used by the company, and the VE 1 Final Draft Rule.

UPDATE – FEDERAL FOOD AND DRUG ADMINISTRATION VETERINARY FEED DIRECTIVE AND VEB COORDINATION (INFORMATIONAL)

Heather Bartley, DATCP Feed Program Specialist, presented on the Veterinary Feed Directive and the roles of DATCP, the Food and Drug Administration (FDA) and the VEB in compliance and enforcement.

SCOPE OF PRACTICE INQUIRIES

VEB members discussed issues related to procedures such as amniocentesis and oocyte recovery in cattle.

MOTION: Lisa Weisensel Nesson moved, seconded by Kevin Kreier, that under current statute, neither a foreign veterinarian (one not licensed in Wisconsin) nor an animal health technician may perform procedures such as amniocentesis and oocyte recovery in cattle under the direct or indirect supervision of a veterinarian licensed in Wisconsin, when the procedure is performed on their employers' animals. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

The Board discussed issues related to VE 1 and 7 - Final Draft to amend Wis. Admin. Code § VE 1.02 (9), relating to the definition of veterinary medical surgery, and § VE 7.02(4), relating to delegation of veterinary medical acts.

The Board requested that the term "IV" be replaced with "intravenous."

MOTION: Dana Reimer moved, seconded by Bruce Berth, to table VE1 and VE7 and invite comments on the exemptions at the July 26, 2017 Meeting. Motioned carried unanimously.

RULES ADVISORY COMMITTEE

Bruce Berth and Cheryl Daniels, VEB counsel, briefed the Board on the March 28, 2017 inaugural meeting of the Rules Advisory Committee, appointed by the Board at the January 25, 2017 meeting to review the current scope statement on VE 7 and any rules promulgated thereunder. A second meeting will be scheduled this summer.

ADMINISTRATIVE ITEM – STATE PUBLIC RECORDS LAW TRAINING

Cheryl Daniels reviewed state public records law training with the VEB Members.

AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS (AAVSB) MATTERS

MOTION: Kevin Kreier moved, seconded by Bruce Berth, to designate Robert Forbes, Philip Johnson and Diane Dommer Martin to attend the AAVSB Annual Conference on September 14, 2017, through September 16, 2017, in San Antonio, TX and to authorize travel. Motion carried unanimously.

At the January 25, 2017 meeting, Board members unanimously approved the nomination of Robert Forbes as 2017-2018 AAVSB Representative to the International Council of Veterinary Assessment (ICVA), previously known as the National Board of Veterinary Medical Examiners (NBVME). Dr. Forbes informed the Board that, due to the extensive time commitment, he no longer sought the appointment. Dr. Forbes thanked members for their support.

BOARD MEMBER REPORTS

Robert Forbes spoke about his appearance before the Governor's Opioid Task Force.

FUTURE MEETING DATES

The next VEB meeting is scheduled for July 26, 2017.

The next Screening Panel meetings are scheduled for May 24, 2017, June 21, 2017, and then immediately following July 26, 2017 VEB meeting.

FUTURE AGENDA ITEMS

There were no future agenda items requested.

CLOSED SESSION MOTION

MOTION: Robert Forbes moved seconded by Dana Reimer, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Philip Johnson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Kevin Kreier -yes; Lisa Weisensel Nesson -yes; Robert Forbes -yes; Philip Johnson -yes; Bruce Berth -yes; Sheldon Schall -yes; Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Robert Forbes moved seconded by Kevin Kreier, to reconvene to open session. Motion carried unanimously. The Board reconvened at 1:02 pm.

MOTION: Lisa Weisensel Nesson moved, seconded by Sheldon Schall, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Darren Katzung, D.V.M., 16 VET 021; Mark Hein, D.V.M., 16 VET 036; Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Dana Reimer, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Randall Peabody, D.V.M., 16 VET 009 and 16 VET 018; Motion carried 5 to 2.

MOTION: Kevin Kreier moved, seconded by Lisa Weisensel Nesson, to enter an administrative warning against Michelle Williams, D.V.M., 16 VET 020; Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Dana Reimer, to grant full licensure back to Charles Arntson, D.V.M.; Hadley Dejaynes, D.V.M.; Joel Dejaynes, D.V.M.; Motion carried unanimously.

MOTION: Kevin Kreier moved, seconded by Robert Forbes, to delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Dana Reimer moved, seconded by Bruce Berth, to adjourn. Motion carried unanimously.

The meeting adjourned at 1:09 pm.

MyDATCP Online Licensing Portal Demonstration

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Matt Tompach, Executive Director		2) Date When Request Submitted: June 12, 2017 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date.</small>	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? MyDATCP Online Licensing Portal Demonstration	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Scott Gordon and Amy Knoploh, DATCP Bureau of Information Technology Services, will demonstrate the MyDATCP online licensing portal for members. VEB credentials are up for renewal by December 31, 2017.			
11) Authorization			
Matt Tompach		June 12, 2017	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Operation of mobile pet imaging services

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

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3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Scope of Practice Mobile Pet Imaging	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Discussion of mobile pet imaging services and the practice of veterinary medicine in Wisconsin. Inquiry from company based in Florida looking to possibly operate in Wisconsin.			
11) Authorization			
Matt Tompach		June 12, 2017	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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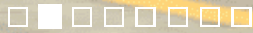


Experience the Revolution in Veterinary Imaging from Mobile Pet Imaging

Mobile Pet Imaging brings revolutionary robotic high definition CT scans with 3D capabilities and fluoroscopies to veterinary offices, veterinary clinics and hospitals, veterinary specialists, and zoos.

Our state-of-the-art mobile unit comes to YOU.



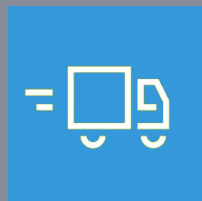


How is Mobile Pet Imaging Different?



HD CT with 3D

Our revolutionary HD CTs with 3D reconstruction gives you more detail than most traditional CT scans –for a more accurate diagnosis.



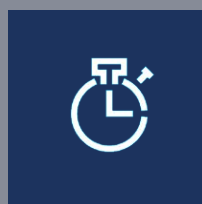
We Come to YOU

You maintain control of your cases, and make it easier for the pet owner—since they already know how to get to your office.



Better for Business

Now you can offer pet owners an affordable CT or fluoroscopy — Satisfied customers can add to YOUR bottom line.



Faster Diagnostics

Our mobile unit travels to you, for faster diagnostics that results in earlier treatment planning and more accurate prognosis.

Want to see our technology first hand?
Call us or **email us** for a "Lunch & Learn"

We will come to your office and give you and your staff a short presentation and a tour of the mobile unit, so you can see the technology in action first hand!

T. 305.733.0673

[About us](#)

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[Facebook](#)

Join our email list to get monthly case studies in your mailbox.

See how other area vets are using our HD CTs and fluoroscopies to serve their clients better.

[JOIN EMAIL LIST](#)

Quick-Facts about Mobile Pet Imaging

What is Mobile Pet Imaging?

Mobile Pet Imaging is a veterinary service that offers the latest in high-definition CT Scans and fluoroscopy—in a mobile unit that comes to vets' offices.

What is a CT Scan?

CT stands for Computed Tomography. It is basically a series of very fine X-rays that the computer then assembles into a 3D image. CT scans are especially helpful in evaluating the skull, brain, sinuses, inner ear, eye sockets, spine and discs, bones, joints, and soft tissues.

How are we different?

- Mobile Pet Imaging HD CT Scans offer more resolution than traditional diagnostic imaging tools.
- In most cases, Mobile Pet Imaging's CT scans are more affordable than traditional CT Scans.
- Mobile Pet Imaging comes to veterinarians' offices, so there is no need for referral to a different hospital or office. Your pet will be scanned in the mobile unit at your veterinarian's office and returned to them for aftercare. A licensed veterinarian is with your pet at all times during our service.
- A CT Report by a board-certified radiologist is emailed to the primary veterinarian within 24 hours (can be ordered "rush" if needed).

Where are we located?

- Mobile Pet Imaging provides services from a custom-built, state-of-the-art mobile unit specifically designed to safely transport high-tech equipment and provide a safe, clean and tranquil place to perform the procedures.
- The Mobile Pet Imaging mobile unit services the Miami-Dade, Broward, Palm Beach and Monroe counties, but can travel outside our standard service area upon request.

Some Interesting Cases.

- Mobile Pet Imaging provides services to more than just dogs and cats. In the first year of business, Mobile Pet Imaging has had the honor of helping diagnose all sorts of animals: from a pet squirrel, a cockatoo and a Komodo dragon, to rabbits and a marmoset.
- Mobile Pet Imaging's equipment accommodates animals up to 200 lbs., including the chimpanzee scanned for the Lion Country Safari in Palm Beach County.
- A case done at the Palm Beach Zoo caught the eye of local news; two recent cases at a private practice will be featured on a national TV show.
- Mobile Pet Imaging is also proud to have done many discounted scans for rescue groups, veterinarians and their staff, zoos and wildlife facilities throughout South Florida.

BACKGROUND INFO

Mobile Pet Imaging was conceived by Dr. Pedro Armstrong, a veterinary internist in South Florida, who wanted to bring the latest in CT technology to ALL patients, in a more convenient and affordable manner than was available. In 2014, Dr. Armstrong partnered with Dr. Meaux to create Mobile Pet Imaging.

Dr. Pedro Armstrong DVM, DACVIM- Dr. Pedro Armstrong DVM, DACVIM- Managing partner and internal medicine specialist, has been practicing in the Miami area since 1996. In 2005,

Dr. Armstrong is also one of the founders and a previous owner and internist at Southeast Veterinary Referral Center and the Pet Emergency Room in Miami.

Dr. Xavier Meaux- Partner and Lead Mobile Unit Veterinarian.

Dr. Ana V. Caceres, DVM, DACVR- Head of Diagnostic Imaging at University of Pennsylvania School of Veterinary Medicine and consulting radiologist for Mobile Pet Imaging.

