



State of Wisconsin
Veterinary Examining Board

Governor Tony Evers
Dr. Hunter Lang, DVM, Chair

VETERINARY EXAMINING BOARD

July 21, 2021

9:00am

Contact: Melissa Mace 608-279-3861

In Person: Boardroom CR 106, 2811 Agriculture Drive, Madison, WI 53708

Via Internet Access:

<https://www.zoomgov.com/j/1619320134?pwd=ZEhEZINKNW05NjV3L2Q1YTFGQWdBdz09>

Via Telephone Access: Dial 1 (669) 254-5252, Meeting ID: 161 932 0134 and participant code: 431070

If you would like to appear during the public appearances portion via the remote portal, please send contact information to Angela Fisher at Angela.Fisher@wisconsin.gov or (608) 224-4890 by 4:30 p.m. Tuesday, July 20, 2021

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

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

II. Approval of the Agenda

III. Approval of Board Meeting Minutes

A. April 21, 2021 Full Board Meeting (**Action Item**)

B. July 8, 2021 Credentialing Committee Meeting (**Action Item**)

IV. Introductions, Announcements and Recognition

A. Board Changes (Informational)

V. 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.

VI. Administrative Items

A. VPAP Update (Informational)

B. I-Pad update (Informational)

VII. Licensing/Exam Inquiries

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

- A. 2021 Board Basics and Beyond: April 23-24, Virtual (informational)
- B. 2021 AAVSB Annual Meeting: September 30 –October 2, Denver Colorado (**Action Item**)

IX. Administrative Code Updates

- A. VE 1-11 Hearing Draft Consideration (**Action Item**)

X. Legislative and Policy Update

- A. Proposed Guidance – Telehealth (**Action Item**)
- B. Legislative update (Informational)
- C. Biennial Budget (Informational)

XI. Strategic Goals

- A. 2021 Goals (Informational)

XII. Future Meeting Dates and Times

- A. Next Full Board Oct 20, 2021

XIII. CONVENE TO CLOSED SESSION (ROLL CALL)

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.).

XIV. Deliberation on Licenses and Certificates (Action Items)

- A. Limited License Order EB

XV. Deliberation on Compliance Matters (Action Items)

- A. Proposed Stipulations, Final Decisions and Orders

- 1. 19 VET 082 NW
- 2. 19 VET 091 WA
- 3. 20 VET 081 KK
- 4. 20 VET 099 TK
- 5. 21 VET 015 JB
- 6. 21 VET 016 SW

- B. Orders Granting Full Licensures

- 1. 16 VET 007 BB
- 2. 17 VET 007 RB
- 3. 18 VET 058 CE
- 4. 19 VET 075 MR
- 5. 19 VET 082 NW
- 6. 21 VET 010 JW

C. Closure

1. 20 VET 078 MB

XVI. Review of Veterinary Examining Board Pending Cases Status Report

A. Pending Case Status Report (Informational)

XVII. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

XX. Ratification of Licenses and Certificates

To delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued.

XXI. ADJOURNMENT

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



VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, April 21, 2021

MEMBERS PRESENT: Amanda Reese; Diane Dommer Martin, DVM; Robert Forbes, DVM; Alan Holter, DVM; Hunter Lang, DVM; Lisa Weisensel Nesson, DVM.

Lyn Schuh and Arden Sherpe joined late.

STAFF PRESENT, Department of Agriculture, Trade and Consumer Protection (DATCP): Melissa Mace, VEB Executive Director; Cheryl Daniels and Liz Kennebeck, DATCP Attorneys; Robert Van Lanen, Regulatory Specialist; Angela Fisher, Program and Policy Analyst; Carrie Saynisch, License/Permit Program Associate; Dustin Boyd, Compliance Supervisor; Brittany Medina; Introductions and Discussion.

Hunter Lang, Chair, called the meeting to order at 9:01am. A quorum of six (6) members was confirmed.

AGENDA

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

II. Introductions

A huge thank you to Dr. Forbes for his work on the board over the years. His term is coming to an end 7/1/2021.

III. Approval of the Agenda

MOTION: Lisa Weisensel Nesson moved, seconded by Amanda Reese, to approve the agenda. Motion carried unanimously.

IV. Approval of Board Meeting Minutes

A. January 20, 2021 Full Board Meeting

MOTION: Robert Forbes moved, seconded by Amanda Reese, to approve the minutes from the January 20, 2021 meeting. Motion carried unanimously.

B. February 4, 2021 Credentialing Meeting

MOTION: Lisa Weisensel Nesson moved, seconded by Amanda Reese, to approve the minutes from the February 4, 2021 Credentialing Committee meeting. Motion carried unanimously.

C. April 1, 2021 Credentialing Meeting

MOTION: Robert Forbes moved, seconded by Amanda Reese, to approve the minutes from the April 1, 2021 Credentialing meeting. Motion carried unanimously.

D. February 16, 2021 Admin Rules Meeting

MOTION: Amanda Reese moved, seconded by Lisa Weisensel Nesson, to approve the minutes from the February 16, 2021 Admin Rules meeting. Motion carried unanimously.

V. 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.

Dr. Gregg BeVier, Chief Operating Officer for Sexing Technologies, spoke in support of telemedicine and utilizing telehealth technologies for supervising CVTs performing delegated medical services. Dr. BeVier's testimony supported reproductive services listed under 7.02(4)(h) being able to be delegated to a CVT under the direct supervision of the veterinarian that is available within 5 minutes by telehealth technologies.

VI. Licensing/Exam Inquiries

A. Credentialing Committee Delegation of Authority

The Board delegates authority to the Credentialing Committee to employ a "passive review" process for issues related to credentialing matters, whereby if no Committee member requests a Committee meeting on the materials within five (5) business days after receiving them, the application would be considered cleared to proceed through the process, except for credentialing matters involving applicants that are:

- Currently under investigation or has been disciplined by the licensing authority in the other state, territory or country,
- A party in pending litigation in which it is alleged that the applicant is liable for damages for acts committed in the course of practice or,
- Where the applicant has been found liable for damages for acts committed in the course of practice which evidenced a lack of ability or fitness to practice.

MOTION: Diane Dommer Martin moved, seconded by Robert Forbes, to broaden the passive review authority of the credentialing committee to include educational equivalency and more than 5 year lapse of credential renewals. Motion carried unanimously.

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

- A. 2021 Board Basics and Beyond: April 23-24, Virtual
3 members attending: Dr. Holter, Dr. Lang and Amanda Reese.

B. 2021 AAVSB Annual Meeting: September 30 –October 2, Denver Colorado

C. Comments on Draft Cannabidiol Guidelines (May 5, 2021)

The American Association of Veterinary State Boards (AAVSB) is looking for comments. They have some useful suggestions on how to talk to clients about it on their website. Comments will need a motion.

Board discussed that #4 and #8 are slightly contradictory and that #8 should be listed first in the list of guidelines for veterinarians to consider. Additionally it would be helpful if they could provide resources to assist with verification of safety and efficacy.

MOTION: Alan Holter moved, seconded by Diane Dommer Martin, to make a motion to submit the comments as discussed to the American Association of Veterinary State Boards for the Cannabidiol use in companion animal issue. Motion carried unanimously.

Dr. Lang noted that it appears they have changed what they are using as a CE tracker and that he'd like to know more on this topic and maybe provide some information to credential holders regarding the service.

D. Call for resolutions (May 5, 2021)

No resolutions were suggested.

E. Call for Topics (May 7, 2021)

No topics were suggested.

F. Call for AAVSB leadership nominations (June 3, 2021)

None right now. Let Melissa know if anyone is interested no later than May 24, 2021

VIII. Administrative Items

A. VPAP Update

6 different email mailings done so far plus 1 hard copy mailing.

Four welcome webinars yearly.

Upcoming webinars:

Building Resilience: Your Best Weapon Against Stress webinar coming up April 22nd at 7pm.

Making Mental Health a Priority on May 13th, 2021

Talking to Employees About Difficult Topics on June 24th, 2021

Welcome Webinar on June 10th, 2021

3.2% usage broken down into different areas and types.

First year employed was biggest user of VPAP (Veterinary Professional Assistance Program).

Amanda Reese brought up the idea of having the Veterinary Examining Board create a social media presence to spread the information.

B. Strategic Plan Approval

VISION: Setting the standard of forward thinking veterinary regulation.

MISSION: To protect the public through a fair regulatory process that instills public confidence in our licensees while remaining agile to the constant advancement of veterinary medicine.

CORE VALUES: PROTECTING THE PUBLIC,
TRANSPARENCY,
INTEGRITY,
HONESTY

GOALS:

1. Develop rules for the safe practice of telehealth in Wisconsin and implement them by the end of 2022.
2. Proactively engage license holders about the value of VPAP with a target of meeting the national average for EAP program utilization by the end of 2023.
3. Close 80% of active disciplinary cases within 12 months of the case opening at screening committee.
4. Increase outreach to credential holders.

MOTION: Amanda Reese moved, seconded by Lisa Weisensel Nesson, to adopt the Strategic Plan. Motion carried unanimously.

C. I-Pad use

IT states that iPads are old and cannot be updated. We can order more but is it worth it? IT service contract is \$4600/year per device. Amanda Reese brought up the possible switch to Chromebooks.

D. PREP Act COVID 19 Vaccinators

The Prep Act as amended by President Biden authorizes veterinarians and veterinary students to administer COVID 19 vaccinations. Perhaps came a little too late.

Department of Health Services (DHS) has provided guidance on their website on how veterinarians and veterinary students can register to administer COVID 19 vaccinations. See: [COVID-19: Program Information for Vaccinators | Wisconsin Department of Health Services](#), select from drop down mid page: "Guidance for providers eligible to administer COVID-19 vaccine under the PREP Act"

VEB sent out a bulletin to licensed veterinarians with this information on April 13.

IX. Administrative Code Updates

A. VE 1-11 Status and Telehealth

Telehealth definitions and summary are listed in their entirety in today's posted agenda.

Veterinarian-Client Patient Relationship (VCPR) section – Three options-- most telehealth committee members supported Option 1. Extensive discussion ensued about the definition of a VCPR and the benefits and potential issues/limitations of each option. Dr. Holter stated that the whole idea of telehealth comes down to what veterinarians can do without physically being in the same room as the patient.

Dr. Forbes suggested writing into the section on establishing a VCPR a sentence that says something like “should a VCPR be established via telehealth means it is important that a licensee recognizes that the standard of care will be no different (than if they saw the animal in person)”.

Each member was asked which option they preferred and the results are as follows:

Dr. Lang – Option 1

Dr. Holter – Option 3 with the addition of language that standard of care expectations are not reduced with telehealth.

Lyn Schuh – Option 1

Arden Sherpe – absent for survey

Dr. Nesson – Option 1

Amanda Reese – Option 2 or 3. Feels that Option 3 would need additional guidance and informed consent language. Leaning toward Option 2 with added language for standard of care.

Dr. Dommer – Option 3 with no change to informed consent.

Dr. Forbes – Option 3 but needs clear and concise language about standard of care. Informed consent can stay the same.

X. **Legislative Update**

A. Legislative update

Rules -- Economic impact analysis, initial hearing draft, and the regulatory flexibility analysis will be posted on the Department of Agriculture, Trade and Consumer Protection (DATCP) website for public comment on the economic impact. Needs to be posted for 30-60 days. Will likely end up with moderate economic impact. Look for it to be posted around mid-May. The DATCP board will have to approve as well.

Legislative update – for information only, no action needed. A couple of bills out for co-sponsorship. Summary in agenda. First one would add language regarding reciprocal credentials for persons licensed in other states and meeting certain requirements. Another would add a license fee waiver for veteran's spouses.

XI. **Future Meeting Dates and Times**

A. Next Full Board July 21, 2021

Melissa Mace will not be in attendance. Will likely be in person.

XII. **CONVENE TO CLOSED SESSION**

MOTION: Lisa Weisensel Nesson moved, seconded by Robert Forbes, to convene to closed session to discuss the Wis. Admin. Code Ch. VE 11 update on the request for proposals where bargaining reasons require a closed session (§ 19.85 (1) (e), Stats.); 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.). Hunter Lang read the language of the motion. The vote of each member by was ascertained by voice vote. Roll Call Vote: Amanda Reese – yes; Diane Dommer Martin – yes; Robert Forbes – yes; Hunter Lang – yes; Alan Holter – yes; Lyn Schuh – yes; Arden Sherpe – yes; Lisa Weisensel Nesson – yes; Motion carried unanimously.

XIII. Deliberation on Licenses and Certificates

XIV. Deliberation on Proposed Stipulations, Final Decisions and Orders

- A. 18 VET 058
- B. 19 VET 046
- C. 19 VET 075
- D. 19 VET 084
- E. 20 TECH 003
- F. 20 VET 016
- G. 20 VET 028
- H. 20 VET 032
- I. 20 VET 039
- J. 20 VET 048
- K. 20 VET 061
- L. 20 VET 064
- M. 20 VET 077
- N. 21 VET 005
- O. 21 VET 009
- P. 21 VET 010

XV. Review of Veterinary Examining Board Pending Cases Status Report

XVI. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Amanda Reese moved, seconded by Alan Holter, to reconvene to open session. Motion carried unanimously. The Board reconvened at 11:27am.

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

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

MOTION: Robert Forbes moved, seconded by Diane Dommer Martin, to restore full licensure for the following cases: 19 VET 046, 19 VET 084, 20 VET 016, and 20 VET 032, and 20 VET 039. Motion carried unanimously.

MOTION: Diane Dommer Martin moved, seconded by Amanda Reese, to issue the final decisions and order to the following cases: 18 VET 058, 19 VET 075, 20 TECH 003, 20 VET 028, 20 VET 077, 21 VET 009 and 21 VET 010. Motion carried unanimously.

MOTION: Arden Sherpe moved, seconded by Lisa Weisensel Nesson, to issue an administrative warning to the following cases: 20 VET 048, 20 VET 061 and 21 VET 005. Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Lisa Weisensel Nesson, to close case 20 VET 064. Motion carried unanimously.

XIX. Ratification of Licenses and Certificates

MOTION: Alan Holter moved, seconded by Amanda Reese, to delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

XX. ADJOURNMENT

MOTION: Amanda Reese moved, seconded by Alan Holter, to adjourn. Motion carried unanimously.

The meeting adjourned at 11:36am.



**VETERINARY EXAMINING BOARD
Credentialing Committee**

MEETING MINUTES

Thursday, July 8, 2021

MEMBERS PRESENT: Hunter Lang, DVM; Lisa Weisensel Nesson, DVM; Lyn Schuh, CVT

STAFF PRESENT, Department of Agriculture, Trade and Consumer Protection (DATCP): Melissa Mace, VEB Executive Director; Cheryl Daniels, DATCP Attorney; Aaron O'Neil, DATCP Attorney; Carrie Saynisch, License/Permit Program Associate; Introductions and Discussion.

Hunter Lang, Chair, called the meeting to order at 3:04pm. A quorum of three (3) members was confirmed.

AGENDA

I. OPEN SESSION – CALL TO ORDER – ROLL CALL

II. PUBLIC COMMENTS – (5 min./speaker is allocated, committee may further limit speaker time if necessary to allow for all Public comments to be heard)

Introduction of Aaron O'Neil, the new attorney working with the Veterinary Examining Board.

III. CONVENE TO CLOSED SESSION

MOTION: Lisa Weisensel Nesson moved, seconded by Lyn Schuh, to convene to closed session to consider licensure or certification of individuals (§ 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.). Hunter Lang read the language of the motion. The vote of each member by was ascertained by voice vote. Roll Call Vote: Lyn Schuh – yes; Hunter Lang – yes; Lisa Weisensel Nesson – yes; Motion carried unanimously.

IV. APPLICATION REVIEW

A. EB veterinarian – pending complaint

V. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Lisa Weisensel Nesson moved, seconded by Lyn Schuh, to reconvene to open session. Motion carried unanimously. The Board reconvened at 3:22pm.

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

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

MOTION: Lisa Weisensel Nesson moved, seconded by Lyn Schuh, to grant a conditional license to veterinarian EB with the condition that the pending complaint in Texas is resolved, and that EB notify the Board of the resolution. Motion carried unanimously.

VIII. ADJOURNMENT

MOTION: Lisa Weisensel Nesson moved, seconded by Lyn Schuh, to adjourn. Motion carried unanimously.

The meeting adjourned at 3:24pm.