Please visit the consumer website at: **itstimetoseemore.com**

Semen collection/testing of beef bulls by a non-licensed individual

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Lauren Van Buren		2) Date When Request Submitted: June 26, 2017 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date.</small>	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Scope of Practice Semen collection/testing of beef bulls by a non-licensed individual	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Discussion of Semen collection/testing of beef bulls by a non-licensed individual and the practice of veterinary medicine in Wisconsin. Scope of practice issue referred from Screening Panel.			
11) Authorization			
Lauren Van Buren		June 26, 2017	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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Wisconsin Department of Agriculture, Trade and Consumer Protection
 Veterinary Examining Board
 2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911
 Phone: (608) 224-4353

COMPLAINT FORM

Mail this form to the address above or send to datcpVEB@wi.gov

If you have any questions about completing this form, contact the VEB staff at 608-224-4353.

Under Wisconsin's Open Records Law, this complaint and the information you provide will be available for public review upon request.

Complaint filed by (First, Middle, Last): Richard A. Korthauer	
Address: 1006 E Main St	
City, State, Zip: Mondovi, WI 54755	
County: Buffalo	Phone # with area code: (715) 926-3821
Email address: mondovivet@frontiernet.net	
Is the animal deceased? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Date of Death	

People and/or Entities the complaint is against: Jan van Tonder dba. AA Breeders	
Address: 214 Eagle Drive	
City, State, Zip: McGregor, IA 52157-8515	
County: Clayton	Phone # with area code: (563) 873-3178 or (563) 880-2732
Email address: aabreeders@hotmail.com	

1. When did the incident occur (if you do not know the exact date, make as close an estimate as possible)?

May 2, 2017

2. Where did the incident occur (include town/city/village/county)?

Taylor County Fairgrounds, at Hwy 64 and 13, Medford, WI

3. Have you tried to resolve this matter? If so, please provide details.

No

4. If your complaint is, or has been, under consideration by another agency or court please provide that information.

No

5. Who else has information related to this incident? Provide names, addresses, email addresses and phone numbers for those persons.

I have discussed the incident with the following people.

Kim Pokorny, WVMA Executive Director, (608) 257-3665

Larry Baumann, UW River Falls, (715) 425-3187

6. Describe the incident. Include as much specific information as possible. Attach additional pages if needed. Attach copies of any relevant documents or evidence such as contracts, photographs, medical records, billing statements, personal notes, pill bottles, etc. It is very important that you do not dispose of any information or evidence even after you have filed a complaint.

On May 2, 2017, UW Extension in association with North Central Wisconsin Cattlemen's Association, Inc. sponsored a Breeding Soundness Evaluation Clinic. Jan van Tonder was promoted as a certified tester and would be examining semen and issuing certificates of his results. He advertised a charge of \$30 to \$45 per evaluation. Please refer to this website: <http://ncwcattlemen.com/wp-content/uploads/2015/03/BSE-flyer-2015.pdf>

Damar Farms, Mondovi, WI conducted a dispersal sale on February 11 & 12, 2017. I was told, but cannot verify, that Jan van Tonder evaluated 183 bulls in 7 hours for the sale. I was told he passed 180 of the 183 as sound for sale. Most were yearling bulls. I was told he charged the farm \$4,575.00 for the evaluations. Since he approves such a high percentage of bulls as sound, I believe he does semen evaluations for many bull production sales. Damar Farms cattle and farms have been sold. Again, this information cannot be confirmed.

Mondovi Veterinary Service did semen evaluations for a group of beef clients one day last year. This year when we tried to set up an evaluation day, they (sheepishly) said they didn't need any evaluations for this year. We are the only veterinary clinic in the area doing the exams and I feel someone else was doing them. Many of the bull had been purchased at Damar Farms in previous sales. Again, this information cannot be confirmed.

I believe semen evaluation and diagnosis of fertility in any species is a veterinary procedure in Wisconsin. If a layperson is advertising and charging for such services, I believe he should be ordered to stop. Please refer to the website that shows Jan van Tonder's intent to practice veterinary medicine without being licensed and take the appropriate action. Thank you.


Signature

Date 6-11-17



We are based in Northeast Iowa, close to the Mississippi River. Our services are provided to Iowa, Wisconsin, Minnesota, South Dakota, North Dakota and some other states on requested occasions.

AA Breeders is a private based business that does custom semen freezing on various animals as well as Artificial Insemination on exotic animals. AA Breeders work out of a mobile laboratory and is capable of freezing the semen on location.

AA Breeders specializes in working with cattle, whitetail deer, elk, reindeer and we have experience in working with many other exotic animals as well. We are willing to give an AI training class upon request.

For more information, please contact:

Jan van Tonder

aabreeders@hotmail.com

563-880-2732



AA BREEDERS

UW-Extension Taylor County

Breeding Soundness Evaluation Clinic

We will be using Lee Waldhart's Tub , Chute and Headgate for safe handling of the bulls. If you wish to perform other routine procedures to your bull while he is restrained (ear tagging, vaccinating), you may do so, using your own equipment and supplies. Your bull may also be collected for an additional fee, bring your nitrogen tank along.

NCWCA, Inc., its administration, its members, and its sponsors will not be responsible for any loss or damage that may occur during the delivery, exhibition, participation or removal of animals attending programs of NCWCA, Inc. Nor shall the association, its management, its members and its sponsors be responsible for personal injury, loss or theft sustained by a participant. The participant shall indemnify NCWCA, Inc. against all legal or other proceedings in regard thereto

For more information call:

Kurt at 715-657-0233

UW-Extension Taylor County

USDA Service Center
925 Donald Street
Medford, WI 54451

Phone: 715-748-3327
Fax: 715-748-9772

On Tuesday, May 5, 2015 you are invited to bring your bulls beginning at 8 am to the Taylor County Fairgrounds, Hwy 64 & 13, in Medford for

Breeding Soundness Evaluations

conducted by AA Breeders, Jan van Tonder, a certified tester from Iowa. Your bulls will be reproductively and semen examined, receiving a certification of results.

Cost: \$30 per bull for NCWCA members
\$45 per bull for non-NCWCA members



So you don't have to wait, 20 minute examinations will be scheduled.

You are directed to call 715-657-0233 to register your bull(s) by April 23.

Be sure to register your name, a phone number where you can be reached and the number of bulls you plan on bringing.

Based upon the number of bull sign-ups, a schedule will be planned and you will receive a return call with your arrival time.

Fees will be collected at the time of the examination, with payment made to NCWCA, Inc.

North Central Wisconsin Cattlemen's Association is sponsoring this event. You may join NCWCA during the clinic and receive the discounted rate for the bull evaluations. Family memberships are \$40 and Individual memberships are \$25.

An EEO/Affirmative Action employer; University of Wisconsin-Extension provides equal opportunities in employment and programming, including Title IX and ADA requirements. Please make requests for reasonable accommodations to ensure equal access to educational programs as early as possible preceding the scheduled program, service or activity. This document can be provided in an alternative format by calling UW-Extension at 715/748-3327 or 711 for Wisconsin Relay."

Jan van Tonder
AA Breeders
214 Eagle Drive
Mc Gregor, IA 52157

06/26/2017

Dear Mr. Van Lanen,

I am in receipt of your June 15, 2017 correspondence requesting information regarding a complaint. First, I reviewed the North Central Wisconsin Cattlemen's Association, Inc. advertisement. Please be aware that this was not my advertisement and is not my website. I did not place that advertisement or even have knowledge of it. This advertisement was placed by the veterinarian arranging the semen testing. The Doctor is Sandy Stuttgen, telephone number 715-748-3327 of the University of Wisconsin Extension office. This website does not belong to me.

Second, I am not in the business of diagnosing fertility. The only service that I provide is the examination of semen. This examination has nothing to do with any fact or cause of any animal, disease or physical condition. I complete no treatment, no operations and prescribe no medicines.

I do not send out any advertisements in Wisconsin. Please note I will be on vacation until July 20th, 2017

Sincerely

Jan van Tonder

Prescribing of hemp to small animal patients

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

AGENDA REQUEST FORM

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4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Scope of Practice Prescribing of hemp to small animal patients	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Discussion of inquiry received by VEB staff requesting clarification of regulations regarding prescribing of hemp to small animal patients.			
11) Authorization			
Lauren Van Buren		July 13, 2017	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
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Tompach, Matthew C - DATCP

Subject: FW: Inquiry: Veterinary Hemp Use

From: meds@countrycareac.com [<mailto:meds@countrycareac.com>]

Sent: Thursday, July 06, 2017 5:01 PM

To: DATCP VEB <datcpveb@wisconsin.gov>

Subject: Inquiry: Veterinary Hemp Use

Good afternoon – to whom this may best be addressed:

I am writing to clarify the regulations regarding prescribing of Hemp to small animal patients.

I have reviewed the state legislature regulations and see no concerns, but want to verify there is no concerns within the veterinary community.

Please let me know at your earliest availability or potentially direct me to someone who may be able to help.

Thank you kindly,

Kat Robertson, CVT

Inventory Specialist

Countrycare Animal Complex

4235 Elm View Road,

Green Bay, WI 54311

**1. VE 1 and 7 - Final Draft to amend Wis. Admin. Code §
VE 1.02 (9), relating to the definition of veterinary
medical surgery, and § VE 7.02(4), relating to delegation
of veterinary medical acts.**

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Cheryl Daniels, VEB Counsel		2) Date When Request Submitted: June 12, 2017 Items will be considered late if submitted after 12:00 p.m. on the deadline date.									
3) Name of Board, Committee, Council, Sections: VEB											
4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? VE 1 and 7 - Final Draft to amend Wis. Admin. Code § VE 1.02 (9), relating to the definition of veterinary medical surgery, and § VE 7.02(4), relating to delegation of veterinary medical acts. a. Dr. Gregg BeVier, COO of Sexing Technologies b. Kim Brown Pokorny and Jordan Lamb, Wisconsin Veterinary Medical Association (WVMA)									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:									
10) Describe the issue and action that should be addressed: The Board is proceeding, pursuant to Wis. Stat. s. 227.18(3), whereby arguments may be made to the Board, as a quorum of the Board was not present at the Nov. 30, 2016 public hearing on the rule when an objection was made. Dr. Greg Bevier and Sexing Technologies made an objection to the rule at the hearing and in writing. At the April 26, 2017 full Board meeting, members agreed to allow oral arguments at the July meeting concerning the Board's decision to deny an exemption for bovine embryo transfer under the definition of "surgery" in Wis. Admin. Code s. VE 1.02(9). The Board invited Dr. Bevier, or another representative of Sexing Technologies, to present its argument before the entire Board, as well as experts identified by WVMA, a proponent of the rule, to speak on this issue. The Board may consider final language for a proposed rule to modify chs. VE 1 (Authority and Definitions) and VE 7 (Standards of Practice and Unprofessional Conduct for Veterinarians).											
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">Cheryl Daniels</td> <td style="width: 40%; border-bottom: 1px solid black; text-align: right;">June 12, 2017</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table>				Cheryl Daniels	June 12, 2017	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
Cheryl Daniels	June 12, 2017										
Signature of person making this request	Date										
Supervisor (if required)	Date										
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date											
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.											