DRAFT

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	July 21, 2021
2) Requestor Name	Melissa Mace/Cheryl Daniels
3) Item Title for the Agenda	Board Changes; Hellos and Goodbyes
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	No
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>Informational</p> <p>Goodbye's:</p> <p style="padding-left: 40px;">This is Cheryl Daniels last VEB meeting. She is retiring in August</p> <p style="padding-left: 40px;">Dr. Forbes official resigned his post declining to serve in a roll over capacity while we await a new veterinarian appointee to the Board.</p> <p>Hello's:</p> <p style="padding-left: 40px;">New Board Counsel: Assistant Legal Counsel Aaron O'Neil</p>

Veterinary Examining Board Agenda Request Form

1) Meeting Date	July 21, 2021																	
2) Requestor Name	Mace																	
3) Item Title for the Agenda	VPAP update																	
4) Should the Item be in Open or Closed Session?	Open																	
5) Are there Attachments? (If yes, include file names)	Yes																	
6) Is a Public Appearance Anticipated?	No																	
7) Description of the Agenda Item	<p>Informational – no action needed.</p> <p>VPAP Quarterly and Semi-annual update: Attached</p> <p>Seminars held:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="text-align: center;">13-May</td> <td>Making Mental Health a Priority</td> <td style="text-align: center;">7pm</td> </tr> <tr> <td style="text-align: center;">10-Jun</td> <td>Welcome Webinar</td> <td style="text-align: center;">7pm</td> </tr> <tr> <td style="text-align: center;">15-Jul</td> <td>Working in Multigenerational teams</td> <td style="text-align: center;">noon</td> </tr> </table> <p>Seminars coming up:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="text-align: center;">Aug</td> <td>Opioids and Addiction for veterinary professionals</td> </tr> <tr> <td style="text-align: center;">Sep</td> <td>Suicide prevention for Veterinary Professionals</td> </tr> <tr> <td style="text-align: center;">Sep</td> <td>Welcome</td> </tr> <tr> <td style="text-align: center;">Oct</td> <td>Talking to Employees about Difficult Topics</td> </tr> </table> <p>Bulletins sent:</p>	13-May	Making Mental Health a Priority	7pm	10-Jun	Welcome Webinar	7pm	15-Jul	Working in Multigenerational teams	noon	Aug	Opioids and Addiction for veterinary professionals	Sep	Suicide prevention for Veterinary Professionals	Sep	Welcome	Oct	Talking to Employees about Difficult Topics
13-May	Making Mental Health a Priority	7pm																
10-Jun	Welcome Webinar	7pm																
15-Jul	Working in Multigenerational teams	noon																
Aug	Opioids and Addiction for veterinary professionals																	
Sep	Suicide prevention for Veterinary Professionals																	
Sep	Welcome																	
Oct	Talking to Employees about Difficult Topics																	

Date	Day	Time	Subject line	Recipients	Opens	Bounce
7-Apr-21	Wednesday	10:57	Welcome to the Veterinary Professional Assistance Program	79	67%	0
7-Apr-21	Wednesday	12:05	April's Webinar Opportunity from the VPAP	6,163	37%	10
27-Apr-21	Tuesday	14:05	May's Webinar Opportunity From the VPAP	6,149	35%	9
10-May-21	Monday	9:10	Do Not Miss This Week's VPAP Webinar	6,140	31%	6
24-May-21	Monday	9:45	Making Veterinary Mental Health a Priority	6,133	34%	9
3-Jun-21	Thursday	15:30	Welcome to the Veterinary Professional Assistance Program	25	76%	0
10-Jun-21	Thursday	15:10	VPAP Mental Health Resources and Upcoming Webinar	6,129	32%	9
17-Jun-21	Thursday	11:10	Do Not Miss Tonight's Free VPAP Welcome Webinar	6,128	29%	12
30-Jun-21	Wednesday	13:55	Upcoming Webinar for Veterinary Professionals	6,124	37%	14
2-Jul-21	Friday	14:40	Welcome to the Veterinary Professional Assistance Program	48	81%	0

EAP & Work-Life Compass

for WI Veterinary Professionals

Reporting Period:
04/01/2021 - 06/30/2021



Humana



Total Services Overview - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

WI Veterinary Professionals

The Total Services information that is displayed on this page provides a view into all the services that both your organization and members are using. The utilization rate is included for the current report period as well as for an annualized period of time.

Total Services	Current	Prior	Period Utilization	Annualized Utilization
EAP Services	11	---	0.2%	0.7%
Work-Life Services	0	---	0.0%	0.0%
Web Logins	83	---	1.3%	5.1%
Employee/Supervisor Program Orientations	1 / 3	--- / ---	0.0%	0.2%
Life Coach	1	---	0.0%	0.1%
Trainings/Seminars	2 / 31	--- / ---	0.5%	1.9%
Total Services	3 / 129	0 /	2.0%	8.0%

Total Services entries containing a single number represent the number of members using the service, entries containing two numbers separated by a slash represent the number of events that occurred for the service / the number of members using the service. All utilization rates are based on the number of members using the service.



Program Overview - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

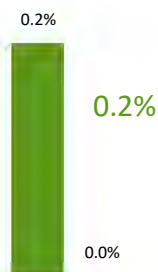
WI Veterinary Professionals

The information contained on this page is intended to provide a summary of your program's key use components, as well as demographic information to help describe the population utilizing the program services.

The Key Indicators table provides an overview of the general demographics of the population engaging with the program, as well as the number of unique members using the service.

Utilization

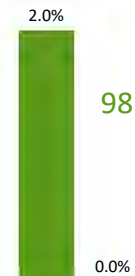
EAP Service Requests



Work-Life Service Requests



Total Services



Current

Prior

Humana Book of Business

Industry Book of Business

Key Indicators

	Current	Prior
Average Employee Population	6,475	---
Total Unique EAP Users	10	---
Total Unique Work-Life Users	0	---
Male/Female Ratio	36/64	---
Employee/Household Member Ratio	100/0	---

Utilization Distribution

Tenure	Percentage	Top 5 Divisions	Percentage
0-1 Years	67%	1. Department of Agriculture Trade and Consumer Protection	100%
2-5 Years	11%		
6-10 Years	22%		
11-15 Years	0%		
16+ Years	0%		

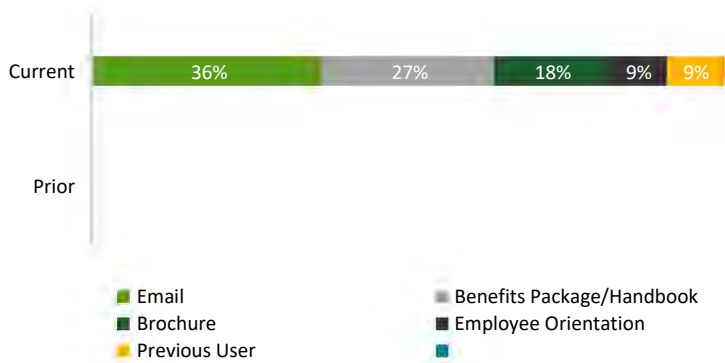
EAP Utilization - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

WI Veterinary Professionals

This page provides a view into the details regarding how the EAP program services are being utilized. The How Learned About Program chart breaks out the most commonly reported ways people are learning about the program. The Modality Distribution table provides insight on how members are working with their provider. The EAP Utilization by Request Type chart displays the most common reasons people are accessing the program.

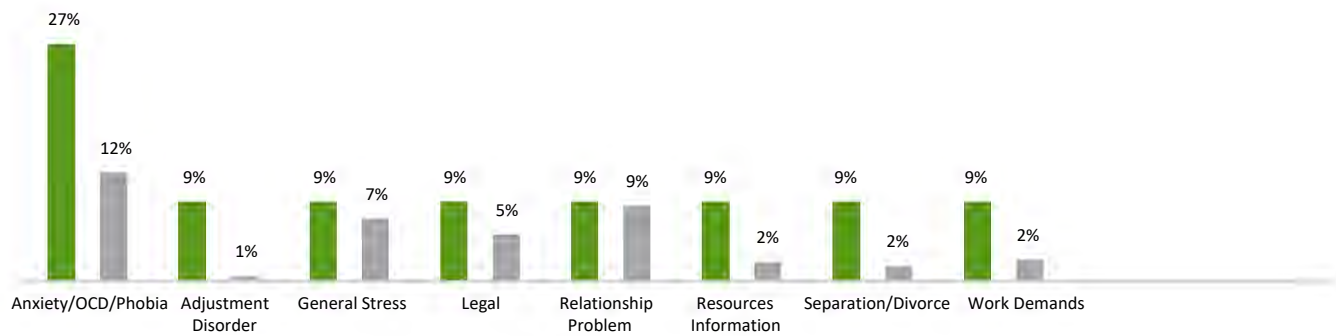
How Learned About Program



Modality Distribution

	Current	Prior
In-House Provider	0.0%	0.0%
Face-to-Face Network Provider	0.0%	0.0%
Telephonic Network Provider	33.3%	0.0%
Text network Provider	0.0%	0.0%
Video Network Provider	66.7%	0.0%

EAP Utilization by Request Type



Current
Prior
Humana Book of Business



Additional Program Utilization - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

WI Veterinary Professionals

The information included on this page is intended to provide details on additional aspects of the program's utilization. The Referred by Source table provides a break out of how members are being referred to the program. The Management Consultation Provided table displays the types of consultations that the program is providing to your organization. The Legal/Financial Utilization table provides information on the utilization people are having with the legal and financial program components.

Referred By Source

	Current	Prior
Self	100.0%	0.0%

Management Consultation Provided

	Current	Prior
All Others	0.0%	0.0%

Legal/Financial Utilization

	Current	Prior
Legal Cases	1	---
Financial Cases	0	---



Website Utilization - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

WI Veterinary Professionals

This page provides details around the utilization of the program website. The Website Usage table breaks out the activity occurring on the website. The Top Ten Website Sections lists the top website sections being visited and the Top Ten Website Articles lists the top website articles being accessed.

Website Usage

	Current	Prior
Visits	83	---
Page Hits	582	---
Ask the Expert Services	0	---
Chat with Us Services	0	---
Self-Service Resources	2	---

Top Ten Website Sections

	Page Hits
1. Online-tools-and-resources	35
2. Emotional-well-being	25
3. Marketing_Authorization_Page	25
4. Emotional well-being	15
5. talkspace	15
6. Connection-Hub	12
7. Services	12
8. Emergency-resources	8
9. General-mental-and-emotional-health	7
10. May-Lifenotes-Podcast	7

Top Ten Website Articles

	Page Hits
1. Feeling uneasy?	6
2. Choose compassion and empowerment	2
3. Fostering success:	2
4. Celebrating our differences on Earth Day	1
5. Dealing with the Effects of Trauma: Getting Help	1
6.	
7.	
8.	
9.	
10.	

Glossary - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

WI Veterinary Professionals

0

Age Range

Age of employee/household member expressed within a numerical range.

Annualized Utilization

Total number of services requested during the report period expressed as a percentage of the total population, stated as an

Case

A case is recorded when contact by an employee/household member generates any EAP clinical intervention of any type.

Critical Incident Response

Mobilization of clinical resources for defusing, debriefing, or addressing grief with employees after a traumatic event or natural disaster.

EAP

Employee Assistance Program, short-term counseling to help with the management of everyday life issues.☒

EAP Annualized Utilization

Total number of employees/household family members who received in-person or telephonic counseling sessions, divided by the total number of employees, and then annualized.

EAP Request Type

Assessment of problem(s) by the EAP professional during initial intake.

Gender

Sex of the eligible employee/household member receiving a service.

Humana Book of Business

Utilization for the rest of the Humana clients.

Legal

Cases referred for Legal support and/or consultation.

Manager Consultations

Professional consultations provided to/with Human Resources, Employee Relations, Wellness, and/or managers regarding sensitive employee performance issues.

Manager Referrals

Cases referred to the EAP by Human Resources, Employee Relations, Wellness, and/or managers regarding sensitive employee performance issues.

Modality Distribution

The methods by which a member can receive EAP counseling: face-to-face, telephonic, video-based, and text-based

Glossary Cont. - WI Veterinary Professionals

Reporting Period: 04/01/2021 - 06/30/2021

WI Veterinary Professionals

0

Period Utilization

Utilization for the time period indicated.

Reason for Call

Concern(s) and issue(s) presented to EAP by employee/household member at intake/assessment.

Referral Source

Self=self-initiated; performance-based=Job performance issues; suggested by manager, HR and union=referral by manager, HR or union

Relationship to Employee

Identifies caller as employee or household member.

Return-to-Work Evaluation

Cases involving the need for forensic psychiatric evaluations (e.g., threat of violence, threat to self or others). Formerly referred to as Fitness-for-Duty Evaluations.

Seminars/Trainings

Number of seminars/training conducted.

Source of Information

How the employee/household member learned of the service.

Total Services

Total of all services provided to employees/household members: includes EAP cases, attendance at seminars, CIR trainings, and web log-in activity.

Unique Individuals Served

Captures distinct employees/household members who access program services.

Web Usage/Log-ins

Number of log-ins to the website from employees/household members.

Work-Life

Assistance, information, and support to help you achieve a better balance between work, life, and family to help make life easier.

Years of Service

Length of service at the company.

EAP & Work-Life Compass

for WI Veterinary Professionals

Reporting Period:
01/01/2021 - 06/30/2021



Humana



Total Services Overview - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

The Total Services information that is displayed on this page provides a view into all the services that both your organization and members are using. The utilization rate is included for the current report period as well as for an annualized period of time.

Total Services	Current	Prior	Period Utilization	Annualized Utilization
EAP Services	32	---	0.5%	1.0%
Work-Life Services	3	---	0.0%	0.1%
Web Logins	242	---	3.7%	7.5%
Trainings/Seminars	3 / 42	--- / ---	0.6%	1.3%
Employee/Supervisor Program Orientations	2 / 9	--- / ---	0.1%	0.3%
Life Coach	2	---	0.0%	0.1%
Manager Consultations	1	---	0.0%	0.0%
Total Services	5 / 331	0 /	5.1%	10.2%

Total Services entries containing a single number represent the number of members using the service, entries containing two numbers separated by a slash represent the number of events that occurred for the service / the number of members using the service. All utilization rates are based on the number of members using the service.



Program Overview - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

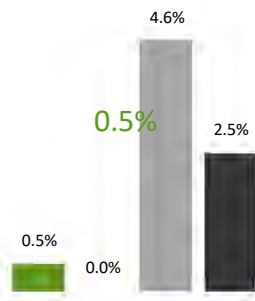
WI Veterinary Professionals

The information contained on this page is intended to provide a summary of your program's key use components, as well as demographic information to help describe the population utilizing the program services.

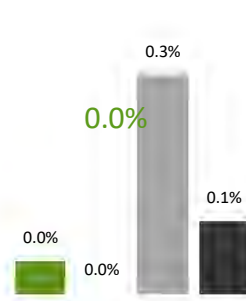
The Utilization – Peer Comparison provides a comparison of your program's utilization to a peer group. The Key Indicators table provides an overview of the general demographics of the population engaging with the program, as well as the number of unique members using the service.

Utilization - Peer Comparison

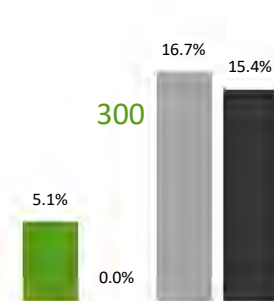
EAP Service Requests



Work-Life Service Requests



Total Services



Current

Prior

Humana Book of Business

Industry Book of Business

Key Indicators

	Current	Prior
Average Employee Population	6,475	---
Total Unique EAP Users	26	---
Total Unique Work-Life Users	1	---
Male/Female Ratio	15/85	---
Employee/Household Member Ratio	100/0	---

Utilization Distribution

Tenure		Top 5 Divisions	
0-1 Years	44%	1. Department of Agriculture Trade and Consumer Protection	100%
2-5 Years	28%		
6-10 Years	20%		
11-15 Years	4%		
16+ Years	4%		

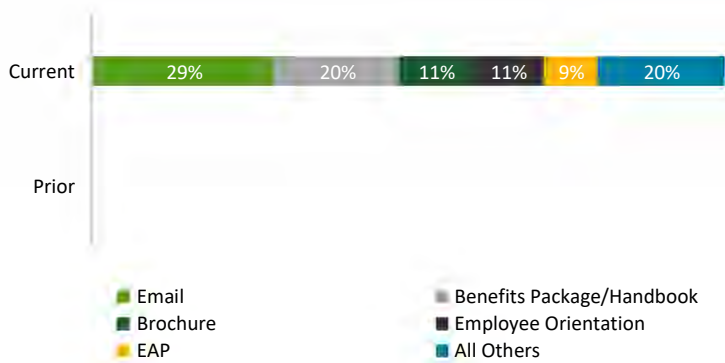
EAP Utilization - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

This page provides a view into the details regarding how the EAP program services are being utilized. The How Learned About Program chart breaks out the most commonly reported ways people are learning about the program. The Modality Distribution table provides insight on how members are working with their provider. The EAP Utilization by Request Type chart displays the most common reasons people are accessing the program.

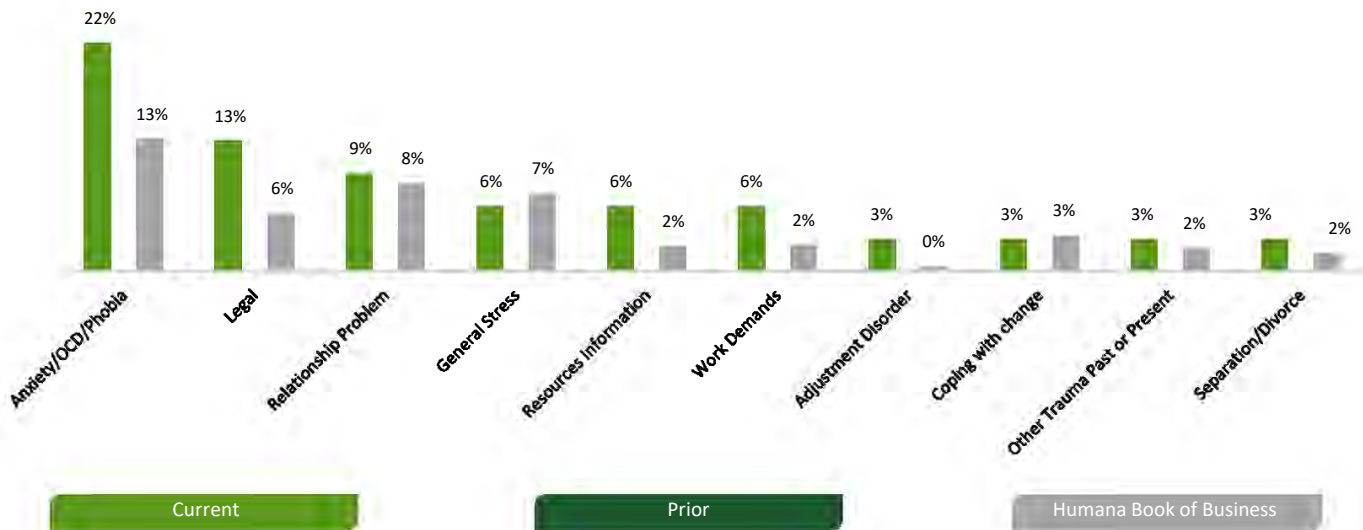
How Learned About Program



Modality Distribution

	Current	Prior
In-House Provider	0.0%	0.0%
Face-to-Face Network Provider	12.5%	0.0%
Telephonic Network Provider	37.5%	0.0%
Text network Provider	0.0%	0.0%
Video Network Provider	50.0%	0.0%

EAP Utilization by Request Type



Utilization

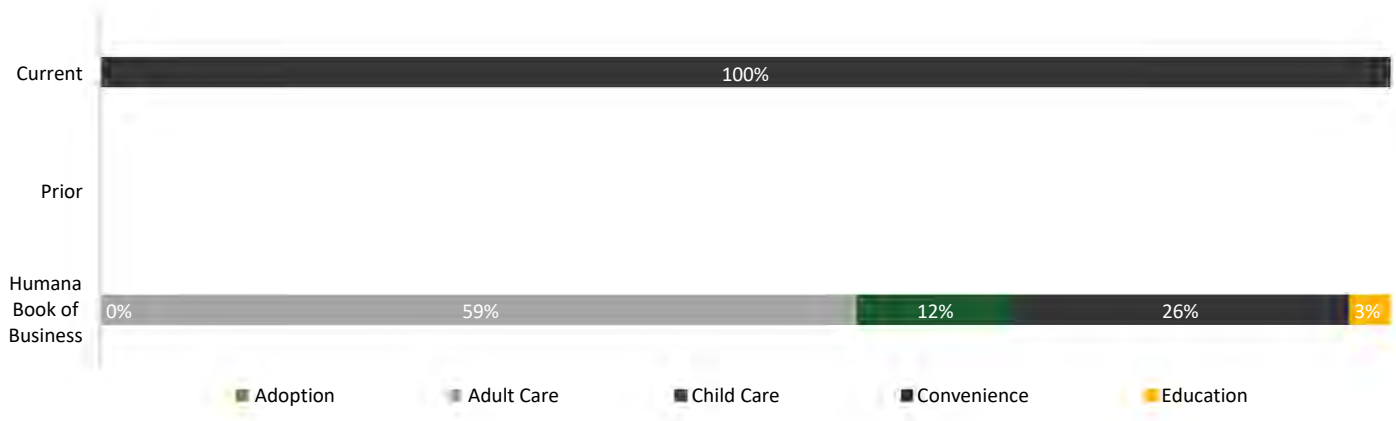
Work-Life Utilization - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

This page displays details about the utilization of the Work-Life program services. The Work-Life Utilization by Request Type chart provides a break out of the reasons people are using the Work-Life program. The Work-Life Utilization by Request Type Breakout includes a deeper look into the types of topics within each reason category that people are selecting when engaging with the Work-Life program.

Work-Life Utilization by Request Type



Work-Life Utilization by Request Type Breakout

Convenience		Current	Prior
1	Consumer Reports Research	33.3%	0.0%
2	Household Service Referrals	33.3%	0.0%
3	All Others	33.3%	0.0%

Education		Current	Prior
-----------	--	---------	-------

Adult Care		Current	Prior
------------	--	---------	-------

Adoption		Current	Prior
----------	--	---------	-------

Child Care		Current	Prior
------------	--	---------	-------



Additional Program Utilization - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

The information included on this page is intended to provide details on additional aspects of the program's utilization. The Referred by Source table provides a break out of how members are being referred to the program. The Management Consultation Provided table displays the types of consultations that the program is providing to your organization. The Legal/Financial Utilization table provides information on the utilization people are having with the legal and financial program components.

Referred By Source

	Current	Prior
Self	96.9%	0.0%
Fitness for Duty	3.1%	0.0%

Management Consultation Provided

	Current	Prior
Performance Concern	100.0%	0.0%

Legal/Financial Utilization

	Current	Prior
Legal Cases	4	---
Financial Cases	0	---



Website Utilization - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

This page provides details around the utilization of the program website. The Website Usage table breaks out the activity occurring on the website. The Top Ten Website Sections lists the top website sections being visited and the Top Ten Website Articles lists the top website articles being accessed.

Website Usage

	Current	Prior
Visits	242	---
Page Hits	1,828	---
Ask the Expert Services	0	---
Chat with Us Services	2	---
Self-Service Resources	17	---

Top Ten Website Sections

	Page Hits
1. Marketing_Authorization_Page	128
2. Online-tools-and-resources	93
3. Connection-Hub	50
4. Services	49
5. ProviderSearch	48
6. Emotional-well-being	47
7. Financial-and-legal	36
8. Emotional well-being	34
9. talkspace	32
10. Emergency-resources	19

Top Ten Website Articles

	Page Hits
1. Feeling uneasy?	6
2. Short-lived New Year's resolutions or life-long healthy habits: Here's how to make the smart choice	3
3. Choose compassion and empowerment	2
4. Dealing with the Effects of Trauma: Getting Help	2
5. Fostering success:	2
6. Behavior Change Basics	1
7. Breaking Bad Habits: Why It's So Hard to Change	1
8. Celebrating our differences on Earth Day	1
9. Dealing with the Effects of Trauma: Healing Journey	1
10. Hints for Coping with Stressful Events	1

Glossary - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

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The methods by which a member can receive EAP counseling: face-to-face, telephonic, video-based, and text-based

Glossary Cont. - WI Veterinary Professionals

Reporting Period: 01/01/2021 - 06/30/2021

WI Veterinary Professionals

0

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Cases involving the need for forensic psychiatric evaluations (e.g., threat of violence, threat to self or others). Formerly referred to as Fitness-for-Duty Evaluations.

Seminars/Trainings

Number of seminars/training conducted.

Source of Information

How the employee/household member learned of the service.

Total Services

Total of all services provided to employees/household members: includes EAP cases, attendance at seminars, CIR trainings, and web log-in activity.

Unique Individuals Served

Captures distinct employees/household members who access program services.

Web Usage/Log-ins

Number of log-ins to the website from employees/household members.

Work-Life

Assistance, information, and support to help you achieve a better balance between work, life, and family to help make life easier.

Years of Service

Length of service at the company.

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	July 21, 2021
2) Requestor Name	Mace
3) Item Title for the Agenda	Ipad update
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	no
6) Is a Public Appearance Anticipated?	no
7) Description of the Agenda Item	Update on status of new iPads for the Board.

Veterinary Examining Board Agenda Request Form

1) Meeting Date	July 21, 2021
2) Requestor Name	M. Mace
3) Item Title for the Agenda	AAVSB Matters
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	<p>Yes</p> <p>A. AAVSB Board Basics & Beyond: Action List for Board Basics & Beyond AAVSB Board Basics & Beyond Day 1 AAVSB Board Basics & Beyond Day 2</p> <p>B. 2021 AAVSB Annual Meeting: September 30 –October 2, Denver Colorado AAVSB Funded Delegate Policy B. AAVSB Legal Counsel funding Program</p>
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>Informational Only</p> <p>A. 2021 Board Basics and Beyond Dr. Holter, Dr. Lang and Amanda Reese were able to attend the virtual 2021 Board Basics and Beyond April 23-24. Attendees will share key take a ways.</p> <p>Action Item: Board member attending</p> <p>B. AAVSB Annual meeting: Registration & Fees (eventscloud.com)</p> <p><u>Delegates:</u> Each member board is eligible to send 2 voting delegates. AAVSB covers all reasonable travel expenses for these individuals.</p> <p><i>Motion:</i></p> <p>_____ moves, _____seconds for _____ and _____ to request out of state travel approval to attend the 2021 AAVSB Annual meeting.</p> <p><u>Legal Counsel Funding Program (New):</u> The Legal Counsel Funding Program is limited to the first twenty Member Boards that submit a written request that is received by the AAVSB Headquarters. The Funding Program is intended to bring the legal counsel of a Member Board to the Annual Meeting & Conference to</p>

	<p>better understand the programs and services offered to members by the AAVSB.</p>
--	---



2021 AAVSB Board Basics & Beyond – Proposed Action List

Meeting Follow-up

- **Read** the AAVSB Practice Act and Rules & Regulations – understand the difference between mandatory vs. discretionary language (i.e., shall vs. may), etc.
- **Review** your practice act, law, etc. Is it consistent in its wording?
- **Understand** that everyone on the board is a public member (some have veterinary medicine expertise).
- **Separate** regulation from trade – recuse yourself when there is a conflict of interest.
- **Develop** your elevator speech.
- **Establish and utilize** a RACetrack Account (licensees only).
- **Follow** the AAVSB on social media. (Facebook, Twitter, LinkedIn).
- **Volunteer** <https://www.aavsb.org/volunteer>.
- **Be an information source** to your legislature (different from lobbying).
- **Act within the scope** and do it in good faith.

Board Operations

- **Record** into the minutes of each meeting who is present, including their role; the mission and vision of the board; a summary from the last meeting; statistics such as the number of renewals granted and denied, the number of complaints and their status, etc.
- **Submit** a record of the statistics of the board to the governor’s office every year—even if it is not required.
- **Include** a report from the AAVSB in board meeting materials. The AAVSB provides a packet to the Boards/Councils quarterly.
- **Always ask**, “do we have the authority?”
- **Bifurcate** the application. State what is public, not public, mandatory, and cite the law each time.
- **Contact** fellow regulatory boards to discuss issues.
- **Select** two or more board members and staff to attend the AAVSB Annual Meeting: <https://www.aavsb.org/board-services/annual-meeting/>.
- **Encourage** licensees to utilize RACetrack, the free CE tracking system offered by the AAVSB to improve CE auditing efficiency.
- **Report** disciplinary actions and license updates to the AAVSB following each board meeting. If your board is not able to participate please identify why and alert the AAVSB staff so we can help facilitate data improvements and accurately report disciplinary to other jurisdictions.
- **Seek** advice of counsel as needed.

Board Efficiencies

- **Stop** reviewing RACE-approved programs. (They are automatically accepted as CE in your jurisdiction, there is no need to review them for acceptance).
- **Utilize** the AAVSB's VAULT Service to simplify applicant document collecting.
- **Delegate** administration of your jurisprudence exam to AAVSB's State & Provincial Assessments (SPA) program.
- **Create** a policy – incomplete applications are closed after six months.
- **Recognize the AAVSB's** PAVE program as an alternate pathway to qualifying for the NAVLE.
- **Meet with** your fellow regulatory boards (i.e., pharmacy). This creates power and stimulates conversation.
- **Stimulate change** on those practices that don't work.

Outreach

- **Invite** the AAVSB to one of your Board/Council meetings.
- **Utilize** the AAVSB's student outreach presentations at your jurisdiction's veterinary and veterinary technician schools.
- **Collaborate** with other Boards to offset the cost of technology such as streaming the meetings.
- **Invite the media** to your meetings – good press coverage of what regulators do is a good thing.
- **Invite veterinary students** to your meetings – great way for them to learn what you do.
- **Invite licensees** to your meeting – offer CE credit and create interest in involvement.

AAVSB BOARD BASICS & BEYOND

April 22 – 23, 2021



On this sheep-scale,
how do you feel today?



AAVSB Welcome & Workshop Logistics

Lainie Franklin, MPA
AAVSB Member Services Concierge

Welcome

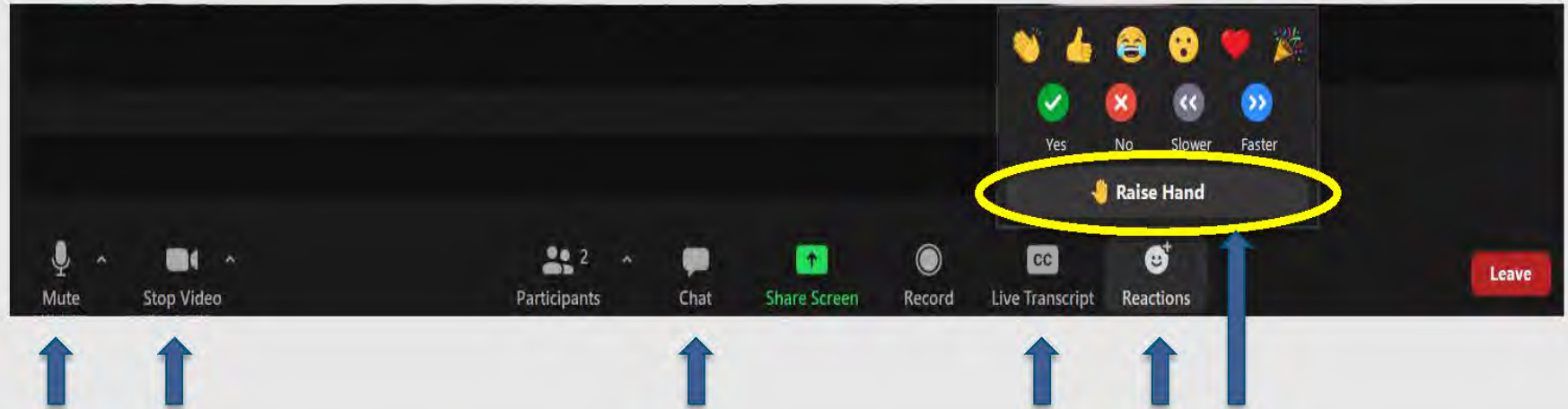
38 participants representing 22 boards/councils

29 Board or Council Members

5 Executive Directors or Registrars

4 Staff Members

Zoom Information



Ground Rules

1. Dedicate your time to the workshop
2. Silence your phone
3. Ignore your email!
4. Turn your camera on and unmute yourself when speaking and when in small group discussions
5. Display your name and your state/province (i.e., John Smith – MO)
6. Participate!

AAVSB BOARD BASICS & BEYOND

Thursday, April 22, 2021
12:45 pm – 4:00 pm CT



THE ATKINSON FIRM

Attorneys at Law | 1466 Techny Road | Northbrook, IL | 60062

Dale Atkinson, Esq. AAVSB Counsel

- AAVSB
- ASWB
- ASPPB
- ARBO
- FSBPT
- FSMTB
- FCLB
- ICFSEB
- NMTCB
- JRCERT
- FAAM
- JFCSF
- LEARN
- NWRP



Welcome



Congratulations



Participate, have fun,
learn a thing or two
from each other



TAKE SOME NOTES....YOU WILL BE ASKED TO IDENTIFY TAKE HOME POINTS

TRY NOT TO HAVE A GOOD
TIME...THIS IS SUPPOSED
TO BE EDUCATIONAL..



WIIFM = What's In It
For Me

Will the Chicago Blackhawks win the Stanley Cup?

Why is there air?

WIIFM = What's In It
For Me

What is AAVSB
Why government
Role of Boards
Role of Board Members

Board operations
Board meetings
COVID
Executive orders

Composition
Quorum
Vacancies
Electronic presence

Technology
Board authority
Enforcement/disciplinary
Conflict of interest

Roles of
Trade
Academia
Legislature
Board staff

ON THE AGENDA



2:30pm – 2:45pm CT

- Discuss
- Learn
- Interact
- Plenary & small groups
- Write down a few things
- Identify take home points

Sensitivity to terminology...



Use Your Resources



- Applications for licensure & renewal
- Statutes
 - Practice act
 - Administrative procedures act
- Rules/regulations
- Policies
- AAVSB Practice Act Model



Breakout Groups

- 10 minutes
- Discuss question/scenario
- Write down issues/important points
- Browbeat someone into being a spokesperson
- Be prepared to report back to the whole group

Small Groups...

BLUES

- Jody J.-KS
- John P.-KY
- Victoria D.-NH
- Tanya S.-NS
- Monty M.-TN
- Alan H.-WI
- Mahlon B. - MN

REGGAE

- Carolyn K.-CO
- Will W.-GA
- Greg P.-SK
- Shara W.-TN
- Amanda R.

ROCK n ROLL

- Celia D. -AL
- Blair Z. - DC
- Joanne M. - NJ
- Christine M. -NS
- Tonya H. -UT
- Donovan H. -NB
- Natasha K. -AB

Small Groups...

CLASSICAL

- Ilsa L. -AK
- Lauren S. - DC
- Matt B. -GA
- Julie D. -MN
- Kevin S. -MS
- Katelyn Mc-SK
- Hunter L. - WI

JAZZ

- Denny A. -AK
- Dianne D. -KY
- Jared G. -LA
- Winnie K. - NH
- Derek W. -SC
- Alison H. - SK

COUNTRY

- Jane S. - AZ
- Wendy C. -GA
- Jill P. - NH
- Leann F. -KS
- Dordor V. -WA
- Lorraine S. -SK

WHY
Government?



All small groups have the same scenario!

Why is government involved in the regulation of the professions?

Write down a bunch of words/phrases



**This is a given.....
think of additional words/phrases**



**WHAT DO YOU
THINK?**




Report Back
To Group

Why Government?

- **Exercise legislative authority**
- **Fulfill needs of constituents**
- **Create and authorize regulatory board**
- **Delegate to experts**
- **Establish standards and criteria re licensure**
- **Recognize rights of all involved**
- **Authorize enforcement**
- **Outreach to consumers**
- **More.....**



Why?



.....provides consumers with an assurance of the qualifications of licensees along with a means of enforcement for the benefit of the public.

Why?

Government is the
ultimate equalizer...

it levels the playing
field

Each group has a unique scenario



Small Group Exercise #2: 10 minutes

- Discuss
- Someone take notes
- Be prepared to report back
- Select a spokesperson
- All are welcome to participate



Classical

What differentiates government/public sector from the private sector?



- What do veterinary boards do?

JAZZ

- Are there professions of veterinary medicine and veterinary technology self-regulated?
- Why? Why not?



Administrative Authority

- Does your board have administrative authority over unlicensed persons?
- Where do you find the answer? Is it addressed in the AAVSB PAM?
- Is this issue important? Why?



Proceedings

- Discuss and identify the similarities and differences between administrative, criminal & civil proceedings.





Country

- What information does your board collect on initial applications and renewals for licensure?
- What information is mandatory?



Classical

What differentiates government/public sector from the private sector?



Public from Private



- What do veterinary boards do?



BLUES

- What do veterinary boards do?
- ***Carry out the legislative intent***

Legislative Intent

A legislative's intention on making a bill into a law



What do Veterinary Boards Do?

- Regulate
- Educate
- Communicate
- Promulgate regulations
- Process applications
- Process renewals
- Recognize education
- Recognize continuing education
- Address legislature
- Recognize examination(s)
- Enforce
- Publish
- Social media presence
- Address academia
- Address trade
- Recordkeeping
- Meet
- Employ
- Collect and expend monies
- Budget.....

JAZZ

- Are there professions of veterinary medicine and veterinary technology self-regulated?
- Why? Why not?



YES

NO

Self-Regulated?

This slide is for a full-page image.
A caption can be included if desired.

Self-Regulation

- Self regulated trades, occupations, or professions do not need government!

Administrative Authority

- Does your board have administrative authority over unlicensed persons?
- Where do you find the answer? Is it addressed in the AAVSB PAM?
- Is this issue important? Why?



Unlicensed Practice: Administrative Authority

- See AAVSB PAM: Article III, section 301(d).
(page 76 of the meeting materials)

Proceedings

- Discuss and identify the similarities and differences between administrative, criminal & civil proceedings.



Proceedings

- Public benefits
- Burden of proof
- Sanctions/penalties
- Laws enforced
- Investigations
- Discovery





Country

- What information does your board collect on initial applications and renewals for licensure?
- What information is mandatory?

Applications and Renewals

Demographics

Education

Examination

Experience

Employment

Good Moral Character/Criminal Background Check

Attestation

Picture?

Bifurcated Applications!

what are other
words for
bifurcated?