DATE: April 5, 2017
TO: Veterinary Examining Board (VEB)
FROM: Cheryl Furstace Daniels, VEB Legal Counsel
SUBJECT: VE 1 and 7– Definition of veterinary medical surgery and delegation of medical acts;
Final Draft Rule

PRESENTED BY: Cheryl Furstace Daniels

REQUESTED ACTION:

At the April 26, 2017, VEB meeting, the VEB will consider final language for a proposed rule to modify chs. VE 1 (Authority and Definitions) and VE 7 (Standards of Practice and Unprofessional Conduct for Veterinarians.) The proposed rule broadens the definition of surgery by removing the limitation in s. VEB 1.02 (9), Wis. Adm. Code, to procedures that are only for therapeutic purposes, but also specifying additional procedures exempted from the definition. Those procedures deemed to be exempt from surgery, but still within the practice of veterinary medicine, are also added s. VE 7.02(4) as medical services that may be delegated by a veterinarian to a certified veterinary technician under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided.

During the January 25, 2017, VEB meeting, the VEB considered several suggestions for additional exempted procedures, to be placed in the rule, made during the hearing. The VEB chose the following as procedures that should be exempted from the surgery definition.

- Ear tag or tattoo placement intended to be used to identify an animal.
- Sample collection via a cystocentesis procedure.
- Placement of IV Catheters.

Following the meeting, VEB staff was contacted by a faculty member of the Madison College veterinary technician program, with additional procedures that should be considered for exemption, as they are currently being taught to veterinary technician students in certification programs. These include:

- Placement of arterial catheters.
- Suturing of tubes and catheters.
- Fine needle aspirate of a mass.

The draft that is now before the VEB includes these additional procedures as exempt from the definition of surgery in s. VE 1.02(9).

In addition, there was also discussion of the fact that euthanasia by injection is not clearly spelled out as not within the definition of surgery, but that the VEB, a number of years ago, determined that euthanasia by injection is not considered a practice of veterinary medicine. If so, this policy should be clearly spelled out in the rule and this final draft does include this exemption.

The VEB also decided that the exemptions to the definition should be further divided between those exemptions that are exempt from surgery, but also are not to be considered within the scope of the practice of veterinary medicine, and those exemptions that are still within the practice of veterinary medicine. This final draft does make the division into two separate paragraphs.

With that division, the rule needs to also clarify the delegation of medical acts to certified veterinary technicians in ch. VE 7, which is open under the scope statement approved for these rule revisions. This final draft creates, in s. VE 7.02(4), additional categories of veterinary medical services that a veterinarian may delegate to a certified veterinary technician when the veterinarian is personally present on the premises where services are provided.

The VEB has the authority to include any of the above provisions as an exemption to the proposed rule before final adoption. The other information that follows is a summary of the rule and procedures used in adopting the rule so far.

SUMMARY:

Background

VEB administers ch. 89, Stats., as well as the administrative rules in VE 1-10, Wis. Adm. Code, and in the administration of these statute and rules, VEB may issue administrative orders imposing discipline for unprofessional conduct related to the practice of veterinary medicine, including issuing an administrative warning to, or reprimanding, any person holding a veterinary medical license, or denying, revoking, suspending, limiting, the person's license, as specified by statute.

Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the Board, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery. In addition, with certain additional procedures not considered surgery, but still considered within the practice of veterinary medicine, the rule clarifies that those procedures may be delegated by veterinarian to a certified veterinary technician under the direct supervision of the veterinarian when personally present on the premises. This will ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the Board's jurisdiction.

Rule Content

Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the VEB, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery. The rule clarifies that some procedures not considered surgery also do not fall within the definition of the practice of veterinary medicine, under s. VE 1.02(6). Additionally, the rule clarifies that other procedures, not falling within the definition of surgery, remain within the practice of veterinary medicine. Finally, in s. VE 7.02(4), the rule creates additional veterinary medical acts, not considered surgery but still within the practice of veterinary medicine, that a veterinarian may delegate to a certified veterinary technicians (“CVT”), so long as the CVT is under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided.

Analysis and Supporting Documents Used to Determine Effect on Small Business

Discussions with stakeholder groups were considered as to the effect of the proposed rule on small business. Comments from attendees at hearings were also carefully considered.

Effect on Small Business

This rule change is anticipated to have an effect on small business, as many veterinary practices that will be subject to this definition change, are small businesses. To the extent that the proposed rule will clarify what is excluded from the practice of veterinary medicine, as well as what is included in the practice but can be delegated, this may have a positive impact in giving certainty to veterinarians concerning the regulation of surgery for reproductive, cosmetic and other purposes that do not fall clearly within the notion of "therapeutic". This will also ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

Environmental Impact

This rule will have no environmental impact.

Summary of, and Comparison with Existing or Proposed Federal Statutes and Regulations

There are no federal regulations governing the practice of veterinary medical surgeries.

Comparison with Rules in Adjacent States

None of the surrounding states of Illinois, Indiana, Iowa, Michigan or Minnesota, have their own definition of surgery for the purpose of practicing veterinary medicine. Illinois does include animal reproductive services in the definition of the practice of veterinary medicine. Iowa does include cosmetic surgery in the practice of the veterinary medicine definition.

Public Hearing

On November 28, 2016, the VEB received a report from the Legislative Council Rules Clearinghouse. VEB staff has incorporated all the minor changes suggested in the report.

VEB staff held a public hearing on November 30, 2016 and held open the record for written comments until December 30, 2016. Speaking at the hearing were the following persons:

1. Dr. John Borzillo, DVM, of Central Wisconsin Ag Services, requesting certain additions to the exceptions written in the amended rule.
2. Dr. Gregg BeVier, DVM, of Buford, Georgia (does not hold a veterinary medicine license in Wisconsin), speaking in opposition of the new rule.
3. Attorney Jordan Lamb, on behalf of the Wisconsin Veterinary Medical Association, speaking in favor of the rule but also requested that the Board consider concerns of veterinarians practicing in large animal veterinary practice.

Registering for information only was Dr. Warren Wilson, DVM, of Sun Prairie, Wisconsin.

Written comments were received by the following persons:

1. Dr. Ron Biese, DVM, District 4 representative from the Northeast Wisconsin Veterinary Medical Association, speaking in favor of the new rule.
2. Dr. John Borzillo, DVM, of Central Wisconsin Ag Services, detailing concerns with the rule as amended.
3. Attorney Jordan Lamb, on behalf of the Wisconsin Veterinary Medical Association, writing in favor of the amendment.
4. Pat Klaeser, Director of Dairy Sales Region for Genex Cooperative, seeking clarification from the Board concerning as to whether certain procedures within the process of bovine embryo transfer are exempt from the definition of surgery.
5. Teri Raffel, CVT, VTS (Surgery), AVTE Director at Large, with suggestions for additional exemptions to be considered.

Next Steps

If the Board and the Governor approve this rule, the Board will transmit the final rule to the Legislature for review by the appropriate legislative committees. If the Legislature takes no action to stop the rule, the Board Chair will sign the final rulemaking order and transmit it for publication. This rule will not have a significant adverse economic effect on “small business” so it is not subject to the delayed “small business” effective date provided in s. 227.22(2) (e), Stats.

**PROPOSED ORDER
OF THE WISCONSIN VETERINARY EXAMINING BOARD
ADOPTING RULES**

- 1 The Wisconsin veterinary examining board hereby proposes the following rule *to amend* VE 1.02
- 2 (9) and *to create* VE 7.02(4); *relating to* the definition of veterinary medical surgery and the
- 3 delegation of veterinary medical acts, and affecting small business.

Analysis Prepared by the Veterinary Examining Board

The Wisconsin Veterinary Examining Board (VEB) proposes a rule revision in ch. VE 1, Wis. Adm. Code, to broaden the definition of surgery removing the limitation in s. VE 1.02 (9), Wis. Adm. Code, to procedures that are for therapeutic purposes, and also specifying additional procedures exempted from the definition. In addition, the VEB proposes a rule revision in s. VE 7.02(4), Wis. Adm. Code, to include those additional exemptions added to the definition, which are still within the practice of veterinary medicine, as services a veterinarian may delegate to be provided by a certified veterinary technician, so long as the CVT is under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided.

Statutes Interpreted

Statute Interpreted: ss. 89.02 (6) and 89.05 (1), Stats.

Statutory Authority

Statutory Authority: s. 89.03 (1) and 227.11, Stats.

Explanation of Statutory Authority

VEB has specific authority, under the provisions cited above, to adopt rules establishing the scope of practice permitted for veterinarians

Related Statutes and Rules

VEB administers ch. 89, Stats., as well as the administrative rules in VE 1-10, Wis. Adm. Code, and in the administration of these statute and rules, VEB may issue administrative orders imposing discipline for unprofessional conduct related to the practice of veterinary medicine, including issuing an administrative warning to, or reprimanding, any person holding a veterinary

medical license, or denying, revoking, suspending, limiting, the person's license, as specified by statute.

Plain Language Analysis

Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the VEB, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery. The rule clarifies that some procedures not considered surgery also do not fall within the definition of the practice of veterinary medicine, under s. VE 1.02(6). Additionally, the rule clarifies that other procedures, not falling within the definition of surgery, remain within the practice of veterinary medicine. Finally, in s. VE 7.02(4), the rule creates additional veterinary medical acts, not considered surgery but still within the practice of veterinary medicine, that a veterinarian may delegate to a certified veterinary technicians ("CVT"), so long as the CVT is under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided.

Summary of, and Comparison with Existing or Proposed Federal Statutes and Regulations

There are no federal regulations governing the practice of veterinary medical surgeries.

Comparison with Rules in Adjacent States

None of the surrounding states of Illinois, Indiana, Iowa, Michigan or Minnesota, have their own definition of surgery for the purpose of practicing veterinary medicine. Illinois does include animal reproductive services in the definition of the practice of veterinary medicine. Iowa does include cosmetic surgery in the practice of the veterinary medicine definition.

Summary of Factual Data and Analytical Methodologies

This rule was developed after consultation with veterinary medical groups and looking at other state rules related to veterinary surgery.

Analysis and Supporting Documents Used to Determine Effect on Small Business

Discussions with stakeholder groups were considered as to the effect of the proposed rule on small business. Comments from attendees at hearings were also carefully considered.

Effect on Small Business

This rule change is anticipated to have an effect on small business, as many veterinary practices that will be subject to this definition change, are small businesses. To the extent that the proposed rule will clarify what is excluded from the practice of veterinary medicine, as well as what is included in the practice but can be delegated, this may have a positive impact in giving certainty to veterinarians concerning the regulation of surgery for reproductive, cosmetic and

other purposes that do not fall clearly within the notion of "therapeutic". This will also ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

This rule will not have a significant adverse economic effect on "small business" so it is not subject to the delayed "small business" effective date provided in s. 227.22(2) (e), Stats.

VEB Contact

Cheryl Daniels, Board Counsel
Veterinary Examining Board
c/o Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911
Telephone: (608) 224-5026 E-Mail: Cheryl.Daniels@Wisconsin.gov

Where and When Comments May Be Submitted

Questions and comments related to this this rule may be directed to:

Kelly Monaghan, Office Management Specialist
Office of the Secretary
Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911
Telephone: (608) 224-5023
E-Mail: Kelly.Monaghan@Wisconsin.gov

-
- 1 **SECTION 1.** VE 1.02(9) is amended to read:
- 2 **(9)** "Surgery" means any procedure in which the skin or tissue of the patient is penetrated
- 3 or severed ~~for therapeutic purposes, except for~~ but does not include any of the following: activities
- 4 ~~identified in s. 89.05 (2). Surgery does not include giving injections or simple dental extractions~~
- 5 ~~that require minor manipulation and minimal elevation.~~
- 6 (a) Activities not considered the practice of veterinary medicine, as follows.
- 7 1. Activities identified in s. 89.05(2) (a) and (b), Stats.
- 8 2. Subcutaneous insertion of a microchip intended to be used to identify an animal.
- 9 3. Ear tag or tattoo placement intended to be used to identify an animal.

1 4. Euthanasia by injection.

2 (b) Activities considered the practice of veterinary medicine, but may be delegated to
3 certified veterinary technicians, as specified in s. VE 7.02(4),

4 1. Simple dental extractions that require minor manipulation and minimal elevation.

5 2. Administration of injections, including local and general anesthesia.

6 3. Sample collection via a cystocentesis procedure.

7 4. Placement of intravenous and arterial catheters.

8 5. Suturing of tubes and catheters.

9 6. Fine needle aspirate of a mass.

10 **SECTION 2.** VE 7.02(4) (d)-(g) are created to read:

11 (d) Sample collection via a cystocentesis procedure.

12 (e) Placement of intravenous and arterial catheters.

13 (f) Suturing of tubes and catheters.

14 (g) Fine needle aspirate of a mass.

15 **SECTION 3. EFFECTIVE DATE AND INITIAL APPLICABILITY.** This rule takes effect on
16 the first day of the month following publication in the Wisconsin administrative register, as
17 provided under s. 227.22(2)(intro.).

Dated this _____ day of _____, 2017.

VETERINARY EXAMINING BOARD

By _____
Member of the Board

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

VE 1, Authority and Definitions and VE 7, Standards of Practice and Unprofessional Conduct for Veterinarians

3. Subject

Amending definition of surgery and exemptions

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

The Veterinary Examining Board ("VEB") administers ch. 89, Stats., as well as the administrative rules in VE 1-10, Wis. Adm. Code. Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the VEB, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. In addition, with changes to the definition of surgery, s. VE 7.02(4), Wis. Adm. Code, requires additions to veterinary medical acts that may be delegated by a veterinarian to a certified veterinary technician

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This proposed rule change is anticipated to affect all licensed veterinarians. This rule change is anticipated to have an effect on small business, as many veterinarian practices that will be subject to this definition change, are small businesses.

11. Identify the local governmental units that participated in the development of this EIA.

Local governmental units are not impacted by this rule and did not participate in development of this EIA.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The proposed rule makes minor changes to current rules and is expected to have no economic and fiscal impact.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery and additional veterinary medical acts that may be delegated by a veterinarian to a certified veterinary technician. This will ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

14. Long Range Implications of Implementing the Rule

To the extent that the proposed rule will clarify what is included in the practice of veterinary medicine, this may have a positive

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

impact in giving certainty to veterinarians concerning the regulation of surgery for reproductive, cosmetic and other purposes that do not fall clearly within the notion of "therapeutic" and those acts that may be delegated to a certified veterinary technician.

15. Compare With Approaches Being Used by Federal Government

There are no federal regulations governing the practice of veterinary medical surgeries.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

None of the surrounding states of Illinois, Indiana, Iowa, Michigan or Minnesota, have their own definition of surgery for the purpose of practicing veterinary medicine. Illinois does include animal reproductive services in the definition of the practice of veterinary medicine. Iowa does include cosmetic surgery in the practice of the veterinary medicine definition-

17. Comments Received in Response to Web Posting and DATCP Response

No comments were received in response either to the posting on the Department external website or the statewide administrative rules website. Other comments were received at the public hearings and during the period for written comments and all were considered by the VEB.

<h4>17. Contact Name</h4> <p>Cheryl Furstace Daniels, VEB Legal Counsel</p>	<h4>18. Contact Phone Number</h4> <p>(608) 224-5026</p>
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This document can be made available in alternate formats to individuals with disabilities upon request.

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
-

Wisconsin Veterinary Examining Board

Regulatory Flexibility Analysis

Rule Subject: Authority and Definitions
Adm. Code Reference: VE 1
Rules Clearinghouse #: 16-068
DATCP Docket #: 16-VER-1

Rule Summary

The Wisconsin Veterinary Examining Board (VEB) proposes a rule revision in ch. VE 1, Wis. Adm. Code, to broaden the definition of surgery removing the limitation in s. VE 1.02 (9), Wis. Adm. Code, to procedures that are for therapeutic purposes, and also specifying additional procedures exempted from the definition. In addition, the VEB proposes a rule revision in s. VE 7.02(4), Wis. Adm. Code, to include those additional exemptions added to the definition, which are still within the practice of veterinary medicine, as services a veterinarian may delegate to be provided by a certified veterinary technician, so long as the CVT is under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided.

Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the VEB, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery. The rule clarifies that some procedures not considered surgery also do not fall within the definition of the practice of veterinary medicine, under s. VE 1.02(6). Additionally, the rule clarifies that other procedures, not falling within the definition of surgery, remain within the practice of veterinary medicine. Finally, in s. VE 7.02(4), the rule creates additional veterinary medical acts, not considered surgery but still within the practice of veterinary medicine, that a veterinary may delegate to a certified veterinary technicians (“CVT”), so long as the CVT is under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided.

Small Businesses Affected

This rule change is anticipated to have an effect on small business, as many veterinary practices that will be subject to this definition change, are small businesses. To the extent that the proposed rule will clarify what is excluded from the practice of veterinary medicine, as well as what is included in the practice but can be delegated, this may have a positive impact in giving certainty to veterinarians concerning the regulation of surgery for reproductive, cosmetic and other purposes that do not fall clearly within the notion of

"therapeutic". This will also ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

Reporting, Bookkeeping and other Procedures

The rule would not require any additional reporting, bookkeeping, or other procedures.

Professional Skills Required

The proposed rule does not require any new professional skills.

Accommodation for Small Business

While this rule change is anticipated to have an effect on small business, as many veterinary practices are small business, it is anticipated that the effect will be positive in giving more certainty to veterinarians as to clarifying what is considered veterinary surgery. Therefore, no accommodation is required.

Conclusion

The provisions in this proposed rule will benefit those affected clarify that veterinary surgical procedures are broader than just for therapeutic purposes, but also specifying additional procedures not considered surgery. This will ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

This rule will not have a significant adverse effect on "small business" and is not subject to the delayed "small business" effective date provided in s. 227.22(2)(e), Stats.

Dated this _____ day of _____, 2017.

STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

By _____
Cheryl Furstace Daniels
VEB Legal Counsel

April 7, 2017

Cheryl Furstace Daniels, Board Counsel
Wisconsin Veterinary Examining Board
Wisconsin Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911
Madison, WI 53708

VIA EMAIL: cheryl.daniels@wisconsin.gov

Dear Ms. Daniels:

I am writing on behalf of Sexing Technologies (ST) in opposition to CR 16-068, which would broaden the current definition of veterinary medical surgery to include numerous procedures currently performed by a certified veterinary technician as well as expand the technician duties for a licensed veterinarian. The proposed rule will have a significant economic impact on Sexing Technologies, our customers in the farming community and ultimately Wisconsin's agricultural industry.

Sexing Technologies provides livestock reproduction and other services for cattle, horses, deer and swine. The majority of these services are performed on company owned or contract animals. We currently have 180 employees in Wisconsin and have laboratories in Westby, Fond du Lac, Oakfield, Kewaskum and DeForest. ST employs Assisted Reproductive Techniques (ART) aimed at improving agricultural populations. Many of the ART procedures are currently performed in Wisconsin and other states by highly trained and certified veterinary technicians under the direct and indirect supervision of a licensed veterinarian.