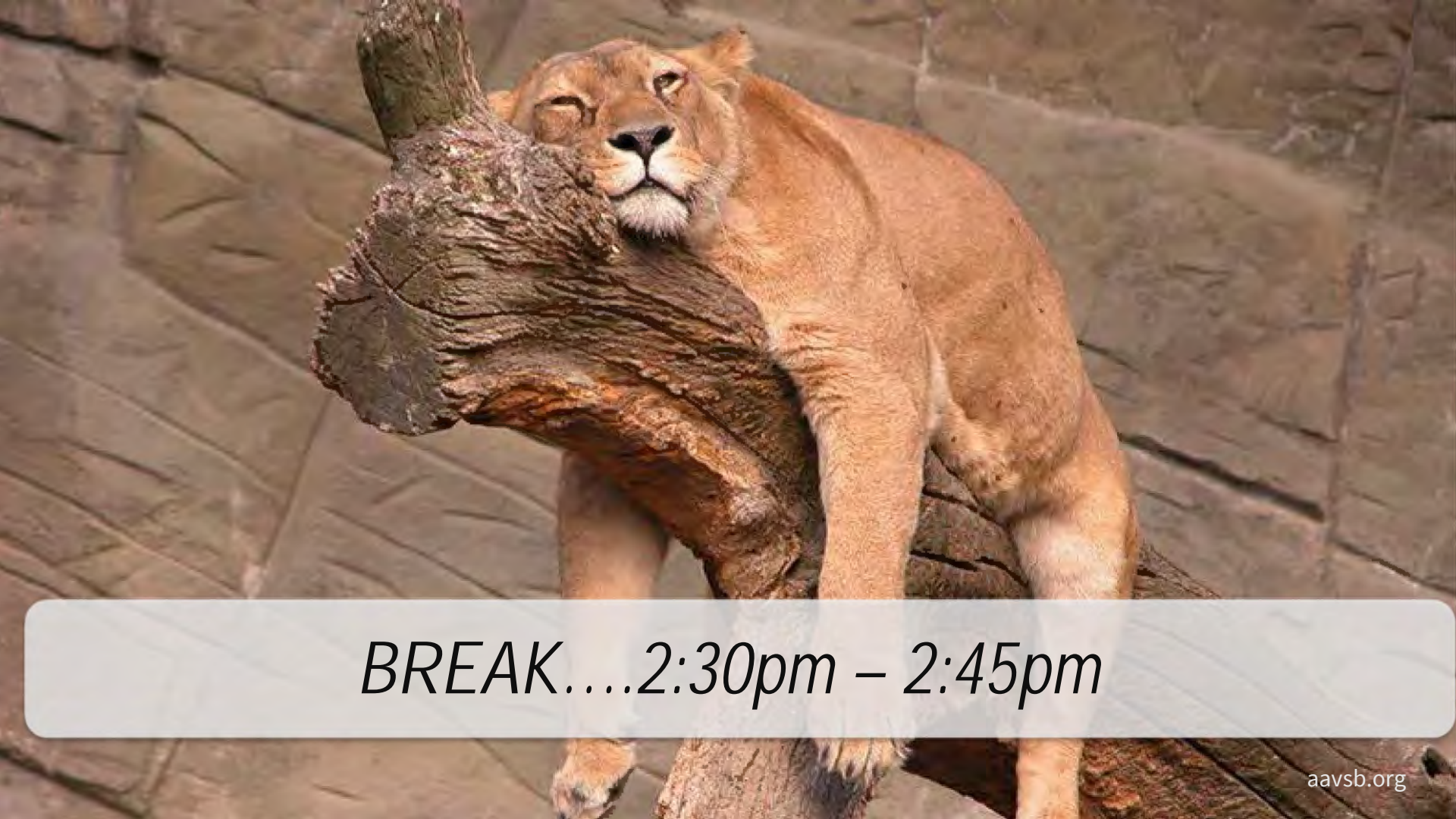
bifurcate, forked, furcate,
divided, divaricate, branched,
split, branching, pronged,
branch



Thesaurus.plus

What have we covered?

- Why government
- Differentiate between government and private sector
- What do veterinary boards do
- Self-regulation
- Unlicensed practice
- Administrative, criminal & civil proceedings
- Applications and renewals

A lioness is shown resting its head on a large, weathered log. The lioness has a light brown coat and is looking towards the camera with a calm expression. The background consists of a wall made of large, textured stone blocks.

BREAK....2:30pm – 2:45pm

Welcome Back!
2:45 pm CT

AAVSB: CONNECTING THE VETERINARY REGULATORY COMMUNITY


Jim Penrod, CAE, AAVSB Executive Director



Goals for Today



- Understand your challenges to serve you better
- Increase your awareness of and access to your member services
- Deepen your engagement to increase the value you receive from your membership



Member Board Services

AAVSB Annual Meeting & Conference

- Annual delegate assembly and educational conference
- Delegate Funding Program
 - The **AAVSB pays for 2** participants from each Member Board to attend.
- Attorney Funded Program
 - Limited to ten participants
- **September 30 – October 2, 2021** in Denver, Colorado



Model Documents

- Practice Act Model (PAM)
- Telehealth Guidelines
- Appropriate Use of Opioids
- Veterinary Technician Scope of Practice

Coming Soon

- Model Guidelines – CBD Use On Companion Animals



Centralized Licensure Database (VIVA)



- An invaluable resource in assisting you with licensure decisions
- We would like 100% participation in disciplinary and licensure updates



VAULT
Veterinary
Application for
Uniform
Licensure
Transfer

**Fed by the centralized
database in support of
Member Board licensure
review**

VAULT Makes it Easy for Member Boards



AAVSB verifies all licensure documents.

All verified information delivered to Member Board in one secure packet.

Online License Verification

- More efficient
- No paper
- Less administrative work
- Greater security

Step 1: Verify License Data (Complete) ←

License Number	Credential Status
<input type="text" value="22233"/>	Active 
Original Issue Date	Expire Date
<input type="text" value="01/01/2010"/>	<input type="text" value="12/31/2020"/>

 **Please ensure that the license data above is correct.**

Other Jurisdictions Licensed (current or previous)
OK

Note: * indicates discipline on file

→ ←

RACEtrack

POWERED BY CE BROKER | A SERVICE OF THE AAVSB

**Where licensees
find and track
their continuing
education**

Automate Your Audits

Say goodbye to paperwork-ridden investigations. RACetrack transforms audits into quick and accurate verifications.



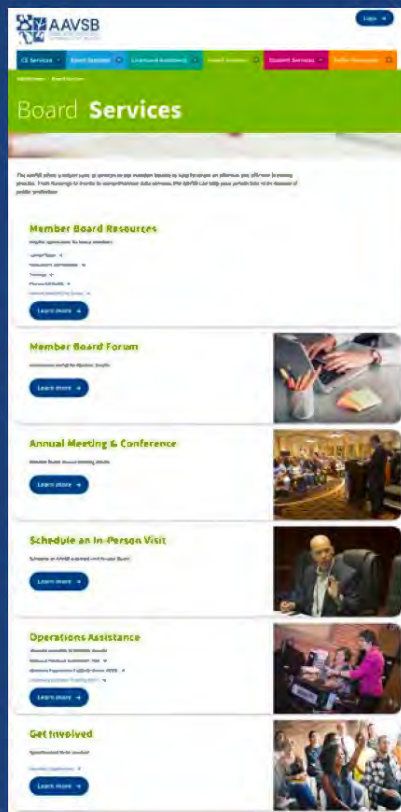


- For international graduates of non-accredited programs
- 54 Member Boards recognize PAVE as well as Australia, New Zealand, Quebec, and several Canadian territories

PAVE for Veterinary Technicians

- New standards introduced January 2021
- Program to launch late 2021

Need assistance?



www.aavsb.org/board-services

Your membership concierge:

Lainie Franklin

efranklin@aavsb.org

1.816.931.1504 x221

Next Steps

- Give us your feedback
- Attend the Annual Meeting
- Submit license and disciplinary updates to the AAVSB



Questions?



A stylized graphic featuring a bright orange background. On the left, a yellow sun with a solid circle and several short, curved rays is partially obscured by a large white semi-circle that represents a rising sun or a horizon. The bottom of the slide is a dark blue wavy shape representing the ground or water.

Role of Board Members, Board Operations & Technology



New Added Rule

When you see your name in lights, you must be the first person to speak.

Matt Bradley - GA

- Why are you on the Georgia board?
- Tell us about the appointment process.

Personal



Board

Winnie Krogman - NH

- What is the name of your board?
- How often does it meet?
- Is that often enough?



back

to the

basics

Tanya Sparling - NS

- How did you become a board member in Nova Scotia?
- Tell us about the process.



**The
Governor**

Qualifications

Dianne Dawes - KY

- How many people serve on the Kentucky board?
- What is your term? Are there any vacancies?
- Tell us about the consequences of vacancies.



**BOARD
MEMBER
VACANCY**

Derek Wessinger - SC

- What is a quorum?
- Why is it significant?
- How is a quorum calculated?

Quorum For Board Meeting



Jill Patronagio - NH

- Please define the following:
 - Statute
 - Rule/Regulation
 - Policy

Jill Patronagio - NH

- Please define the following:
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Greg Parks - SK

- Who develops the agenda for a board meeting?
- When is the agenda made public?
- Before a board meeting, how far in advance are materials distributed to board members?



Agenda!

Julie Dahlke - MN

- What are some characteristics/attributes to a successful board member?

Characteristics/Attributes

- Willing to dedicate the necessary time
- Attends
- Prepared
- Meaningfully participate
- Understands roles
- Open minded
- Willing to listen
- Firm, where necessary
- Separates regulation from profession
- ...

Jane Solomon - AZ

- What is a conflict of interest?
- How is it determined?
- What are the consequences of being in a position of conflict of interest?

Conflict of Interest

- Government involvement
- Mandatory licensure
- Consequences to non-licensure
- Statutes/rules/regulations
- Administrative implications
- Criminal implications
- Due process
- Constitutionally protected
- Right to notice
- Right to be heard
- Fair and impartial tribunal

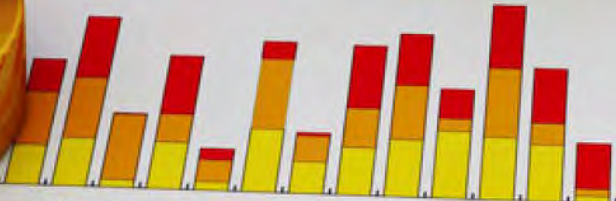


Conflict of interest: Failure to comply

Celia Dixon – AL

- How many complaints does the board receive annually?
- Why is this important?
- Who decides whether to dedicate resources to investigate a complaint?

Statistics Matter



Kevin Smith - MS

- In addition to board members and staff, who regularly attends your board meetings?
- In your opinion, who should attend every board meeting (or at least be invited)?

Be Proud... Invite Others to Board Meetings

- Executive Branch reps
- Legislative branch reps
- Academia
- Media
- Trade
- Other relevant boards
- Licensees (free CE?!)

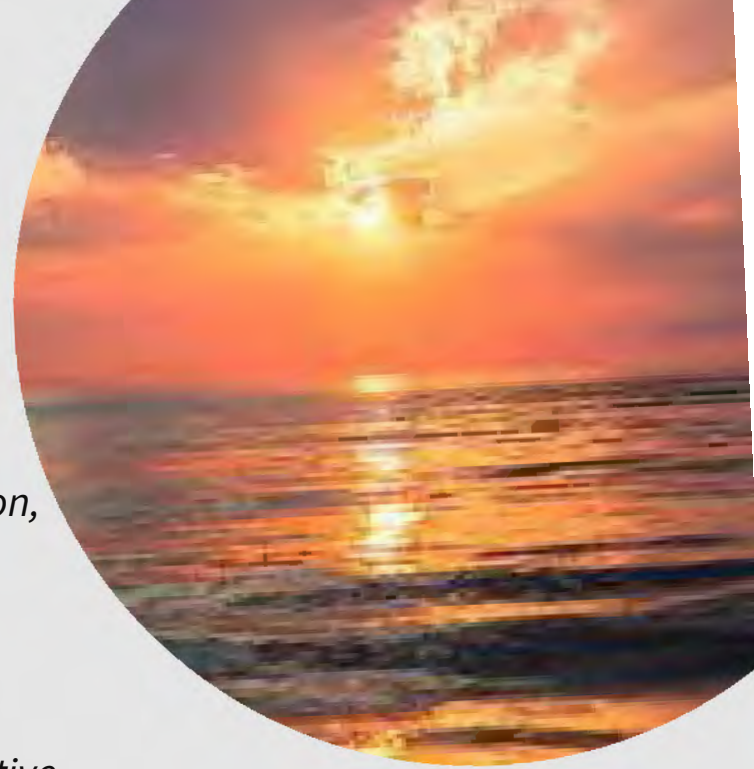
Tonya Hardy - UT

- Please recite the quadratic formula.



Tonya Hardy - UT

- What information is provided at each board meeting?
- How long is a typical board meeting?
- Do you meet electronically/virtually?
- How does the public attend?



- *Composition of board, terms, vacancies*
- *Mission, vision, strategic plan*
- *Citation to statutes & rules/regulations*
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- *Notation to last meetings minutes*
- *Annual applications, # granted/# denied, average time from completed app to issuance, # pending*
- *Annual renewals...same*
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- *# of phone calls*
- *# of visits to website*
- *newsletters*
- *Outreach to....community/academia/legislature/executive branch...*

We covered a lot of ground...

- Board meetings
- Attendance
- Virtual presence
- Agendas
- Conflict of interest
- Meeting materials
-



Have a great evening!
See you tomorrow at 12:45 pm CDT



Recess

AAVSB BOARD BASICS & BEYOND

Friday, April 22, 2021
12:45 pm – 4:00 pm CT

Welcome back...to Day 2.





Welcome

What do you see?



Roots Lips Trees

Same as day 1...



Participate, have fun,
learn a thing or two
from each other



TAKE SOME NOTES....YOU WILL BE ASKED TO IDENTIFY TAKE HOME POINTS

Lingering Questions/Comments?

- Best sessions ever
- Too much information
- Not enough information
- My brain is full
- You cats rock!
- Wish there was going to be a day 3
- The food was excellent
- Meeting room was too cold



For real... Any substantive
questions/comments?



Shout out... take home points from yesterday!

Anyone?



WIIFM = What's In It
For Me

Lightning
rounds



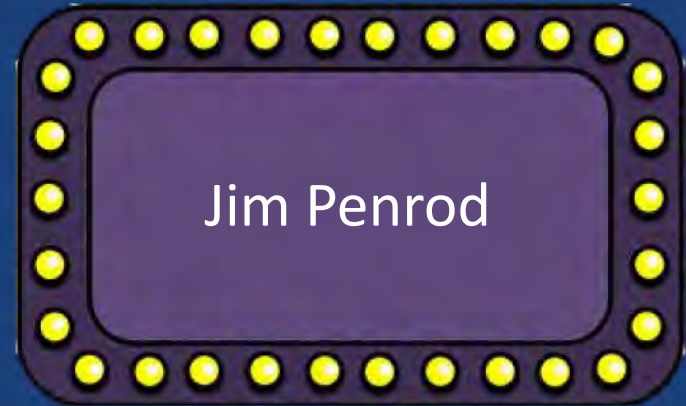
UNMUTE



MUTE

Reminder: Rule

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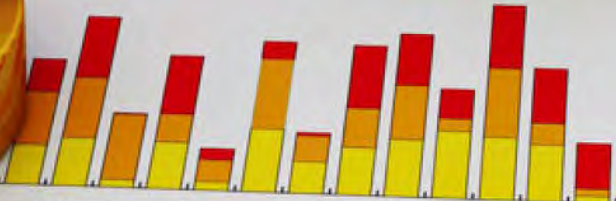
A black and white photograph of a man in a dark suit, white shirt, and dark tie. He has a serious, almost angry expression, with furrowed brows and a slight frown. He is looking slightly to the left of the camera. The background is a courtroom, with rows of wooden benches or desks visible, and a large, ornate lamp on the right side. The lighting is dramatic, highlighting the man's face against the darker background.

Conflict of interest: Failure to comply

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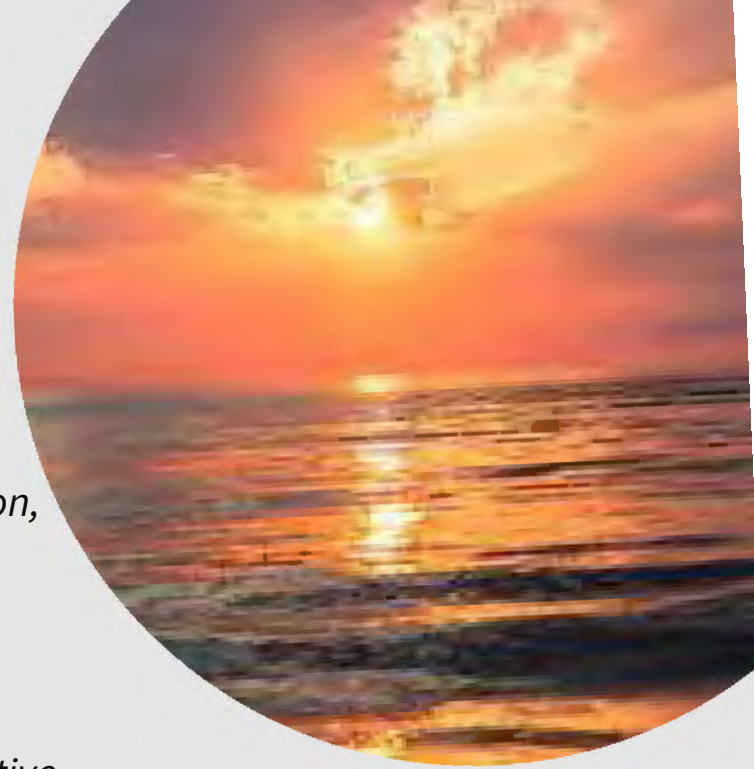
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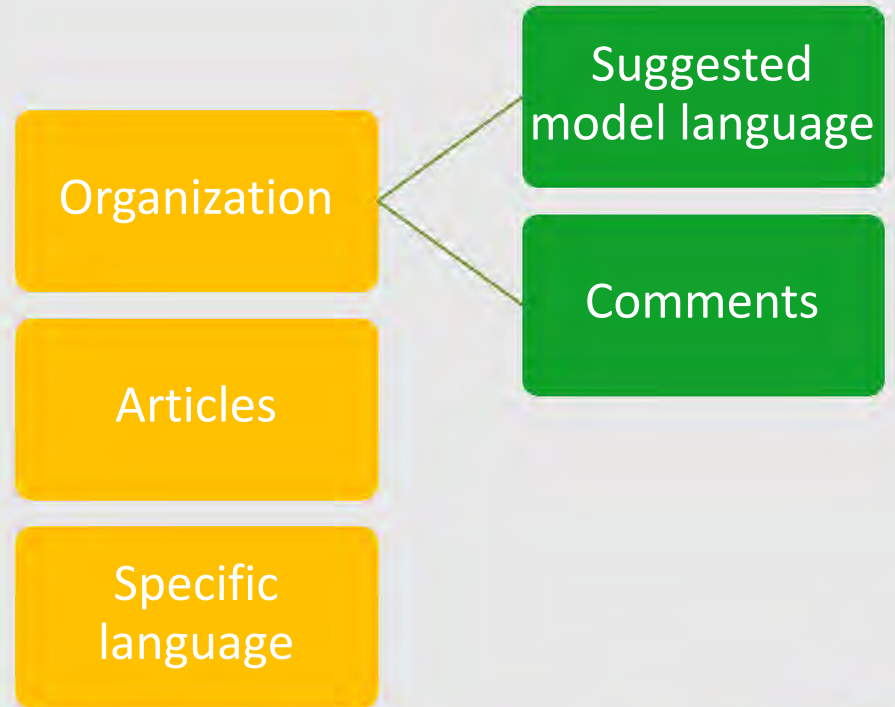
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Let's navigate the AAVSB Practice Act Model



AAVSB Practice Act Model



- Article I, Section 102
- Article I, Section 104
- Article II, Section 206
- Article III, Section 301(d)
- Article III, Section 312



Legal Issues

As we explore some of the legal technical issues... **remember that issue identification is more important than the answer(s).**

- Identify the issue(s)
- Seek advice
- Contemplate/reflect
- Act

Monty McInturff - TN

- What is due process/fundamental justice ?
- Why is it important?