At the April meeting of the Veterinary Examining Board (VEB), it is our understanding that the Board will be taking a final vote on CR 16-068, which will prevent certified veterinary technicians from performing specific techniques such as bovine embryo transfer, bovine follicular aspiration and bovine amniocentesis. It is our hope that the Board will fully consider the broad negative implications of this measure and vote NO on CR 16-068.

In Wisconsin, veterinary technicians have been performing ART techniques under the direct supervision of veterinarians since 1975. The technologies in our field have improved drastically, and the interactions with animals are less invasive than when originally approved four decades ago. CR 16-068 will have a significant negative impact on our company and the agricultural industry in Wisconsin.

Sexing Technologies has made a substantial investment in Wisconsin, operating five laboratories with a multi-million dollar economic footprint. Sexing Technologies has made this investment based on our current operating procedures and cost-benefit analysis, and the passage of CR 16-068 will negate the economic basis for this decision requiring ST to move operations to another state.

For the agricultural community, the proposed rule will also have a significant negative impact. Our goal at ST is to keep costs down for our customers and ensure high quality animals. Reproductive inefficiency is one of the most important causes of economic losses, and our services are essential to improving rural economies by increasing overall numbers and breeds of the correct gender.

Furthermore, this rule is a barrier to opportunity for veterinary technicians and erodes high level training and certifications in the field of ART currently employed by qualified veterinary technicians. In Wisconsin, veterinary technicians are certified by the VEB to work under the direct supervision of a licensed veterinarian, and ST provides additional training in biotechnologies and other specialties specific to our business. Mandating that these procedures are performed by a veterinarian does nothing more than add unnecessary and additional costs to operations, not to mention the difficulty and unwillingness of veterinarians to comply. Specifically for ST, this rule will require us to replace many veterinary technicians with veterinarians, with an increased cost of more than \$100,000 each in salary and benefits.

Wisconsin, like most states, has a shortage of veterinarians, specifically large animal and food veterinarians. In addition to the difficulty in finding veterinarians to occupy these positions, they lack the additional and specialized training and knowledge that comes with ART. We believe that the veterinarian should have oversight on these procedures as they require the use of certain drugs requiring veterinary oversight. We believe that the role of the veterinarian can be leveraged over numerous technicians and thus utilize the professional nature associated with the DVM degree in a better way. The human health profession has been a leader in utilizing para-professionals and certified staff to perform numerous procedures on people. The veterinary profession has lagged in this strategic direction. The changes proposed in CR 16-068 will only further isolate the profession from working with para-professionals.

This is a solution seeking a problem. This restriction will eliminate working opportunities for veterinary technicians, place increased costs on the agriculture industry and ultimately consumers and lacks scientific justification. Furthermore, passage of this rule will require ST to move our Wisconsin operations to another State so that we can continue providing our services



A World Leader in
Sexed Semen and Embryos
for the Livestock Industry

with the least amount of regulation and lowest costs. It is our hope that the VEB will consider the ramifications and implications of this far-reaching rule and vote NO on CR 16-068 on April 26th.

Sincerely,

Dr. Gregg BeVier, COO
Sexing Technologies

cc: VEB Board
Secretary Ben Brancel, DATCP
Senate Agriculture Committee Members
Assembly Agriculture Committee Members
JCRAR Committee Members
WVMA

**2. VE 1 and 7 - Report on Complementary, Alternative
and Integrative Therapies Rules Advisory Committee
Meeting of July 12, 2017**

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Cheryl Daniels, VEB Counsel		2) Date When Request Submitted: July 12, 2017 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date.</small>	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Report on Rules Advisory Committee Meeting of July 12, 2017	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: VEB counsel will report on the July 12, 2017 meeting of the Rules Advisory Committee (RAC), appointed by the Board at the January 25, 2017 meeting to review the current scope statement on VE 7 and any rules promulgated thereunder.			
11) Authorization			
Cheryl Daniels		July 12, 2017	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**Annual Meeting, September 14-16, 2017, San Antonio,
TX – Update (agenda, travel, etc.)**

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Matt Tompach, Executive Director		2) Date When Request Submitted: June 12, 2017 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date.</small>									
3) Name of Board, Committee, Council, Sections: VEB											
4) Meeting Date: July 26, 2017	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? American Association of Veterinary State Boards (AAVSB) Matters Annual Meeting, September 14-16, 2017, San Antonio, TX – Update Proposed Bylaws and Resolutions - Informational									
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:									
10) Describe the issue and action that should be addressed: Updates on travel authorizations, agenda, and proposed bylaws and resolutions to be considered at the at the American Association of Veterinary State Boards (AAVSB) Annual Meeting on September 14-16, 2017 in San Antonio, TX.											
11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-top: 1px solid black; border-bottom: 1px solid black;">Matt Tompach</td> <td style="width: 40%; border-top: 1px solid black; border-bottom: 1px solid black; text-align: right;">June 12, 2017</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table>				Matt Tompach	June 12, 2017	Signature of person making this request	Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date	
Matt Tompach	June 12, 2017										
Signature of person making this request	Date										
Supervisor (if required)	Date										
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date											
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.											



2017 AAVSB Annual Meeting & Conference Agenda

Omni La Mansión, San Antonio, Texas

September 15 - 16, 2017

Friday, September 15

7:30 am – 8:30 am Registration Open

7:30 am – 8:30 am Breakfast

8:30 am – 9:30 am Welcome
Frank Walker, DVM, AAVSB President, New Rockford, North Dakota

Welcome to Texas
Speaker TBD

Presidential Address and Introduction of the AAVSB Board of Directors
and Special Guests
Frank Walker, DVM, AAVSB President, New Rockford, North Dakota

Executive Director's Report
*James T. Penrod, CAE, AAVSB Secretary & Executive Director,
Kansas City, Missouri*

9:30 am – 10:30 am Delegate Assembly and CALL TO ORDER

AAVSB Business Session

Roll Call

*James T. Penrod, CAE, AAVSB Secretary & Executive Director,
Kansas City, Missouri*

Treasurer's Report

Michael Gotchey, DVM, AAVSB Treasurer, Steamboat Springs, Colorado

Nominating Committee Report

Mark Logan, VMD, Nominating Committee Chair, Rio Grande, New Jersey

Bylaws & Resolution Committee Report

Timothy Kolb, DVM, Bylaws & Resolution Committee Chair, Ohio

10:30 am – 11:00 am BREAK

Friday, September 15

- 11:00 am – 12:00 pm Legislature Concerns about Regulatory Boards
Katharine Teleki, Review Director, Texas Sunset Advisory Commission, Austin, Texas
- 12:00 – 1:30 pm Lunch & Learn with Your Peers
Discipline Scenario Discussion
Share Your Thoughts through the Meeting App!
- 1:30 pm – 2:30 pm Experience Regulating Telehealth from the Federation of State Medical Board
Lisa A. Robin, Chief Advocacy Officer, Federation of State Medical Boards, Washington, DC
- 2:30 pm – 3:00 pm BREAK
- 3:00 pm – 4:30 pm Telehealth Policy Feedback Session
James T. Penrod, CAE, AAVSB Executive Director, and Adam Little, DVM, Exponential Vet, Inc.

Saturday, September 16

- 7:30 am – 8:30 am Registration Open
- 7:30 am – 8:30 am Breakfast
- 8:30 am – 9:45 am Delegate Assembly and CALL TO ORDER
- AAVSB Business Session
- Roll Call
James T. Penrod, CAE, AAVSB Secretary & Executive Director
- Election
- Proposed Bylaws Amendments Discussion and Vote
- Resolution Discussion and Vote
- 9:45 am – 10:00 am BREAK
- 10:00 – 11:15 am The Court of Public Opinion – A Case Study of Discipline Evidence Gone Viral
Jan Robinson, Registrar & CEO and Kim Lambert, DVM, Ontario

Saturday, September 16

- 11:15 am – 12:15 pm Creating Efficiencies Using Legal Agreements Between Jurisdictions
Daniel Logsdon, Manager, and Rick Masters, Counsel, National Center for Interstate Compacts, Lexington, Kentucky
- 12:15 – 1:15 pm Lunch
- 1:15 – 2:30 pm Pick-a-Table
Attendees will pick a facilitated topic and each topic will report to the group after the discussion
- 2:30 – 2:45 pm BREAK
- 2:45 – 4:15 pm Top Legal Cases
Dale Atkinson, JD, AAVSB Legal Counsel, Northbrook, Illinois
- 4:15 – 4:30 pm Open Forum and
Invitation to the 2018 Annual Meeting & Conference
- 4:30 – 4:45 pm Installation of Officers
- 4:45 pm ADJOURNMENT



MEMORANDUM

To: Board Administrators of the AAVSB Member Boards for Distribution
From: Bylaws and Resolution Committee
Date: May 25, 2017
Subject: Proposed Bylaws Amendments

The following includes the recommendations from the AAVSB Bylaws Committee on the two proposed Bylaws amendments for 2017. The proposed changes are in red & orange. The page numbers refer to the full Bylaws document which is also provided. Delegates will vote on the proposed amendments in September at the 2017 AAVSB Annual Meeting & Conference being held in San Antonio, Texas.

Proposed Amendment #1 (changes in red on attached bylaws)	
<i>Location in Bylaws:</i>	Article II. Purpose (e) – Bylaws, page 1 Article IX. Representative to National Board of Medical Examiners Title – Bylaws, page 10 Section 1. Representatives – Bylaws, page 10 Section 2. Duties – Bylaws, page 10 Section 4. (a & b) Qualifications – Bylaws, page 11 Article X. Committees Section 1. Nominating Committee – Bylaws, page 12
<i>Proposed By:</i>	AAVSB Board of Directors
<i>Proposed Group's Thoughts:</i>	The NBVME recently changed its name to the ICVA and the Board of Directors proposes the Bylaws reflect this change.
<i>Recommendation from the Bylaws Committee:</i>	The Committee supports the proposed amendment.