Substantive & Procedural Due Process of Law

- Applicants
- Licensees
- Unlicensed persons
- Complainants
- Third party beneficiaries

Applicants entitled to procedural due process. Once issued, licensees entitles to procedural and substantive due process before an adverse action can be taken.

Property Interest in Professional License

- Due process rights triggered by the issuance of a government license.
- As a reminder, licensure is required to lawfully engage in the practice of veterinary medicine and failure to obtain licensure before practice has administrative, civil, and criminal consequences.
- Reminder: Due process involves right to notice, right to be heard before a fair and impartial tribunal (decision making body).
- Conflict of interest threatens due process rights....

Donovan Hauser -NE

Scenario...

Identify the Issue(s).

- Your business partner in veterinary medicine is charged with wrongdoing by the veterinary board.
- What do you do?
- How do you do it?
- Why?

RECUSA

- Please define the following:
 - Recusal
 - Abstention

Leann Flowers - KS

Today's Teams

Team Piano

- Jody J.-KS
- Victoria D.-NH
- Tanya S.-NS
- Monty M.-TN
- Hunter L.-WI
- Lauren S.-DC
- Winnie K.-NH

Team Steel Drums

- Carolyn K.-CO
- Will W.-GA
- Greg P.-SK
- Amanda R.-WI
- Dianne D.-KY

Team Bass Guitar

- Christine M.-NS
- Celia D.-AL
- Blair Z.-DC
- Tonya H.-UT
- Jared G.-LA
- Jane S.-AZ
- Natasha K.-AB

Today's Teams

Team Violin

- Isla L.-AK
- Alison H.-SK
- Julie D.-MN
- Kevin S.-MS
- Derek W.-SC
- Leann F.-KS

Team Saxophone

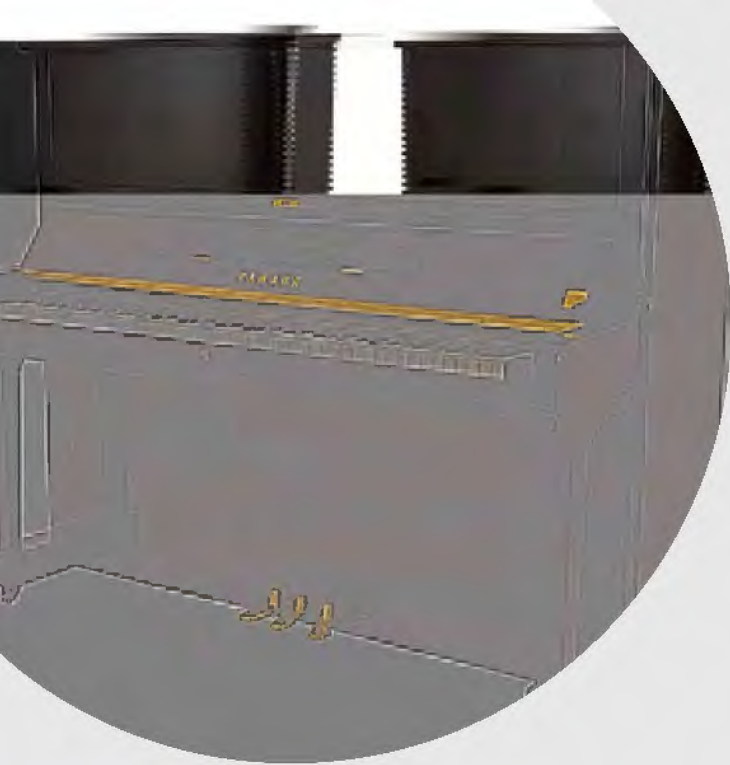
- Shara W.-TN
- Joanne M.-NJ
- Katelyn M.-SK
- Denny A.-AK
- Donovan H.-NE
- Alan H.-WI
- Mahlon B.-MN

Team Harmonica

- Matt B.-GA
- Wendy C.-GA
- Jill P.-NH
- Lorraine S.-SK

Small Group Exercise...

- 15 minutes
- Identify issues
- Discuss & Maybe conclude?
- Spokesperson(s)
- Report back to plenary group



Team Piano: GMC

- Is good moral character a prerequisite to licensure?
- What is it? Examples?
- Who decides?
- Who has the burden?

Team Bass Guitar: Delegation of Authority

- From where does your board derive its authority?
- What authority is delegated to your board? Why?
- What authority does your board delegate to staff?
- How is delegation from board to staff achieved?



Team Violin: Complaint Process

- Please discuss and outline for the group the complaint process followed from receipt to resolution. Hints below...
 - Complaint received and processed by...?
 - Decision made to investigate by...?
 - Decision made to make a formal charge against the respondent made by...?
 - Decision to resolve via informal agreement made by...?
 - Decision to proceed to a formal hearing if not resolved informally made by...?





Team Saxophone: Grounds for Adverse Actions

- What are the grounds (bases) for administrative adverse actions against a licensee or other respondent. Examples?
- Pick out a few significant grounds and be prepared to discuss with the group.
- Where do you find these grounds?
- What about the AAVSB PAM?

Team Harmonica

- Please identify and define some sanction options that can be imposed upon a respondent.
- What does revocation mean?
- Any thoughts on creative sanction options?
- Are sanction options via a settlement agreement different from sanction options following a formal hearing?



Team Steel Drums: Unlicensed practice

- Please write a mission statement for a veterinary medical board.

Report Back to Plenary Group



Team Piano: GMC

- Is good moral character a prerequisite to licensure?
- What is it? Examples?
- Who decides?
- Who has the burden?

Depends on statutory language

Difficult to define

**Criminal, administrative, financial,
other historical issues**

**Generally, board decides (may be
committee)**

Applicant has burden

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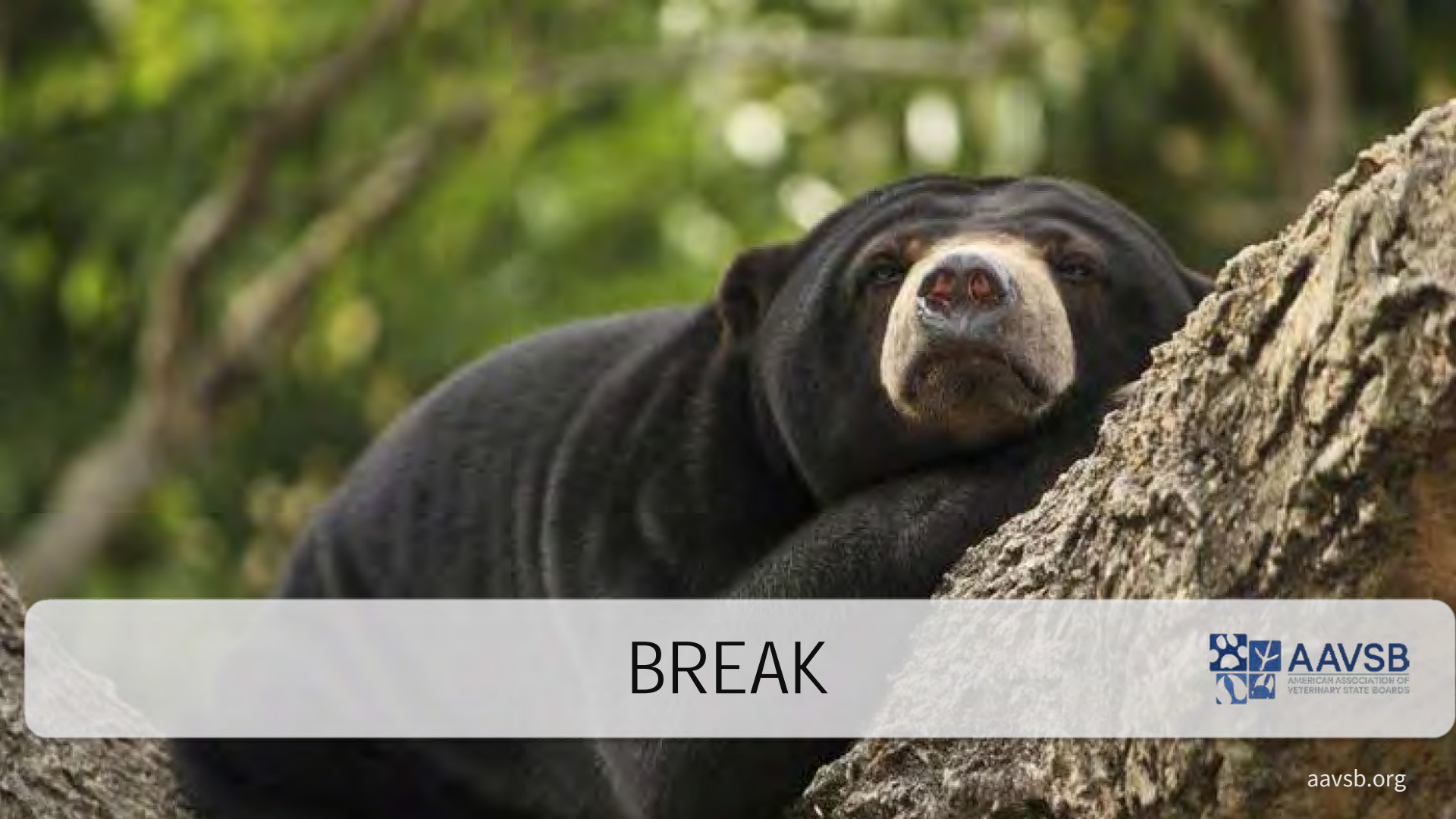
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- How is delegation from board to staff achieved?

Legislative action, the practice act that
Creates and delegates authority to the board

Authority delegated is that identified in the law.
See AAVSB PAM Article II, Sections 212, 213.

Depends, but generally authorizes the
day to day operations of the board
between board meetings.

Achieved through adoption of policies.



BREAK



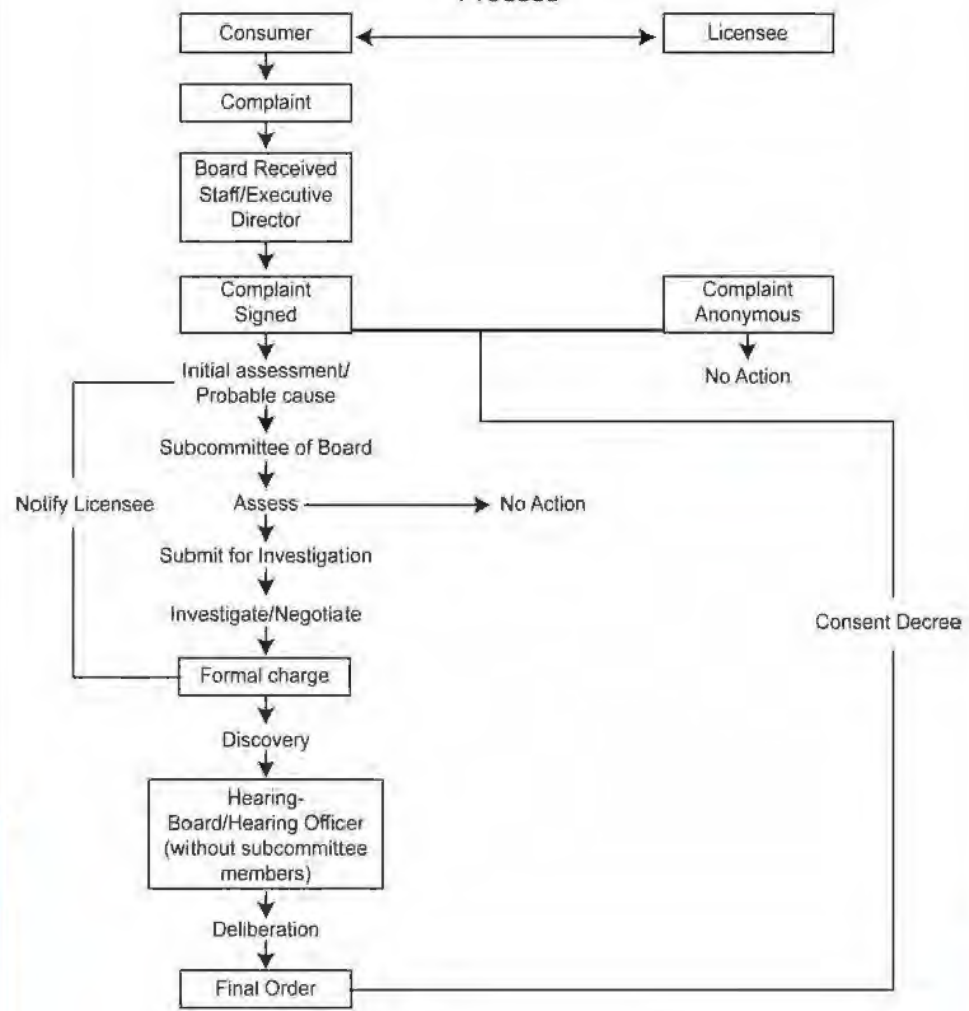
aavsb.org

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Complaint Process



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- Pick out a few significant grounds and be prepared to discuss with the group.
- Where do you find these grounds?
- What about the AAVSB PAM?

See Article IV, Sections 401 & 402
Of the AAVSB PAM

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Refuse to issue
Refuse to renew
Censure
Reprimand
Suspend
Revoke
Fine
Assess costs
Re-establish competence
Limited practice
Supervised practice
....



Team Steel Drums: Unlicensed practice

- Please write a mission statement for a veterinary medical board.

The Veterinary Medical Examining Board was established in 1903 to test, license, monitor and regulate practitioners of veterinary medicine in the state. The Board works in the interest of animal health and welfare, public health, and consumers of veterinary services. The Board's authority comes from the Veterinary Practice Act, Chapter 686 of the Oregon Revised Statutes and Chapter 875 of the Oregon Administrative Rules.



Team Steel Drums: Unlicensed practice

- Please write a mission statement for a veterinary medical board.

The _____ board is **statutorily created** and **delegated with the authority to regulate** the _____ profession in the interest of **protecting the health, safety, and welfare of the public**. With necessary **oversight by government**, the board **enforces standards and criteria** set forth in statute and adds specificity through the **promulgation of regulations**. The **effectiveness and efficiencies** of the board is enhanced by populating the board with a combination of **consumer members** as well as those with the **expertise necessary** to address the complexities of profession specific issues. An administrative regulatory system **provides consumers with an assurance of the qualifications of licensees** along with a **means of enforcement for the benefit of the public**.

Questions/Comments

- AAVSB Practice Act Model
- Due process/fundamental justice
- Conflict of interest
- Recusal/Abstention
- Good moral character
- Mission statements
- Delegation of authority
- Complaint process
- Grounds for adverse action
- Sanction options
- Mission statement



Lightning rounds

Allison
Higgins - SK

Give us your elevator
speech...What does
the Saskatchewan
Veterinary Medical
Association Council
do?

Allison Higgins - SK

- Give us your elevator speech...
- The Saskatchewan Veterinary Medical Association (SVMA) is an organization which brings together the two main functions of regulator and advocate for the veterinary profession in Saskatchewan.
- As the regulator of the veterinary profession in Saskatchewan, SVMA is dedicated to the protection of the public by ensuring the proficiency, competency and ethical behavior of its members in the practice of veterinary medicine.
- We regulate our own profession through the licensing of veterinarians, registration of veterinary technologists, inspection of practices and disciplining of members as required.

Jared Granier - LA

- How has COVID affected the LA board operations?

Jared Granier - LA

- How has COVID affected the LA board operations?
- Are changes here to stay?

Carolyn Karrh - CO

- With whom does the board communicate?
- Does the board have a plan/policy addressing communications?

Immunity

- Act within the scope of authority
- Act in good faith
- Immunity protects the board/board members/staff from liability when undertaking board business, even if a mistake is made.

Take Home Points

Shout out a few take home points....

AAVSB Closing Comments

**THANK
YOU!!!!**

Next Steps

1. Complete the evaluation form
2. Report back to your Board/Council
3. Mark your calendar for the AAVSB Annual Meeting
4. Invite the AAVSB to one of your Board/Council meetings
5. Volunteer
6. Stay for the optional Happy Hour!



American Association of Veterinary State Boards Policies & Procedures: Delegate Funding Program

OVERVIEW

The Board of Directors of the AAVSB is dedicated to the goal of full participation by the Member Boards in the Delegate Assembly at each Annual Meeting. Therefore, the Board of Directors commits to providing for *reasonable* travel expenses incurred to fund two participants who meet the qualifications of Delegate or Alternate Delegate from each Member Board to attend the AAVSB Annual Meeting and participate in the Delegate Assembly. Having two funded individuals from each Member Board could make it possible for a Board Member and the Executive Director to attend.

As a non-profit organization, the AAVSB must be fiscally prudent at all times. Those participating in the Delegate Funding Program are required to adhere to this policy, and the AAVSB reserves the right to decline payment of any expenses it considers outside the parameters of the guidelines set forth.

The Delegate Funding Program shall apply to one voting **Delegate and one Alternate Delegate** per Member Board. Per the AAVSB Bylaws:

Article III. Definitions. 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.”

Article III. Definitions. 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.”

POLICY

1. In order for participants to be eligible for the Delegate Funding Program, the participants’ Member Boards must be in good standing with annual dues paid in full.
2. In order for participants to be eligible to utilize the Delegate Funding Program, the Delegate and Alternate Delegate must answer roll call and attend both days of the Delegate Assembly, must attend the Annual Meeting & Conference in its entirety, and are expected to attend the pre-conference session(s).
3. Annual Meeting registration fee for those participating in the Delegate Funding Program will be waived. Networking event is included for the participants. Networking event fees of any additional guests are the responsibility of the participants. As the AAVSB is unable to accept payments at the conference, payment for guests is required in advance
4. Meeting registration includes breakfast and lunch during the meeting sessions as well as dinner at the networking event.
5. No reimbursement will be given for additional meals, snacks, and drinks including expenses for food and beverages consumed during the Delegate’s travel.

6. Hotel accommodations include up to four (4) nights at the AAVSB designated hotel and the participants will be included on the AAVSB Master List, unless additional nights are required for travel reasons as determined by the AAVSB staff. Additional nights may be at the participants' expense and may be charged at the hotel rate based on the hotel's availability. The participants are also responsible for all additional hotel charges including hotel charges for additional persons sharing the participants' room.
7. Upon check-in at the hotel, participants are to provide a credit card for incidental expenses at the hotel. Incidental expenses such as meals, in-room movies, in-room internet fees (if applicable), mini-bar charges, laundry, or cleaning services will not be reimbursed.
8. Participants must utilize the AAVSB designated Travel Agent to arrange for air transportation. Participants should contact the AAVSB designated Travel Agent at the earliest possible time, but in all cases no less than 14 days in advance of Annual Meeting. Airfare is non-refundable and will be booked at the most economic rate. Participants will be reimbursed the fees for one checked bag. Upgrades and itinerary changes will not be reimbursed by the AAVSB.
9. If air transportation will not be used, participants must notify the AAVSB staff prior to travel. Alternate forms of transportation may be used instead of air transportation. For travel by personal vehicle, if the trip is less than 800 miles roundtrip, reimbursement will be at the current federal government rate for mileage. If a driving trip is more than 800 miles roundtrip, total reimbursement for driving will be capped at the amount equal to the lowest airfare available no less than 14 days prior to the travel date. Total reimbursable expenses subject to the cap for driving trips over 800 miles roundtrip may include mileage, tolls, parking, meals, and hotels in route. For forms of transportation used other than air or personal vehicle, the maximum amount reimbursed will be the cost of the alternative form of transportation or the lowest priced airfare available no less than 14 days prior to the travel date, whichever is less expensive. Parking at the hotel will be reimbursed if the participants drive a personal vehicle and use the self-parking.
10. If complimentary ground transportation is furnished through the hotel, it must be used for transportation to and from the airport and, if available, for any ground transportation in the area. If complimentary ground transportation is not available through the hotel, use of an airport shuttle service is encouraged. However, reasonable and necessary expenses for taxis and on-demand transportation including tips will also be reimbursed.
11. Mileage at the Federal government reimbursement rate will be paid to and from home and the airport or other mass transit point of departure.
12. Parking expenses at the home airport or other mass transit point of departure will be reimbursed up to the number of days of travel for the Annual Meeting.
13. No reimbursement for rental cars. Parking at the hotel for rental cars will not be reimbursed.
14. No reimbursement for other miscellaneous items to include tips.
15. Receipts for covered expenses must accompany requests for reimbursement for all expenditures over \$25. Receipts for all covered expenses are encouraged.

PROCEDURES

1. Candidates for the Delegate Funding Program must submit the standard AAVSB conference registration form and indicate in the designated area that they are requesting to be the “funded” Delegate or Alternate Delegate from their Member Board.
2. Staff will verify that the candidate’s Member Board is in good standing and that the candidate meets the definitions as stated in the Bylaws.
3. Upon confirmation, staff will provide the participants with contact information for the AAVSB designated Travel Agency and any further instructions.
4. An AAVSB Expense Statement must accompany all requests for reimbursement. See Item 15 above under Policy regarding required receipts.
5. Requests for reimbursement should be made as soon as possible, but in all cases, within 45 days of the time when the expenses were incurred. Expenses submitted after that date will not be reimbursed.
6. The Association will make reimbursement as soon as possible.

Adopted by the AAVSB Board of Directors on 02/16/2011; revisions approved by the AAVSB Board of Directors on 01/19/2013, 06/20/2015, 9/19/2015, 1/23/2016, 5/11/2016, 6/17/2016, and 2/28/2018.



American Association of Veterinary State Boards Policies & Procedures: Legal Counsel Funding Program

OVERVIEW

The Board of Directors of the AAVSB is dedicated to the goal of increasing the Member Board's understanding of the Association. The Member Board Legal Counsel Funding Program is intended to bring the legal counsel of a Member Board to the Annual Meeting & Conference to better understand the programs and services offered to members by the AAVSB. Therefore, the Board of Directors commits to providing for *reasonable* travel to allow a Member Board to send their legal counsel to the AAVSB Annual Meeting & Conference to better understand the programs and services that are offered by the AAVSB to its members. The Legal Counsel Funding Program is limited to the first twenty (20) Member Boards that submit a written request that is received by the AAVSB Headquarters.

As a non-profit organization, the AAVSB must be fiscally prudent at all times. Those participating in the Legal Counsel Funding Program are required to adhere to this policy, and the AAVSB reserves the right to decline payment of any expenses it considers outside the parameters of the guidelines set forth.

The Legal Counsel Funding Program shall apply to one attorney per Member Board that is the designated legal counsel for the Board.

POLICY

1. In order for participants to be eligible for the Legal Counsel Funding Program, the participants' Member Board must be in good standing with annual dues paid in full.
2. In order for participants to be eligible to utilize the Legal Counsel Funding Program, the participant must attend the Annual Meeting & Conference in its entirety and are expected to attend the pre-conference session(s).
3. Annual Meeting registration fee for those participating in the Legal Counsel Funding Program will be waived. Networking event is included for the participants. Networking event fees of any additional guests are the responsibility of the participants. As the AAVSB is unable to accept payments at the conference, payment for guests is required in advance.
4. Meeting registration includes breakfast and lunch during the meeting sessions as well as dinner at the networking event.
5. No reimbursement will be given for additional meals, snacks, and drinks including expenses for food and beverages consumed during the participants travel.
6. Hotel accommodations include up to four (4) nights at the AAVSB designated hotel and the participants will be included on the AAVSB Master List, unless additional nights are required for travel reasons as determined by the AAVSB staff. Additional nights may be at the participants' expense and may be charged at the hotel rate based on the hotel's availability. The participants are also responsible for all additional hotel charges including hotel charges for additional persons sharing the participants' room.

7. Upon check-in at the hotel, participants are to provide a credit card for incidental expenses at the hotel. Incidental expenses such as meals, in-room movies, in-room internet fees (if applicable), mini-bar charges, laundry, or cleaning services will not be reimbursed.
8. Participants must utilize the AAVSB designated Travel Agent to arrange for air transportation. Participants should contact the AAVSB designated Travel Agent at the earliest possible time, but in all cases no less than 14 days in advance of Annual Meeting. Airfare is non-refundable and will be booked at the most economic rate. Participants will be reimbursed the fees for one checked bag. Upgrades and itinerary changes will not be reimbursed by the AAVSB.
9. If air transportation will not be used, participants must notify the AAVSB staff prior to travel. Alternate forms of transportation may be used instead of air transportation. For travel by personal vehicle, if the trip is less than 800 miles roundtrip, reimbursement will be at the current federal government rate for mileage. If a driving trip is more than 800 miles roundtrip, total reimbursement for driving will be capped at the amount equal to the lowest airfare available no less than 14 days prior to the travel date. Total reimbursable expenses subject to the cap for driving trips over 800 miles roundtrip may include mileage, tolls, parking, meals, and hotels in route. For forms of transportation used other than air or personal vehicle, the maximum amount reimbursed will be the cost of the alternative form of transportation or the lowest priced airfare available no less than 14 days prior to the travel date, whichever is less expensive. Parking at the hotel will be reimbursed if the participants drive a personal vehicle and use the self-parking.
10. If complimentary ground transportation is furnished through the hotel, it must be used for transportation to and from the airport and, if available, for any ground transportation in the area. If complimentary ground transportation is not available through the hotel, use of an airport shuttle service is encouraged. However, reasonable and necessary expenses for taxis and on-demand transportation including tips will also be reimbursed.
11. Mileage at the Federal government reimbursement rate will be paid to and from home and the airport or other mass transit point of departure.
12. Parking expenses at the home airport or other mass transit point of departure will be reimbursed up to the number of days of travel for the Annual Meeting.
13. No reimbursement for rental cars. Parking at the hotel for rental cars will not be reimbursed.
14. No reimbursement for other miscellaneous items to include tips.
15. Receipts for covered expenses must accompany requests for reimbursement for all expenditures over \$25. Receipts for all covered expenses are encouraged.

PROCEDURES

1. The Legal Counsel Funding Program is limited to the first twenty (20) Member Boards that submit a written request that is received by the AAVSB Headquarters prior to the published registration deadline for the Annual Meeting & Conference.
2. Upon receiving confirmation from staff, candidates for the Legal Counsel Funding Program must submit the standard AAVSB conference registration form and indicate in the designated area that they are requesting to be the “funded” Legal Counsel from their Member Board.
3. Staff will verify that the candidate’s Member Board is in good standing.

4. Upon confirmation, staff will provide the participants with contact information for the AAVSB designated Travel Agency and any further instructions.
5. An AAVSB Expense Statement must accompany all requests for reimbursement. See Item 15 above under Policy regarding required receipts.
6. Requests for reimbursement should be made as soon as possible, but in all cases, within 45 days of the time when the expenses were incurred. Expenses submitted after that date will not be reimbursed.
7. The Association will make reimbursement as soon as possible.

Adopted by the AAVSB Board of Directors on November 20, 2019; updated June 11, 2021

**State of Wisconsin
Department of Agriculture, Trade and Consumer Protection
Veterinary Examining Board**

**NOTICE OF PUBLIC HEARING AND COMMENT PERIOD
Permanent Rule Regarding Licensing, Practice Scope, and Standards of Practice for
Veterinarians and Veterinary Technicians**

The Wisconsin Department of Agriculture, Trade and Consumer Protection (Department) and Wisconsin Veterinary Examining Board (VEB) announces that they will hold a public hearing and comment period on a proposed rule pertaining to Wis. Admin. Code chs. VE 1-11 regarding licensing, practice scope, and standards of practice for veterinarians and veterinary technicians.

The Department and VEB will hold the public hearings at the times and places shown below. The Department and VEB invites the public to attend the public hearings on the proposed rule or to provide written comments on the proposed rule no later than Wednesday, September 29, 2021. Written comments may be sent to the Division of Animal Health, Department of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, WI 53708-8911 or by e-mail to Angela.Fisher1@wisconsin.gov.

Hearing Dates and Locations:

Thursday, September 9, 2021

Commencing at 11:00AM

In Person: Boardroom CR 106, 2811 Agriculture Drive, Madison, WI 53708

Via Internet Access:

<https://www.zoomgov.com/j/1603673730?pwd=Vk4zenJ6Q2RqSUhCSFRJYkNWbVBhUT09>

Via Telephone Access: Dial 1-551-285-1373, Meeting ID: 160 367 3730, Passcode: 740921

Wednesday, September 15, 2021

Commencing at 4:30PM

In Person: Boardroom CR 106, 2811 Agriculture Drive, Madison, WI 53708

Via Internet Access:

<https://www.zoomgov.com/j/1601485734?pwd=RTJSNnl0d2JVN1F6cVgvV3ZLM3pydz09>

Via Telephone Access: Dial 1-551-285-1373, Meeting ID: 160 148 5734, Passcode: 673114

Written comments accepted through Wednesday, September 29, 2021.

You may obtain a copy of the proposed rule by contacting the Wisconsin Department of Agriculture, Trade and Consumer Protection, Office of the Secretary, P.O. Box 8911, Madison, Wisconsin 53708-8911. You may also obtain a copy by contacting the division policy analyst, Angela Fisher, at Angela.Fisher1@wisconsin.gov or by calling (608) 224-4890. Copies will also be available at the hearing.

Hearing-impaired persons may request an interpreter for this hearing. Please make reservations for a hearing interpreter by September 7, 2021, by writing, calling, or emailing Angela Fisher. The hearing facility is handicap accessible.

Dated this ____ day of July, 2021

STATE OF WISCONSIN,
VETERINARY EXAMINING BOARD

By _____

Dr. Hunter Lang, DVM, Chair

Dated this ____ day of July, 2021

STATE OF WISCONSIN,
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By _____

Randy Romanski, Secretary-designee

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	7/21/21
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Admin Rules – VE 1-11 Hearing Draft
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	<p>Rule Documents:</p> <p>“Public Hearing Notice”</p> <p>“Rule Hearing Draft”</p> <p>“Regulatory Flexibility Analysis”</p> <p>“DOA-2049 Admin Rules Fiscal Estimate and Economic Impact Analysis”</p> <p>“Summary of Public Comments”</p> <p>Informational:</p> <p>“Admin Rules Status”</p>
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>Action Requested:</p> <p>Approval of a hearing and comment period for the attached proposed rule.</p> <p>Motion:</p> <p>_____ moves, and _____ seconds, to approve Hearing Draft rule DATCP Docket 19-R-07 to go to hearing and receive public comment as set forth in the Public Hearing Notice.</p> <p>Informational:</p> <p>The Department will also request that the DATCP Board approve this public hearing and comment period at the July 22, 2021, DATCP Board meeting. The authority to determine fees for veterinarians and veterinary technicians is vested in DATCP, pursuant to Wis. Stat. s. 89.063. Fee amounts would not be changed as a part of this proposal. However, the rule proposal states the existing fee amounts in rule.</p>

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

- 1 The Wisconsin Veterinary Examining Board proposes the following permanent rule *to repeal* VE
 - 2 1 to 10; *to create* VE 1 to 3; *to renumber* VE 11; *relating to* veterinarians and veterinary
 - 3 technicians.
-

Analysis Prepared by the Veterinary Examining Board

The proposed rule makes structural changes, minor language changes, and telehealth changes.

Statutes Interpreted

Statutes interpreted: Wis. Stat. §§ 89.03 and 89.063

Statutory Authority

Statutory authority: Wis. Stat. §§ 89.03 and 89.063

Explanation of Statutory Authority

Wis. Stat. § 89.03 authorizes the Veterinary Examining Board (Board) to promulgate rules related to the practice of veterinary medicine.

Wis. Stat. § 89.063 authorizes the Department of Agriculture, Trade and Consumer Protection (Department) to determine by rule applicable fee amounts.

Related Statutes and Rules

Wis. Admin. Code chs. VE 1 to 11.

Plain Language Analysis

The proposed rule makes structural changes, minor language changes, and telehealth changes as described below.

Structural Changes

- Consolidates the eleven existing rule chapters into three chapters: one for veterinarians, one for veterinary technicians, and one for the professional assistance program. Consolidation makes the rules easier to access quickly.
- Adds a chapter for relevant complaint procedures that did not transfer in the previous rules from DSPS to DATCP.
- States the current fee amounts in rule. Fee amounts do not change.

Minor Language Changes

- Makes changes regarding procedures and processes.
 - o Removes the word annual from references to the review of colleges and technical schools.
 - o Expands the temporary veterinary permit process to include applicants who are scheduled to take or are awaiting results from the examination on state laws and rules.
 - o Clarifies that applicants for licensure who have previously been licensed in Wisconsin or another jurisdiction must apply by endorsement.
 - o Adds for clarity and consistency a section identifying common situations in which the board may require additional information from an applicant when reviewing an application.
 - o States more clearly that the board may reprimand the licensee or deny, suspend, limit or revoke a credential for cause, including filing an incomplete or fraudulent application, misrepresenting information on an application, or violating the rule chapter or Wis. Stat. ch. 89.
- Makes technical changes and updates.
 - o Adds the denial of a license to the list of reasons for a temporary veterinary permit to expire.
 - o Allows applicants to provide proof of graduation through the American Association of Veterinary State Boards (AAVSB), which allows for electronic submissions using the AAVSB online system.
 - o Adds direction in the rules to assure the requirements for access to health care records required in Wis. Stat. s. 89.075 are clear and consistently applied.
 - o Removes an obsolete provision regarding continuing education auditing of journal articles read. The Board previously eliminated the ability to self-study journal articles and mistakenly did not also eliminate this provision regarding auditing.
 - o Clarifies the continuing education requirements for persons who have not been credentialed for more than 5 years.
 - o Adds language to clearly state license exemptions.
- Allows veterinarians to delegate additional veterinary medical acts to certified veterinary technicians and unlicensed assistants.

- Allows veterinarians to delegate the placement of intravenous catheters to unlicensed assistants under the direct supervision of the veterinarian present on the premises, per requests from stakeholders.
- Additional changes to the delegation of veterinary medical acts are included in the telehealth section of this summary.
- Makes changes for consistency and ease of use the places in which rule requirements repeat, or refer to requirements in statute.
 - Modifies language regarding unprofessional conduct so that it also refers to Wis. Stat. s. 89.07 (1).
 - Modifies language regarding prescribing and dispensing a veterinary drug to refer to Wis. Stat. s. 89.068 (1) (c) allows.
 - Makes a correction to the delegation of rabies vaccinations to reflect Wis. Stat. s. 95.21 (2) (a).
- Modifies terminology for clarity and consistency.
 - Adds additional definitions and updates existing definitions language for clarity.
 - Renames “temporary permit” to “temporary veterinary permit” and renamed “temporary consulting permit” to “veterinary consulting permit.”
 - Changes language to use the word “dispense” rather than “sell” to be more consistent with statutory language and definitions to make the language clearer and easier to understand.
 - Adds a note clarifying that the board accepts “veterinary nurse” as equivalent to “veterinary technician.”