Proposed Amendment #2 (changes in orange on the attached bylaws)	
<i>Location in Bylaws:</i>	Article X Committees Section 1 Nominating Committee – Bylaws, page 11 Section 2 Registry of Approved Continuing Education (RACE) Committee – Bylaws, page 12 Section 3 Program for the Assessment of Veterinary Education – Bylaws, page 12 Equivalence (PAVE) Committee – Bylaws, page 12 Section 4 Veterinary Technician National Examination (VTNE) Committee – Bylaws, page 13

	<p>Section 5 Bylaws and Resolution Committee – Bylaws, page 13</p> <p>Section 6 Conference Committee – Bylaws, page 13</p> <p>Section 7 Finance Committee – Bylaws, page 14</p>
<i>Proposed By:</i>	AAVSB Board of Directors
<i>Proposed Group's Thoughts:</i>	Changes made to provide for consistency in the appointment of committees by the President and Board of Directors. Changes were made so all committees are appointed by the President with the approval of the board of directors.
<i>Recommendation from the Bylaws Committee:</i>	The Committee supports the proposed amendment.

AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS

BYLAWS

ARTICLE I. NAME.

Section 1. Name.

The name of this organization is the American Association of Veterinary State Boards.

Section 2. Location.

The principle offices of the Association shall be located in such place or places as determined from time to time by the Board of Directors.

ARTICLE II. PURPOSE.

The objective of this Association is to aid regulatory boards of veterinary medicine in the protection of the public health and welfare by:

- a. Acting as a clearinghouse for research, collection and dissemination of information and ideas among Member Boards concerning legal regulation of the veterinary profession.
- b. Encouraging and aiding collaborative efforts among Member Boards to simplify and standardize licensing and certification processes for veterinarians and veterinary technicians.
- c. Representing the opinions of the Association in those matters related to the provision of veterinary services by interacting with other veterinary organizations; legislative, judicial, regulatory or executive governmental bodies; and with other groups or associations whose areas of interest may coincide with those of the Association.
- d. Providing assistance to Member Boards in fulfilling statutory, public, and ethical obligations in legal regulation and enforcement.
- e. Communicating with and advising the ~~National Board of Veterinary Medical Examiners~~ International Council of Veterinary Assessment (ICVA) on examination matters of relevance to Member Boards.
- f. Overseeing collection and dissemination of information regarding disciplinary actions taken by Member Boards.
- g. Identifying and promoting desirable and reasonable uniformity in practice standards and expected outcomes of veterinary education.
- h. Providing veterinary medical educational programs with statistical information about examinees' performances on the licensing and certification examinations, when requested, within the legal limitations regarding confidentiality of examinees.

- i. Credentialing and overseeing the qualifying process by which foreign-trained veterinarians become eligible for licensure, including consultation with parties of interest.
- j. Providing Member Boards with programs that assist them in meeting their responsibilities on licensure, registration, regulation, and enforcement regarding the practice of veterinary medicine and veterinary technology.

ARTICLE III. DEFINITIONS.

Section 1. Association.

"Association" shall mean the American Association of Veterinary State Boards (AAVSB).

Section 2. Board.

"Board" shall mean the governmental agency empowered to credential and regulate the practice of veterinary medicine in any of the States and Commonwealths of the United States, its territories, the District of Columbia, and insular possessions of the United States, individual provinces of Canada, and additional comparable entities.

Section 3. Board of Directors.

"Board of Directors" shall mean the Board of Directors of the American Association of Veterinary State Boards. For clarity, the Board of Directors is referred to as the "AAVSB Board of Directors" or the "Board of Directors."

Section 4. Member Board.

"Member Board" shall mean any Board as defined above which is duly accepted into the Association pursuant to these Bylaws. Member Boards shall pay annual Member Board dues as determined by the Board of Directors and approved by the Delegate Assembly.

Section 5. Associate Member.

"Associate Member" shall mean any individual who has previously served on a Member Board and who applies for and receives recognition from the Board of Directors. Associate Members shall pay annual Associate Member dues as determined by the Board of Directors.

Section 6. Affiliate Member.

"Affiliate Member" shall mean the current Executive Director/Executive Officer/Administrator or other individual who holds a similar title or position with a Member Board. Each Member Board shall have only one Affiliate Member for the purposes of eligibility to serve on the AAVSB Board of Directors. Upon loss of position or title as Executive Director/Executive Officer/Administrator, the Affiliate Member status shall immediately cease.

Section 7. Delegate.

"Delegate" shall mean a current member or Affiliate Member of a Member Board designated by the Member Board as its Delegate to the AAVSB Delegate Assembly.

Section 8. Alternate Delegate.

"Alternate Delegate" shall mean a current member or Affiliate Member of a Member Board designated by the Member Board as its Alternate Delegate to the AAVSB Delegate Assembly.

Section 9. Delegate Assembly.

"Delegate Assembly" shall mean the governing body that is comprised of Member Boards.

Section 10. Licensed Veterinarian.

"Licensed Veterinarian" shall mean an individual authorized by a Board to practice veterinary medicine in that jurisdiction.

Section 11. Licensed Veterinary Technician.

"Licensed Veterinary Technician" shall mean an individual authorized by a Board to practice as a veterinary technician in that jurisdiction.

Section 12. Public Member.

"Public Member" shall mean a current member of a Board who is not, nor has ever been, a Licensed Veterinarian or Licensed Veterinary Technician.

ARTICLE IV. MEMBERSHIP.

Section 1. Application.

Upon receipt of a written indication of interest in membership by a Board, the Executive Director will respond within 30 days with an application for membership.

Section 2. Admittance.

A Board, which qualifies for membership, may be admitted into the Association as a Member Board by the Board of Directors, after seeking comment and opinion from Member Boards.

Section 3. Rights and Privileges.

A Member Board that is current on its payment of membership dues and other applicable fees shall have all rights of membership, including the right to vote on all matters duly brought before the membership.

Section 4. Termination of Membership.

- a. Membership may be terminated at an Annual Delegate Assembly when so ordered by an affirmative vote of a two-thirds majority of all Member Boards, that is as if the established quorum included all Member Boards. Written notice that termination is to be considered and the cause for the action shall be sent by the Secretary of the Association to all Delegates and to the Member Boards not less than 90 days prior to the meeting. The Member Board in question shall have opportunity to be heard, with representation by counsel, before a vote is taken.
- b. Upon termination, all rights of the Member Board as provided in these Bylaws shall cease.

Section 5. Reinstatement.

Reinstatement may be granted by the Board of Directors upon appropriate reapplication and compliance with all conditions set forth by the Board of Directors.

ARTICLE V. DELEGATE ASSEMBLY.

Section 1. Delegates.

The Delegate for each Member Board shall be seated by the Secretary under policies established by the Board of Directors, including the necessity to require an appropriate credential from the Member Board.

Section 2. Alternate Delegates.

Each Member Board shall have the right to designate an Alternate Delegate to act on its behalf in the event of the absence of the Delegate and under policies established by the Board of Directors.

Section 3. Delegate Assembly Authority.

The Delegate Assembly may take such action, not in conflict with the Association Articles of Incorporation or these Bylaws, as it deems necessary, expedient or desirable to fulfill and implement the Association's stated purposes. The Delegate Assembly shall provide direction for the Association by Member Board participation, through the election of representatives, and through the resolution process.

ARTICLE VI. DELEGATE ASSEMBLY MEETINGS.

Section 1. Annual Delegate Assembly.

The Annual Delegate Assembly shall be held yearly at a time and place to be determined by the Board of Directors.

Section 2. Educational Meeting.

In addition to its Annual Delegate Assembly, the Association may hold an Educational Meeting at a time and place to be determined by the Board of Directors. No Association business shall be conducted at the Educational Meeting, unless the Board of Directors notifies Delegates, Alternate Delegates, and all Member Boards of the necessity to conduct business in accordance with the required time lines for notice of the meeting.

Section 3. Special Meeting.

Special Meetings of the Delegate Assembly may be called by the President at any time with the approval of a majority of the Board of Directors. The President must call a Special Meeting if and when the Secretary receives written request thereof from at least one-half of the Member Boards of the Association.

Section 4. Notice and Agenda.

The Secretary of the Association shall send notice and a proposed agenda for all Annual Delegate Assemblies, Educational Meetings, and Special Meetings to all Member Boards at least 60 days prior to the meeting date. The agenda for the Annual Delegate Assembly shall be presented to the Delegate Assembly at the commencement of the meeting, and, with the exception of the elections, may be revised by an affirmative vote of a majority of Member Boards present.

Section 5. Quorum and Voting.

In order to conduct business at any meeting of the Delegate Assembly, a quorum must be established consisting of the presence and seating of at least a majority of all Member Boards. Assuming the presence and seating of a majority of Member Boards as referenced above, the total number of Member Boards in attendance shall constitute the quorum. Unless otherwise required by applicable law, AAVSB Articles of Incorporation, these Bylaws, or Robert's Rules of Order, all matters brought to a vote shall require an affirmative vote of a majority of the quorum for adoption. In the absence of representation of a majority, those Member Boards in attendance shall have the authority to adjourn the meeting by a majority vote.

Section 6. Participation.

A Member Board is entitled to be represented by a single vote on each issue put to a vote before the Delegate Assembly. Member Boards shall vest the right to vote in their Delegates and Alternate Delegates. Voting by proxy is prohibited. Delegates, Alternate Delegates, all members and employees of Member Boards, Associate Members, Affiliate Members, and all members of Association committees shall have the privilege of the floor at all Delegate Assembly meetings. Only seated Delegates and seated Alternate Delegates are eligible to make and second motions and to vote on matters put forth to the Delegate Assembly.

Section 7. Parliamentary Authority.

The rules contained in the most current edition of Robert's Rules of Order Newly Revised shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Association may adopt.

Section 8. Records.

The Association shall keep accurate and complete minutes of all business meetings of the Delegate Assembly, and shall make these minutes available to any Member Board for any proper purposes at any reasonable time.

ARTICLE VII. BOARD OF DIRECTORS AND OFFICERS.

Section 1. Composition.

There shall be ten (10) members of the Board of Directors including four (4) Officers and six (6) Directors at Large.

The Officers shall be identified as President, President-Elect, Immediate Past President and Treasurer. The Officers and Directors at Large are collectively referred to as the Board of Directors. The Officers may, at times be collectively referred to as the Executive Committee. Notwithstanding any other provisions of these Bylaws, the Board of Directors shall be comprised of at least six Licensed Veterinarians. The Executive Director shall serve as Secretary and as an ex-officio non-voting member of the Board of Directors.

Section 2. Qualifications.

a. Officers

To be eligible to serve as an Officer, a candidate shall when nominated and elected be currently serving on the Board of Directors, be a Delegate, Alternate Delegate, or be a member of a Member Board.

b. Directors at Large

To be eligible to serve as a Director at Large, a candidate shall when nominated be a Delegate, Alternate Delegate, member of a Member Board or have served as a member of a Member Board as of June 1st of the year preceding the election year.

If a Director ceases to meet eligibility criteria stated above, such Board of Director member shall, after completion of the current term, be eligible to serve one additional term on the Board of Directors.

Section 3. Elections.

The Board of Directors shall be elected at the Annual Delegate Assembly of the Association by the Delegates, either from nominations submitted by the Nominating Committee, or by nominations from the floor. Each Director shall assume office at the close of the Annual Delegate Assembly at which the member is elected and shall serve as specified in these Bylaws or until a successor is elected.

- a) For purposes of establishing staggered terms, the terms of the new Directors shall be as follows:
 - i. One election for a one year term, and
 - ii. One election for a two year term.
- b) Election for the new Directors shall occur at the 2015 Delegate Assembly.

Further, the sections (a) and (b) of Article VII Section 3 shall be automatically removed from these Bylaws two (2) years after the adoption of this amended Section 3, without further action from the Delegate Assembly.

Section 4. Authority.

The Board of Directors shall manage the affairs of the Association, including the establishment of an annual budget for the Association and the transaction of all business for and on behalf of the Association as authorized under these Bylaws. The Board of Directors shall carry out the resolutions, actions, or policies as authorized by the Delegates, subject to the provisions of the Association Articles of Incorporation and Bylaws.

There may be an Executive Director employed by the Association who shall be hired by the Board of Directors and who shall work under such terms, conditions and standards as the Board of Directors shall, from time to time, establish. The Executive Director shall act as the administrative officer for the Association and shall be reviewed periodically by the Board of Directors. The Executive Director shall report to and be accountable to the Board of Directors.

Section 5. Duties of Officers.

The duties of the Officers of the Association shall be those which usually pertain to such offices.

Section 6. Terms.

For purposes of these Bylaws, the offices of Immediate Past President, President, and President-Elect shall be considered one (1) term. The terms of the Board of Directors shall be as follows:

- a. Immediate Past President. The Immediate Past President shall serve a one (1) year term automatically following the term as President. The Immediate Past President shall only vote on matters before the Board of Directors to break a tie.
- b. President. The President shall serve a one (1) year term automatically following the term as President-Elect. In the event of a vacancy, the President-Elect shall succeed to

- the Presidency to fill the unexpired term and may, thereafter, complete the President's term.
- c. President-Elect. A President-Elect shall be elected at the Annual Delegate Assembly to serve a one (1) year term and shall automatically succeed to the office of President and, thereafter, the office of Immediate Past President. Thus, the President-Elect office is a three (3) year commitment, one year as President-Elect, one year as President, and one year as Immediate Past President and is limited to one elected term. In the event of a vacancy, the President in consultation with the Board of Directors may appoint the office of President-Elect. In any event and under these circumstances, at the next Annual Delegate Assembly, there shall be an election for both President and President-Elect.
 - d. Treasurer. A Treasurer shall be elected at the Annual Delegate Assembly to serve a term of two (2) years. In the event of a vacancy, the Treasurer position shall be appointed by the President in consultation with the Board of Directors until the next Annual Delegate Assembly at which time an election shall be held. The Treasurer shall serve no more than two (2) consecutive terms.
 - e. Directors at Large. Directors at Large shall be elected at the Annual Delegate Assembly to serve two (2) year terms. In the event of a vacancy, the President in consultation with the Board of Directors shall appoint the Director at Large position until the next Annual Delegate Assembly at which time an election shall be held to fill the unexpired term. Directors at Large shall serve no more than two (2) consecutive terms.
 - f. No member of the Board of Directors shall hold more than one seat on the Board of Directors at any time. Any person appointed or elected to fill an unexpired term of less than one year for Treasurer or Director at Large may be eligible for election to the same position for two additional consecutive terms after completion of the unexpired term. If the unexpired term is more than one year, the person may be eligible for one additional consecutive term.

Section 7. Compensation.

Directors shall not receive compensation for services rendered, but shall be reimbursed for reasonable expenses incurred while carrying out their responsibilities.

Section 8. Removal.

A member of the Board of Directors may be removed from office prior to the end of that member's term when, in the judgment of the Board of Directors or Delegate Assembly, the best interest of the Association would be served. Removal shall require an affirmative vote of two-thirds of the Board of Directors, or two-thirds of the total number of eligible voting Delegates, and shall be determined as if all Directors or eligible voting Delegates were present.

ARTICLE VIII. BOARD OF DIRECTORS MEETINGS.

Section 1. Regular Meetings.

The Board of Directors shall hold meetings from time to time as deemed necessary to carry out its responsibilities to the Member Boards. At a minimum, the Board of Directors shall meet immediately after, and at the same place as the Delegate Assembly convenes for its Annual Delegate Assembly.

Section 2. Special Meetings.

The President may convene special meetings of the Board of Directors. The President shall convene special meetings within thirty (30) days of receiving a written request for such meeting from any three members of the Board of Directors.

Section 3. Notice and Agenda.

Notice of the time, day, and place for any regular meeting of the Board of Directors shall be given at least thirty (30) days prior to the meeting. Notice and tentative agenda for special meetings shall be given as soon as practicable. Directors shall be notified either by first class mail, overnight delivery service, facsimile, electronic mail, or hand delivery.

Section 4. Participation.

Unless prohibited by law, the Board of Directors may meet in any regular or special meeting conducted through the use of any means of communication by which all persons participating in the meeting can simultaneously communicate with each other during the meeting. Participation by such means shall constitute presence in person at a meeting.

Section 5. Quorum.

In order to conduct business at any meeting of the Board of Directors, at least a majority of voting members of the Board of Directors must be in attendance. In the absence of a majority, those Directors present shall have the authority to adjourn the meeting by majority vote.

Section 6. Voting.

Members of the Board of Directors shall be the only individuals entitled to propose, debate, vote, and otherwise participate in the decisions and motions at Board of Directors meetings. The act of a majority of Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless an act of greater number is required by law, the Association Articles of Incorporation, or these Bylaws.

Section 7. Executive Session.

The Board of Directors may meet in executive session only for discussion and resolution of personnel matters, legal matters, matters related to Member Board membership in the Association, and matters related directly to the security of the examination programs relevant to Association business.

Section 8. Records.

The Board of Directors shall keep accurate and complete minutes of all meetings, and shall make these minutes available to any Member Board for any proper purposes at any reasonable time.

Section 9. Conflict of Interest.

“Conflict of interest,” as referred to herein, shall include, but not be limited to, any transaction by or with the Association in which a Board of Directors member has a direct or indirect personal interest, or any matter in which a Board of Directors member is unable to exercise impartial judgment or otherwise act in the best interest of the Association.

Any Board of Directors member who believes he or she may have such a conflict of interest shall so notify the Board of Directors prior to deliberation on the matter in question and the Board of Directors shall make the final determination as to whether the Board of Directors member has a conflict of interest in any matter. No member of the Board of Directors shall cast a vote, nor take part in the final deliberation in any matter in which the Board of Directors determines to be a conflict of interest. The minutes of the Board of Directors meeting shall reflect disclosure of any conflict of interest and the recusal of the interested Board of Directors member.

ARTICLE IX. REPRESENTATIVES TO THE NATIONAL BOARD OF VETERINARY MEDICAL EXAMINERS INTERNATIONAL COUNCIL FOR VETERINARY ASSESSMENT.

Section 1. Representatives.

There shall be a minimum of four (4) AAVSB Representatives to the ~~National Board of Veterinary Medical Examiners (NBVME)~~ International Council for Veterinary Assessment (ICVA) elected at the AAVSB Annual Meeting of the Delegate Assembly either from nominations submitted by the Nominating Committee or nominations from the floor. Upon election by the AAVSB Delegates, AAVSB Representatives to the ~~NBVME- ICVA~~ shall assume their responsibilities at the first ~~NBVME ICVA~~ Board of Directors meeting following the expiration of the term of the ~~NBVME- ICVA~~ Representative whom they are replacing.

Section 2. Duties.

The Representatives shall attend all meetings of the ~~National Board of Veterinary Medical Examiners International Council of Veterinary Assessment~~ and shall report to the Board of Directors following each ~~National Board of Veterinary Medical Examiners International Council of Veterinary Assessment~~ or subcommittee meeting. The Representatives shall present the

consensus opinions of the Association at such meetings and shall not vote in conflict with these Bylaws.

Section 3. Election.

Delegates at the Annual Delegate Assembly shall elect the Representatives at the Annual Delegate Assembly of the Association either from nominations submitted by the Nominating Committee or by nomination from the floor. Each Representative shall assume his or her responsibilities at the close of the Annual Delegate Assembly at which elected and shall serve as specified in these Bylaws or until a successor is elected and qualified.

Section 4. Qualifications.

- a. Three Representatives must, when nominated and elected, be Licensed Veterinarians currently practicing in public or private practice and be either (i) a member of a Member Board, or (ii) have been a member of the AAVSB Board of Directors within the previous year, or (iii) have been a member of the ~~NBVME~~ ICVA within the previous year, or (iv) a current Associate Member.
- b. One Representative must, when nominated and elected, be a Public Member and be either (i) a member of a Member Board, or (ii) have been a member of the AAVSB Board of Directors within the previous year, or (iii) have been a member of the ~~NBVME~~ ICVA within the previous year, or (iv) a current Associate Member.

Section 5. Terms.

- a. The term of office shall be for a period of three (3) years.
- b. No Representative may serve more than three (3) consecutive terms.

ARTICLE X. COMMITTEES.

Section 1. Nominating Committee.