Telehealth Changes

- Adds definitions related to telehealth.
- Adds definitions related to veterinary consulting and clarifies that a consulting veterinarian or other consultant may not do any of the following:
 - Visit the patient or client or communicate directly with the client without the knowledge of the attending veterinarian.
 - Take charge of a case or problem without the consent of the attending veterinarian and the client.
- Clarifies that the practice of veterinary medicine takes place where the animal is located at the time of practice, in alignment with Wis. Stat. §§ 89.05 (1) and 89.02 (6).
- Clarifies that in order to practice veterinary medicine in Wisconsin a veterinarian must be licensed in Wisconsin and have an established veterinary-client-patient relationship (VCPR) with the client. A VCPR must be established via an in person physical exam, or timely medically appropriate visits to the premises on which the patient is kept. It may not be established by telehealth technologies.

- Clarifies that the VCPR, once established, extends to other veterinarians within the practice, or relief veterinarians within the practice, that have access to, and have reviewed, the medical history and records of the animal.
- Clarifies that records must be kept, regardless of the encounter type.
- Clarifies, in accordance with Wis. Stat. § 89.02(8) (c), that an animal owner must be able to easily seek follow-up care or information from the veterinarian who conducts an encounter while using telehealth technologies.
- Expands the delegation of medical services to allow a veterinarian to delegate the following items to a certified veterinary technician (CVT) if the veterinarian is available to communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.
 - o Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
 - o Sample collection via a cystocentesis procedure.
 - o Placement of intravenous catheters.
 - o Suturing of tubes and catheters.
 - o Fine needle aspirate of a mass.

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

Pursuant to 9 CFR 160 to 162, a veterinarian must be specifically authorized by the United States Department of Agriculture – Animal and Plant Health Inspection Service to perform animal disease eradication and control functions under federal animal health laws.

Licensure requirements to practice veterinary medicine are established by each state and should not be affected by federal requirements.

Comparison with Rules in Adjacent States

The structural changes and minor language changes in the proposed rule are unique to Wisconsin rules and make the rules clearer and easier to use. Veterinary telehealth regulations in Wisconsin, Illinois, Iowa, Michigan, and Minnesota are compared below. Regulatory recommendations by the American Association of Veterinary State Boards, the American Veterinary Medical Association, and the Wisconsin Veterinary Medical Association are also included for comparison.

Wisconsin

Under both the existing rule and the proposed rule, a veterinarian must be licensed in Wisconsin in order to practice veterinary medicine and have an established VCPR with the client. A VCPR must be established via an in-person physical exam, or timely medically appropriate visits to the premises on which the patient is kept. It may not be established by telehealth technologies.

The proposed rule clarifies items related to telehealth and also expands the delegation of medical services to allow a veterinarian to delegate the specific items to a CVT if the veterinarian is available to communicate via telehealth technologies within five minutes.

Illinois

In Illinois, a valid VCPR cannot be established solely by telephonic or electronic communications. No further information was provided regarding whether Illinois would allow telehealth to be used if a VCPR was previously established.

Iowa

In Iowa, a valid VCPR cannot be established solely by telephonic or electronic communications. No further information was provided regarding whether Illinois would allow telehealth to be used if a VCPR was previously established.

Michigan

Michigan recently promulgated a new rule related to the practice of veterinary medicine using telehealth technologies, which became effective April 15, 2021. The Michigan rules now require:

- Disclosure of the identity and contact information of the veterinarian providing telehealth services. Licensing information shall be provided upon request.
- Ensure that the technology method and equipment used to provide telehealth services complies with all current privacy-protection laws.
- Employ sound professional judgement to determine whether using telehealth is an appropriate method for delivering medical advice or treatment to the animal patient.
- Have sufficient knowledge of the animal patient to render telehealth services demonstrating by satisfying one of the following:
 - o Have recently examined the animal patient in-person or have obtained current knowledge of the animal patient through the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically.
 - o Have conducted medically appropriate and timely visits to the premises where the group of animal patients is kept.
- Act within the scope of practice.
- Exercise the same standard of care applicable to traditional, in-person veterinary care service.
- Be readily available to the animal patient for follow-up veterinary services or ensure there is another suitable provider available for follow-up care.
- Consent for medical advice and treatment shall be obtained before providing a telehealth service.
- Evidence of consent for medical advice and treatment must be maintained in the animal patient's medical record.
- A veterinarian providing a telehealth service may prescribe a drug if the veterinarian is a prescriber acting within the scope of practice and in compliance.

Minnesota

Minnesota only allows patient-specific telemedicine within a VCPR. A VCPR cannot be established without an in-person examination. A veterinarian licensed in another state can serve as a consultant to the Minnesota veterinarian that holds the VCPR for that patient. The same standards of care apply to services rendered via telemedicine as to in-person visits.

American Association of Veterinary State Boards (AAVSB)

The AAVSB practice act model and AAVSB guidelines for telehealth are both available at <https://www.aavsb.org/board-services/member-board-resources/practice-act-model/>. Regarding the VCPR, the AAVSB practice model act and AAVSB guidelines for telehealth state that:

- Veterinarian-Client-Patient Relationship (VCPR) exists when:
 - o Both the Veterinarian and Client agree for the Veterinarian to assume responsibility for making medical judgments regarding the health of the Animal(s); and
 - o The Veterinarian has sufficient knowledge of the Animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the Animal(s); and
 - o The Veterinarian has provided the client with information for obtaining timely follow up care.

- The AAVSB recommends that each jurisdiction promulgate appropriate regulations clarifying who may be included within the scope of a single VCPR such as a Veterinarian or another Veterinarian within the same practice group with access to medical records. The AAVSB recommends that each jurisdiction promulgate appropriate regulations defining how to establish sufficient knowledge of the Animal(s), including the following:
 - o A recent examination of the Animal or group of Animals, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically; or
 - o Through medically appropriate and timely visits to the premises at which the Animal or group of Animals are kept.

- The AAVSB recommends that each Jurisdiction promulgate appropriate regulations for the Veterinarian to provide instructions to the Client for obtaining follow up care that may include directing the Client to another Veterinarian or emergency clinic. It is essential for the VCPR to be easily established in order to require the Veterinarian to assume accountability for the Veterinary Medical Services rendered. Furthermore, as standards of practice and codes of conduct change over time, it is easier to promulgate new rules incorporating such changes rather than adopting legislative modifications.

American Veterinary Medical Association (AVMA)

AVMA guidelines for the use of telehealth in veterinary practice are available at <https://www.avma.org/sites/default/files/2021-01/AVMA-Veterinary-Telehealth-Guidelines.pdf>. Regarding the VCPR, the AVMA guidelines state that:

- Having a VCPR in place is critical whenever practicing veterinary medicine, whether practicing in person or remotely using telemedicine. The AVMA Model Veterinary Practice Act, which many governmental bodies use as a guide when establishing or revising laws governing veterinary practice, includes the following definition of the VCPR: The veterinarian-client-patient relationship is the basis for veterinary care. To establish such a relationship the following conditions must be satisfied:
 - The licensed veterinarian has assumed the responsibility for making medical judgments regarding the health of the patient(s) and the need for medical therapy and has instructed the client on a course of therapy appropriate to the circumstance.
 - There is sufficient knowledge of the patient(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition(s) of the patient(s).
 - The client has agreed to follow the licensed veterinarian's recommendations.
 - The licensed veterinarian is readily available for follow up evaluation or has arranged for:
 - Emergency or urgent care coverage, or
 - Continuing care and treatment has been designated by the veterinarian with the prior relationship to a licensed veterinarian who has access to the patient's medical records and/or who can provide reasonable and appropriate medical care.
 - The veterinarian provides oversight of treatment.
 - Such a relationship can exist only when the veterinarian has performed a timely physical examination of the patient(s) or is personally acquainted with the keeping and care of the patient(s) by virtue of medically appropriate and timely visits to the operation where the patient(s) is(are) kept, or both.
 - Patient records are maintained. Both the licensed veterinarian and the client have the right to establish or decline a veterinarian-client-patient relationship within the guidelines set forth in the AVMA Principles of Veterinary Medical Ethics. A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency or urgent care to a patient when a client cannot be identified, and a veterinarian-client-patient relationship is not established, should not be subject to penalty based solely on the veterinarian's inability to establish a veterinarian-client-patient relationship.

- Many states have adopted this definition of the VCPR, or a very similar one, as a component of their state veterinary practice act or regulations. In addition, federal law requires a veterinarian to establish a VCPR before undertaking any extra-label drug use in animals, issuing a Veterinary Feed Directive, or the creation and use of certain types of biologics. It is also important for veterinarians to understand that they must comply with the federal law requiring a VCPR under these circumstances, regardless of how a state may ultimately define a VCPR in state law or regulation.

- Given current technological capabilities, available research, and the existing state and federal regulatory landscape, the AVMA believes veterinary telemedicine should only be conducted within an existing VCPR. An exception may be made for advice given in an emergency until a patient can be seen by a veterinarian. Ultimately, how a state defines the VCPR, the congruence of that state VCPR with federal requirements, and whether or not a VCPR exists in a given situation based on those definitions, determine what services can be offered.
- Within an established VCPR: A variety of telehealth and telemedicine service models are available to veterinarians and veterinary practices. Client-facing telemedicine services may include use of tools that allow the veterinarian to remotely and securely gather essential patient health information from the animal owner or another caretaker; access the patient's medical records; and conduct a virtual evaluation of the patient through real-time video or transmitted photographs or other data.
- Without an established VCPR: The veterinarian may provide non-patient-specific advice, but must stay clear of diagnosing, prognosis of, or treating patients. Two exceptions may apply: (1) if state law allows a VCPR to be established electronically, the veterinarian has met the requirements for doing so, and activities that would invoke a requirement for adherence to the federal VCPR are not conducted or (2) advice given in an emergency until a patient can be seen by a veterinarian. Non-client electronic communications that include the provision of non-patient-specific advice and general educational content are usually acceptable.

Wisconsin Veterinary Medical Association (WVMA)

WVMA formed a Telehealth Task Force and submitted suggested guidelines to the Board on December 19, 2019. Regarding the VCPR, the WVMA suggested guidelines state that:

- VCPR Required: Veterinary services may only be provided using telehealth technologies where a VCPR is established. If an existing VCPR relationship is present, then telehealth technologies may be used as long as the VCPR is maintained in accordance with Wis. Stat. s. 89.02 (8) and the requirements in this Section. If an existing VCPR relationship is not present, then a veterinarian must take appropriate steps to establish a VCPR consistent with Wis. Stat. s. 89.02 (8) and the requirements in this Section.
- Establishing an Initial VCPR for Telehealth: For purposes of establishing an initial VCPR prior to engaging in the practice of veterinary medicine using telehealth technologies, the veterinarian must meet the requirements of Wis. Stat. s. 89.02 (8) and:
 - o For livestock, (food and fiber animals), the veterinarian must have either conducted an in-person physical examination of the patient or must have visited the premises on which the patient is kept at least once in the immediate six (6) months prior to engaging in any telehealth treatment or services.

- For companion animals and equine animals, the veterinarian must have conducted an in-person physical examination of the patient at least once in the immediate six (6) months prior to engaging in any telehealth treatment or services.
- Maintaining a VCPR for Telehealth: Once a VCPR is established, for purposes of maintaining that VCPR and engaging in the ongoing practice of veterinary medicine using telehealth technologies, the veterinarian must meet the requirements of Wis. Stat. s. 89.02 (8) and:
 - For livestock (food and fiber animals), the veterinarian must either conduct an in-person physical examination of the patient or must visit the premises on which the patient is kept at least once every six (6) months.
 - For companion animals and equine animals, the veterinarian must conduct an in-person physical examination of the patient at least once every twelve (12) months.

Summary of Factual Data and Analytical Methodologies

The proposed rule makes the rules clearer and easier to use. Restructuring the chapters makes the rules easier to read and reference quickly. Adding a chapter for relevant complaint procedures makes these procedures clearer and more accessible to credential holders and members of the public. The fee amounts remain the same, but are stated in the proposed rule to make them readily accessible. Minor language changes relating to procedures and processes, technical changes and updates, delegation of veterinary medical acts, references to statutory requirements, and terminology make the proposed rule more consistent and easier to understand. The proposed rule includes language changes to respond to public interest in the use of telehealth technologies in veterinary medicine. The proposed rule could reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the proposed rule is easier to read and understand quickly.

The Board held a preliminary public hearing on SS 125-19 on February 17, 2020, with a written comment period through February 24, 2020. The Board received three comments. All three comments requested that the statement of scope be expanded to address the use of telehealth technologies in the practice of veterinary medicine. One comment also requested that the statement of scope address the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian. This statement of scope for this rule proposal (SS 064-20) includes both of these topics.

The Board held a preliminary hearing on SS 064-20 on August 19, 2020, with a written comment period through August 26, 2020. The Board received three comments. One comment was for information. Two comments expressed support of the scope, both expressed support of including telehealth in the scope, and one also expressed support of including addressing the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian in the scope.

The Board convened a Telehealth Advisory Committee (Committee) to advise the Board in relation to the veterinary telehealth. The Committee was comprised of 13 representatives: 10 veterinarians and 3 certified veterinary technicians. Of the veterinarians, 1 works in large and small animal practice, 3 work in large animal practice, 1 works in equine and small animal

practice, and 5 work in small animal practice. The veterinarians included representatives from the Wisconsin Veterinary Medical Association, Sexing Technologies, and the Dairy Business Association. The Department submitted a notice to JCRAR with the names of the Committee members on February 9, 2021.

The Committee met on March 4, March 25, and April 8, 2021, to discuss potential veterinary telehealth options. The following is a summary of proposals that the Telehealth Advisory Committee discussed, as well as the responses of the Committee members:

A. Definitions

Attending Veterinarian: means the veterinarian who holds the Veterinarian-Client-Patient Relationship and is responsible for the medical care and treatment of the animal.

Consulting Veterinarian: means the veterinarian who gives advice or assistance, whether in-person or by any method of communication, to the attending veterinarian, for the benefit of an animal patient.

Consultant: means a person whose subject matter expertise, in the opinion of the attending veterinarian, will benefit an animal patient, and who gives the attending veterinarian advice or assistance, whether in-person or by any method of communication.

Consultation: means the advice or assistance given by a consulting veterinarian or other consultant to the attending veterinarian where the responsibility for patient treatment, prescriptions, and welfare remain with the attending veterinarian.

A consulting veterinarian or other consultant may not do any of the following:

- a. Visit the patient or client or communicate directly with the client without the knowledge of the attending veterinarian.
- b. Take charge of a case or problem without the consent of the attending veterinarian and the client.

Informed Consent: means the veterinarian has informed the client or the client's authorized representative, in a manner understood by the client or representative, of the diagnostic and treatment options, risk assessment, and prognosis, and the client has consented to the recommended treatment.

General Advice: means any advice provided by a veterinarian or certified veterinary technician, via any method of communication within or outside of an established VCPR, which is given in general terms and is not specific to an individual animal or group of animals, diagnosis, or treatment.

Telehealth: is the collection of technology tools used to remotely deliver virtual veterinary medical, health, and education services, allowing a veterinarian to deliver enhance care and education.

Telemedicine: is the remote delivery of veterinary healthcare services, such as health assessments or consultations, over the telecommunications infrastructure, allowing a veterinarian to evaluate, diagnose and treat patients without the need for an in-person visit.

Tele-triage: means emergency animal care, including animal poison control services, for immediate, potentially life-threatening animal health situations, including poison exposure mitigation, animal CPR instructions, and other critical lifesaving treatment or advice that may be performed within or outside of a VCPR.

Members asked for clarification about the consulting veterinarian, consultant, and consultation definitions but no member expressed opposition to these definitions. No member expressed concerns about any of the other definitions.

B. Location of Practice

The practice of veterinary medicine takes place where the animal is located at time of practice, in alignment with Wis. Stat. §§ 89.05 (1) and 89.02 (6).

No member expressed concerns.

C. Establishing Veterinarian-Client-Patient Relationship (VCPR)

- Option 1: In order to practice veterinary medicine in WI a veterinarian must be licensed in WI and have an established VCPR with the client. A VCPR must be established via an in person physical exam, or timely medically appropriate visits to the premises on which the patient is kept. It may not be established by telehealth technologies.
- Option 2: In order to practice veterinary medicine in WI a veterinarian must be licensed in WI and have an established VCPR with the client prior to treating a patient. A VCPR may be established by utilizing telehealth technologies to examine the patient as medically appropriate to the circumstance.
- Option 3: In order to practice veterinary medicine in WI a veterinarian must be licensed in WI and have an established VCPR with the client prior to treating a patient. To establish a VCPR the veterinarian must meet the requirements of Wis. Stat. § 89.02 (8). A licensed veterinarian may satisfy the exam requirement under Wis. Stat. § 89.02 (8) (b) for the establishment of the VCPR via telehealth technologies through the use of instrumentation and diagnostic equipment where images and medical records are able to be transmitted electronically or a physical in person exam.

Six members expressed support of option 1. One member expressed support of either option 1 or 3, as long as the veterinarian physically touches the animal at some point. One member expressed support of option 2. Two members expressed support of either option

2 or 3. One member expressed support of either option 2 or 3, as long as a VCPR is established in person at some point during the life of the patient.

Seven members expressed support of keeping the current timeframe requirements as timely and medically appropriate. One member expressed support of a one-year minimum requirement. One member expressed support of a 12 or 18-month minimum requirement. One member expressed support of a one or two-year minimum requirement.

D. Extending VCPR

The VCPR, once established, extends to other veterinarians within the practice, or relief veterinarians within the practice, that have access to, and have reviewed, the medical history and records of the animal.

All members expressed support.

E. Prescribing

Medication may not be prescribed without either a physical examination or medically appropriate and timely visits to the premises where the animal or group of animals is kept.

Nine members expressed that the language is not necessary or is redundant to the VCPR language. One member expressed no opinion.

F. Record Keeping

Records must be kept, regardless of encounter type, in accordance with the current Wis. Admin. Code ch. VE 7.

All members agreed.