There shall be three (3) members on the Nominating Committee. Two (2) members shall be elected at the Annual Delegate Assembly of the Association by a plurality of votes, either from nominations submitted by the Nominating Committee or by nominations from the floor. A candidate for the Nominating Committee must be a Delegate or Alternate Delegate, a member of a Member Board, a current Associate Member, or the chairperson of an Association committee at the time of nomination and election. The elected members of the Nominating Committee shall have attended at least one (1) Delegate Assembly meeting prior to nomination.

The term of the elected members are two (2) years. The President shall appoint a third member of the Committee with approval from the Board of Directors whose term will be one (1) year. Nominating Committee members may not serve consecutive terms, but are eligible for reelection consistent with this Article X, Section 1. The President shall name the chair of the Committee with approval from the Board of Directors. In the event of a vacancy, the President in

consultation with the Board of Directors shall appoint the Nominating Committee member until the next Annual Delegate Assembly at which time an election shall be held to fulfill the unexpired term.

The Nominating Committee shall review the qualifications of the applicants, verify sponsors and references on all applications submitted, and shall submit to the Member Boards at least thirty (30) days before the Annual Delegate Assembly, a ballot containing candidates for each position on the Board of Directors, the Nominating Committee and the ~~National Board of Veterinary Medical Examiners~~ International Council for Veterinary Assessment (ICVA) to be filled. The ballot shall contain the names of all candidates who have been found to be eligible and their applications verified as accurate by the Nominating Committee. In determining the slate of candidates for the Board of Directors, the Nominating Committee shall make every effort to ensure at least a majority of Members at Large are currently members of Member Boards. Persons serving on the Nominating Committee shall be ineligible to be on the ballot or elected to any position within the Association within their elected term.

Section 2. Registry of Approved Continuing Education (RACE) Committee.

There shall be at least five (5) members of the Registry of Approved Continuing Education (RACE) Committee. The ~~Board of Directors~~ President shall appoint with approval from the Board of Directors and determine the tenure of all members of the RACE Committee taking into consideration the need for diverse representation, expertise and continuity. The RACE Committee shall oversee the development and implementation of the RACE program, which is intended to evaluate and approve providers and programs of continuing education in veterinary medicine.

Section 3. Program for the Assessment of Veterinary Education Equivalence (PAVE) Committee.

There shall be at least seven (7) members on the PAVE Committee. The ~~Board of Directors~~ President shall appoint with approval from the Board of Directors and determine the tenure of all members of the PAVE Committee taking into consideration the need for diverse representation, expertise and continuity. The composition of the PAVE Committee shall be as follows:

- Four (4) members who are current members of Member Boards, Affiliate Members of AAVSB, or Associate Members,
- One (1) member recommended by the Association of American Veterinary Medical Colleges (AAVMC),
- One (1) member recommended by the American Association of Veterinary Clinicians (AAVC), and
- One (1) at-large member.

The PAVE Committee shall oversee the development and implementation of the PAVE program, which is intended to assess the educational equivalence of graduates of veterinary schools located outside the United States and not otherwise accredited by an accrediting organization.

Section 4. Veterinary Technician National Examination (VTNE) Committee.

There shall be at least twelve (12) members on the Veterinary Technician National Examination (VTNE) Committee. The ~~Board of Directors~~President shall appoint with approval from the Board of Directors and determine the tenure of all members of the VTNE Committee taking into consideration the need for diverse representation, expertise and continuity. The composition of the VTNE Committee shall be as follows:

- Four (4) members at large,
- Two (2) members recommended by the Association of Veterinary Technician Educators (AVTE),
- Two (2) members recommended by the National Association for Veterinary Technicians in America (NAVTA),
- Two (2) members recommended by the Canadian Association of Animal Health Technicians and Technologists (CAAHTT), and
- Two (2) members recommended by the AVMA's Committee on Veterinary Technician Education and Activities (CVTEA).

In order to provide diversity and expertise, the members of the VTNE Committee need not be members of Member Boards or Affiliate Members of AAVSB. The VTNE Committee shall be responsible for the development and administration of the Veterinary Technician National Examination (VTNE) and other related tasks as assigned by the Board of Directors.

Section 5. Bylaws and Resolution Committee.

There shall be at least five (5) members on the Bylaws and Resolution Committee, appointed by the President with approval from the Board of Directors~~and approved by the Board of Directors~~. The Bylaws and Resolution Committee shall propose amendments to the Bylaws when it determines that such amendment is necessary, and shall receive and consider proposed amendments to the Bylaws submitted in accordance with these Bylaws. The committee shall receive and consider all resolutions submitted in accordance with Association policies.

Section 6. Conference Committee.

There shall be at least six (6) members of the Conference Committee all appointed by the ~~Board of Directors~~President with approval from the Board of Directors. The composition of the Conference Committee shall be as follows:

- Two (2) Licensed Veterinarians from Member Boards,
- Two (2) executive directors of Member Boards, and
- Two (2) at-large members.

Members of the committee shall serve for a two (2) year term and can be reappointed by the Board of Directors for an additional two (2) year term. The President will appoint the committee chair with the approval of the Board of Directors. With the assistance of Association staff, the Conference Committee shall prepare a conference budget, site recommendation, a selection of conference speakers, conference agenda including program and social events, and conference evaluation for Board of Directors approval.

Section 7. Finance Committee.

There shall be five (5) members on the Finance Committee. The President-Elect and Treasurer shall be members of the committee, with the Treasurer as chairperson. The President, ~~with upon~~ approval of the Board of Directors, shall appoint the three remaining members of the committee who shall serve one three year term with no right of reappointment. The Finance Committee shall advise the Board of Directors on issues related to the use of the Association's assets to assure prudence and integrity of fiscal management and responsiveness to Member Boards' needs. The Finance Committee shall recommend financial policies which provide guidelines for fiscal management, and shall review and revise financial forecast assumptions.

Section 8. Ad-hoc Committees.

Ad-hoc committees may be established and appointed by the President as needed, with approval from the Board of Directors.

Section 9. Committee Responsibilities to the Board of Directors.

All AAVSB committees, whether referenced in these Bylaws or appointed on an ad-hoc basis shall report to and be responsive to the Board of Directors. With the exception of the Finance Committee, the President shall appoint a non-voting liaison from the Board of Directors to each committee.

Section 10. Committee Meetings.

All AAVSB committees whether referenced in these Bylaws or appointed on an ad-hoc basis may meet in-person or by designated electronic means.

ARTICLE XI. FINANCES.

Section 1. Fiscal Year.

The fiscal year of the Association shall be the calendar year.

Section 2. Books and Reports.

The Association shall keep accurate and complete books and records of accounting, available for inspection by any Member Board at the principal office of the Association for any proper purposes at any reasonable time. The Treasurer shall report on the financial condition of the Association at the Annual Delegate Assembly.

Section 3. Audit.

For each fiscal year, the Board of Directors shall appoint a licensed independent public accountant(s) to provide audited financial statements of the Association. Upon request, the Executive Director shall distribute to each Member Board a copy of the financial statements of the Association and the report of the auditor or auditors for each fiscal year.

Section 4. Contracts.

The Board of Directors may authorize any officer or officers, or Executive Director to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Association.

Section 5. Checks, Drafts, or Orders.

All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness in the name of the Association shall be signed by such officer or officers, agent or agents of the Association and in such manner as shall from time to time be authorized by the Board of Directors.

Section 6. Deposits.

All funds of the Association shall be deposited from time to time to the credit of the Association in such bank, trust company, or other depository as the Board of Directors may select.

Section 7. Limitations of Expenditures.

The Association is limited to expending its funds for only those purposes which are recited in Article II of the Bylaws of this Association.

Section 8. Insurance.

At the discretion of the Board of Directors, the Association shall carry appropriate insurance.

Section 9. Revenue.

The Board of Directors shall submit to the Delegate Assembly for approval all proposals for revenue that would affect any monetary obligation of the Member Boards.

ARTICLE XII. INDEMNIFICATION AND QUALIFICATION.

Section 1. Indemnification.

Subject to the limitations of this Article, the Association shall indemnify any person who was or is a party to or is threatened to be made a party to any threatened, pending or contemplated action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Association) by reason of the fact that such person is or was a committee member, including the Board of Directors, or Officer of the Association, against

expenses, including attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred in connection with such action, suit or proceeding only if such person acted in good faith and in a manner reasonably believed to be in or not opposed to the best interest of the Association and, with respect to any criminal action or proceeding, had no reasonable cause to believe such conduct was unlawful. The termination of any action, suit or proceeding by judgment or settlement, condition or upon a plea of Nolo Contendere or its equivalent shall not, in and of itself, create a presumption that such person did not act in good faith and in a manner reasonably believed to be in or not opposed to the best interests of the Association and, with respect to any criminal action or proceeding, had reasonable cause to believe that such conduct was unlawful.

Section 2. Qualification.

Any indemnification under this Article shall be made by the Association only as authorized in the specific case upon a determination that indemnification is proper in the circumstances because such person has met the applicable standard of conduct set forth in this Article. Such determination shall be made by the Board of Directors consisting of members who are not parties to such action, suit or proceeding or, if such quorum is not attainable, a quorum of disinterested members.

ARTICLE XIII. AMENDMENTS.

Section 1. Amendment Proposals.

These Bylaws may be amended at any Annual Delegate Assembly. Any Member Board, any committee established in these Bylaws, or the Board of Directors may propose Bylaws amendments. Proposed amendments to the Bylaws shall be in writing and received at the Association office not less than two hundred and ten (210) days prior to the Annual Delegate Assembly. Such amendments shall be forwarded to the Board of Directors within seven days after receipt in the Association office. The Executive Director shall forward proposed amendments to all Member Boards not less than one hundred and twenty (120) days prior to the date of the Annual Delegate Assembly.

Section 2. Ratification.

Proposed amendments received in accordance with this Article shall be presented at the Annual Delegate Assembly and must receive an affirmative vote of two-thirds of the Delegates present and eligible to vote in order to be adopted.

The foregoing are the Bylaws of the American Association of Veterinary State Boards as amended in Louisville, Kentucky, 1996; Nashville, Tennessee, 2002; Kansas City, Missouri, 2005; Minneapolis, Minnesota, 2009; New Orleans, Louisiana, 2011; Seattle, Washington, 2012; St. Petersburg, Florida, 2014; Milwaukee, Wisconsin, 2015.