G. Continuity of Care

In accordance with Wis. Stat. § 89.02(8) (c), an animal owner must be able to easily seek follow-up care or information from the veterinarian who conducts an encounter while using telehealth technologies. The veterinarian must ensure that the client is aware of the veterinarian's identity and location.

Seven members expressed support of including identity and location. Of those, two specified that at least to the level of the state. One member expressed no need for the language. Two members expressed no opinion.

H. Permit and/or Continuing Education (CE)

Require a permit and/or telehealth-specific continuing education (CE) to practice telehealth.

Eight members expressed that a permit and/or specific CE should not be required to practice telehealth. One member expressed that CE on telehealth should be required, similar to what is required to practice telehealth in human medicine. One member expressed support of requiring both a permit and CE, but also expressed concerns about the logistics of it.

I. Delegated Medical Services – CVTs

Based on the discussion, staff highlighted items the following items to consider with regards to CVTs and telehealth:

- (b) Performing diagnostic radiographic contrast studies: Only awake contrast studies not requiring general anesthesia
- (d) Sample collection via a cystocentesis procedure.
- (e) Placement of intravenous catheters (not arterial catheters)
- (f) Suturing of tubes and catheters.
- (g) Fine needle aspirate of a mass.
- (h) Performing amniocentesis, embryo collection and transfer, follicular aspiration, and transvaginal oocyte collection and recovery on livestock.

Eleven members expressed support of allowing b (only awake contrast studies not requiring general anesthesia), d, e (not arterial catheters), f, and g as shown above to be performed by a CVT with the ability to communicate with the veterinarian via telehealth.

Ten members expressed opposition to allowing h to be performed by a CVT without the veterinarian present on the premises. One member expressed support of allowing h to be performed by a CVT without the veterinarian present on the premises with the ability to communicate with the veterinarian via telehealth.

Eleven members expressed support of requiring a shorter than 15 minute timespan for communicating with the veterinarian via telehealth regarding the specified medical services. Of those, five members expressed support of five minutes, one member expressed support of ten minutes, and two members expressed support of five or ten minutes.

J. Delegated Medical Services – Unlicensed Assistants

Staff highlighted items currently delegable to unlicensed assistants to discuss with regards to telehealth.

Eleven members expressed that the medical services currently delegable to unlicensed assistants with the veterinarian present on the premises should continue to require the veterinarian to be present on the premises.

Analysis and Supporting Documents Used to Determine Effect on Small Business and in Preparation of an Economic Impact Analysis

The proposed rule will directly affect Wisconsin licensed veterinarians and certified veterinary technicians. Most veterinary practices are small businesses. Current fee amounts would not change. Adjustments to make rule language and structure clearer, and to simplify processes where possible, may reduce the burden to each of these affected entities, by making the rules easier to access and understand quickly.

The Board convened a Telehealth Advisory Committee (Committee) to advise the Board in relation to the veterinary telehealth. The Committee was comprised of 13 representatives: 10 veterinarians and 3 certified veterinary technicians. Of the veterinarians, 1 works in large and small animal practice, 3 work in large animal practice, 1 works in equine and small animal practice, and 5 work in small animal practice. The veterinarians included representatives from the Wisconsin Veterinary Medical Association, Sexing Technologies, and the Dairy Business Association.

Effect on Small Business

The Board expects the proposed rule to have minimal to no economic impact. No fee amounts will be changed in the proposed rule.

Most veterinary practices are small businesses. The proposed rule's structural changes and minor language changes may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly.

The proposed rule also allows for more use of telehealth technologies than the existing rule. New language regarding telehealth may reduce the economic burden to veterinarians and animal owners, especially in rural areas. The proposed rule expands the delegation of medical services to allow a veterinarian to delegate the following items to a CVT if the veterinarian is available to communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.

- Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
- Sample collection via a cystocentesis procedure.
- Placement of intravenous catheters.
- Suturing of tubes and catheters.
- Fine needle aspirate of a mass.

Environmental Impact

This rule does not have an environmental impact.

Standards Incorporated by Reference

This rule does not create standards incorporated by reference.

DATCP Contact

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Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911
Telephone: (608) 224-4890
Email: Angela.Fisher1@Wisconsin.gov

Where and When Comments May Be Submitted

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

Angela Fisher, Program and Policy Analyst
Division of Animal Health
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Comments will be accepted up to two weeks after the last public hearing is held on this rule. Hearing dates will be scheduled after this hearing draft rule is approved by the Board.

4 **SECTION 1.** Ch. VE 1 to Ch. VE 10 are repealed.

5 **SECTION 2.** Ch. VE 1 is created to read:

6 **Chapter VE 1 Veterinarians**

7 Subchapter I – Authority and Definitions

8 VE 1.01 Authority

9 VE 1.02 Definitions

10 Subchapter II – Examinations

11 VE 1.04 Administration

12 VE 1.06 Competency tested

13	VE 1.08 Passing scores
14	VE 1.10 Claim of examination error
15	Subchapter III – Licensure
16	VE 1.12 License exemptions
17	VE 1.14 Qualifications for licensure, all applicants
18	VE 1.16 Qualifications for licensure by examination
19	VE 1.18 Qualifications for licensure by endorsement
20	VE 1.20 Licensure review by board
21	VE 1.22 Fees for service members, former service members, their spouses
22	VE 1.24 Issuing a license
23	VE 1.26 Administrative fees
24	VE 1.28 Renewal of license
25	VE 1.30 Continuing education; requirements
26	VE 1.32 Continuing education; programs and courses
27	Subchapter IV – Permits
28	VE 1.34 Temporary veterinary permits
29	VE 1.36 Veterinary consulting permits
30	Subchapter V – Practice Related to Veterinary Schools
31	VE 1.38 Faculty license
32	VE 1.40 Post graduate training permit
33	VE 1.42 Veterinary students
34	Subchapter VI – Standards of Practice and Unprofessional Conduct
35	VE 1.44 Delegation of veterinary medical acts

- 36 VE 1.46 Veterinary consulting
- 37 VE 1.48 Veterinary referral to a license holder in another profession
- 38 VE 1.50 Veterinary telehealth
- 39 VE 1.52 Records
- 40 VE 1.53 Change of name and address
- 41 VE 1.56 Display of license
- 42 VE 1.58 Unprofessional conduct
- 43 VE 1.60 Board action

44 **Subchapter I – Authority and Definitions**

45 **VE 1.01 Authority.** The rules in this chapter are adopted by the veterinary examining
46 board pursuant to the authority delegated by ss. 15.08 (5), 89.03 (1), 89.03 (2), and 227.11 (2),
47 Stats.

48 **VE 1.02 Definitions.**

49 (1) “Accredited college or university” means an educational institution that is accredited
50 by a regional or national accrediting agency recognized by the U.S. Department of Education.

51 (2) “Advertising” means to give notice by any means, including but not limited to any
52 circular, card, notice, telephone book listing, magazine, newspaper or other printed material or
53 any electronic medium.

54 (3) “Approved veterinary college” means a veterinary college which is AVMA accredited
55 or approved.

56 (4) “Attending veterinarian” means the veterinarian who holds the VCPR and is
57 responsible for the medical care and treatment of the animal.

58 (5) “AVMA” means the American veterinary medical association.

59 (6) “Board” means the veterinary examining board.

60 Note: The board office is located at 2811 Agriculture Drive, P.O. Box 8911, Madison,
61 Wisconsin 53708–8911.

62 (7) “Client” means the person who owns or who has primary responsibility for the care of
63 a patient.

64 (8) “Complementary, alternative, and integrative therapies” includes a heterogeneous
65 group of preventive, diagnostic, and therapeutic philosophies and practices. These therapies
66 include:

67 (a) Veterinary acupuncture, acutheraPy, and acupressure.

68 (b) Veterinary homeopathy.

69 (c) Veterinary manual or manipulative therapy, i.e., therapies based on techniques
70 practiced in osteopathy, chiropractic medicine, or physical medicine and therapy.

71 (d) Veterinary nutraceutical therapy.

72 (e) Veterinary phytotherapy.

73 (9) “Consulting veterinarian” means the veterinarian who gives advice or assistance,
74 whether in-person or by any method of communication, to the attending veterinarian, for the
75 benefit of an animal patient.

76 (10) “Consultant” means a person whose subject matter expertise, in the opinion of the
77 attending veterinarian, will benefit an animal patient, and who gives the attending veterinarian
78 advice or assistance, whether in-person or by any method of communication.

79 (11) “Consultation” means the advice or assistance given by a consulting veterinarian or
80 other consultant to the attending veterinarian where the responsibility for patient treatment,
81 prescriptions, and welfare remain with the attending veterinarian.

82 (12) “Deception” means:

83 (a) Claiming to have performed an act or given a treatment which has not in fact been
84 performed or given.

85 (b) Giving needless treatment.

86 (c) Using a different treatment than stated.

87 (13) “Department” means the department of agriculture, trade and consumer protection.

88 (14) “Faculty license” means a credential issued to a person by the board after the person
89 has met the requirements of s. 89.06 (2m) (a), Stats., signifying that the person may practice
90 veterinary medicine on privately owned animals only within the scope of the person’s
91 employment at a school of veterinary medicine in this state.

92 (15) “Fraud” means:

93 (a) The making of false claims regarding knowledge, ability, skills or facilities for use in
94 treatment or diagnosis of a disease.

95 (b) The making of false claims regarding testing, inspecting, reporting or issuing of
96 inter-state, intra-state or export health certificates.

97 (16) “General advice” means any advice provided by a veterinarian or certified veterinary
98 technician, via any method of communication within or outside of an established VCPR, which
99 is given in general terms and is not specific to an individual animal or group of animals,
100 diagnosis, or treatment.

101 (17) “Gross negligence” means a gross, serious or grave degree of negligence as
102 compared to less serious or more ordinary acts of negligence.

103 (18) “Informed consent” means the veterinarian has informed the client or the client’s
104 authorized representative, in a manner understood by the client or representative, of the

105 diagnostic and treatment options, risk assessment, and prognosis, and the client has consented to
106 the recommended treatment.

107 (19) “License” means a credential issued to a person by the board signifying the person
108 has met the requirements of ss. 89.06 (1), 89.06 (2m) (a), or 89.072, Stats., to practice veterinary
109 medicine in this state.

110 (20) “NAVLE” means the north American veterinary licensing examination.

111 (21) “Patient” means an animal that is examined or treated by a veterinarian.

112 (22) “Post graduate training permit” means a credential issued to a person by the board
113 allowing the permit holder to practice veterinary medicine on privately owned animals only
114 within the scope of the permittee’s internship or residency program at a school of veterinary
115 medicine in this state.

116 (23) “Preceptor” means a veterinarian who agrees to supervise a holder of a temporary
117 veterinary permit.

118 (24) “Standard of care” means diagnostic procedures and modes of treatment considered
119 by the veterinary profession to be within the scope of current, acceptable veterinary medical
120 practice.

121 (25) “Supervision” means available at all times for consultation, either in person or
122 within 15 minutes of contact by telephone, by video conference or by electronic communications
123 device, except where other provisions are specified in rule.

124 (26) “Surgery” means any procedure in which the skin or tissue of the patient is
125 penetrated or severed but does not include any of the following:

126 (a) Activities not considered the practice of veterinary medicine, as follows:

127 1. Activities identified in s. 89.05 (2) (a) and (b), Stats.

- 128 2. Subcutaneous insertion of a microchip for identifying an animal.
129 3. Ear tag or tattoo placement for identifying an animal.
130 4. Euthanasia by injection.

131 (b) Activities considered the practice of veterinary medicine, but which a veterinarian
132 may delegate to a certified veterinary technician, as specified in s. VE 1.44 (5) and (6), as
133 follows:

- 134 1. Simple dental extractions that require minor manipulation and minimal elevation.
135 2. Administration of injections, including local and general anesthesia.
136 3. Sample collection via a cystocentesis procedure.
137 4. Placement of intravenous and arterial catheters.
138 5. Suturing of tubes and catheters.
139 6. Fine needle aspirate of a mass.
140 7. Performing amniocentesis, embryo collection and transfer, follicular aspiration, and
141 transvaginal oocyte collection and recovery on livestock.

142 (27) “Telehealth” means the collection of technology tools used to remotely deliver
143 virtual veterinary medical, health, and education services, allowing a veterinarian to deliver
144 enhanced care and education.

145 (28) “Telemedicine” means the remote delivery of veterinary healthcare services, such as
146 health assessments or consultations, over the telecommunications infrastructure, allowing a
147 veterinarian to evaluate, diagnose and treat patients without the need for an in-person visit.

148 (29) “Tele-triage” means emergency animal care, including animal poison control
149 services, for immediate, potentially life-threatening animal health situations, including poison

150 exposure mitigation, animal CPR instructions, and other critical lifesaving treatment or advice
151 that may be performed within or outside of a VCPR.

152 (30) “Temporary veterinary permit” means a credential issued to a person who has
153 qualified to take the NAVLE, is enrolled to take the next examination, and who shall be
154 employed to practice veterinary medicine under the supervision of a preceptor.

155 (31) “Unlicensed assistant” means a person working under the supervision of a
156 veterinarian, but not holding a license, permit, or certificate issued by the board.

157 (32) “VCPR” means a veterinarian–client–patient relationship and has the meaning set
158 forth at s. 89.02 (8), Stats.

159 (33) “Veterinary consulting permit” means a credential issued by the board to a
160 veterinarian, licensed to practice veterinary medicine in another jurisdiction, allowing the
161 veterinarian to practice veterinary medicine in a consulting capacity in Wisconsin for up to 60
162 days in a calendar year.

163 (34) “Veterinary prescription drug” has the meaning set forth at s. 89.02 (11), Stats.

164 (35) “Veterinary student” means a person enrolled in an approved veterinary college in a
165 curriculum leading to a doctor of veterinary medicine degree.

166 **Subchapter II – Examinations**

167 **VE 1.04 Administration.** (1) The board or its designee shall administer the
168 examinations required of applicants for licensure as a veterinarian by s. VE 1.12 and of
169 applicants for certification as a veterinary technician by s. VE 2.04 at least once each year.

170 (2) Prior to November 1, 2000, the board shall accept as its licensure examinations the
171 national board examination and the clinical competency test. On and after November 1, 2000, the
172 board shall accept as its licensure examination the NAVLE.

173 (3) The board or its designee shall provide an examination admission document to the
174 applicant. The applicant shall present the admission document with any required identification at
175 the examination.

176 (4) The board or its designee shall provide rules of conduct at the beginning of the
177 examination. Time limits may be placed on each portion of the examination.

178 (5) The board may deny release of grades or issuance of a license or certificate if the
179 board determines that the applicant violated rules of conduct or otherwise acted dishonestly.

180 Note: Qualified applicants with disabilities shall be provided with reasonable
181 accommodations.

182 **VE 1.06 Competency tested.** (1) Examinations administered under this chapter test
183 entry level competency and seek to determine that an applicant's knowledge of animals and their
184 treatment is sufficient to protect public health and safety.

185 (2) The board shall furnish to individuals, upon request, general information describing
186 the competencies upon which the examination is based.

187 **VE 1.08 Passing scores.** (1) Passing scores for veterinary applicants for the national
188 board examination and the clinical competency test, and for the NAVLE, shall be based on the
189 board's determination of the level of examination performance required for minimum acceptable
190 competence in the profession. The board shall make the determination, after consulting with
191 subject matter experts who have reviewed a representative sample of the examination questions
192 and available candidate performance statistics, and set the passing score for the examination at
193 the point representing the minimum acceptable competence in the profession. The board may
194 accept any recommendation of the national examination provider.

195 (2) The passing score for an examination on state laws and rules related to the practice of
196 veterinary medicine shall be based on the board's determination of the level of examination
197 performance required for minimum acceptable competence in the profession. The board shall
198 make the determination, after consulting with subject matter experts who have reviewed a
199 representative sample of the examination questions and available candidate performance
200 statistics, and set the passing score for the examination at the point representing the minimum
201 acceptable competence in the profession.

202 **VE 1.10 Claim of examination error.** (1) An applicant wishing to claim examination
203 error shall file a written request for board review in the board office within 30 days of the date
204 the examination was reviewed. The request shall include all of the following:

205 (a) The applicant's name and address.

206 (b) The type of license for which the applicant applied.

207 (c) A description of the mistakes the applicant believes were made in the examination
208 content, procedures, or scoring, including the specific questions or procedures claimed to be in
209 error.

210 (d) The facts which the applicant intends to prove, including reference text citations or
211 other supporting evidence for the applicant's claim.

212 (2) The board shall review the claim, make a determination of the validity of the
213 objections and notify the applicant in writing of the board's decision and any resulting grade
214 changes.

215 (3) If the board confirms the failing status following its review, the application shall be
216 deemed incomplete, and the applicant may be reexamined under s. VE 1.04.

217 **Subchapter III – Licensure**

218 **VE 1.12 License exemptions.** No veterinary license or permit is required for the
219 following veterinarians:

220 (1) Employees of the federal government while engaged in their official duties.

221 (2) Employees of an educational or research institution while engaged in teaching or
222 research, except if employed by a school of veterinary medicine in this state and the employee
223 practices veterinary medicine on privately owned animals.

224 (3) Graduates of schools outside the United States and Canada who are enrolled in the
225 educational commission for foreign veterinary graduates certification program of the AVMA or
226 the program for the assessment of veterinary education equivalence offered by the American
227 Association of Veterinary State Boards while completing the required year of clinical assessment
228 under the supervision of a veterinarian.

229 **VE 1.14 Qualifications for licensure; all applicants.** The board may issue a license to
230 practice veterinary medicine to an applicant who satisfies all of the following:

231 (1) Submits an application form provided by the board which includes the applicant's
232 notarized signature.

233 Note: Applications are available upon request to the board office located at 2811
234 Agriculture Drive, P.O. Box 8911, Madison, WI 53708-8911 or at the website at
235 www.datcp.wi.gov.

236 (2) Successfully completes an examination on state laws and rules related to the practice
237 of veterinary medicine.

238 (3) Provides proof of graduation through one of the following means:

239 (a) A certificate of graduation from a veterinary college which shall be signed and sealed
240 by the dean of the school and submitted directly to the board by the school. The certificate may
241 be sent by electronic means if the seal is visible.

242 (b) Certification of graduation provided by the American Association of Veterinary State
243 Boards.

244 (4) Does not have a conviction record or pending criminal charge relating to an offense
245 the circumstances of which substantially relate to the practice of veterinary medicine. An
246 applicant who has a conviction record or pending criminal charge shall request appropriate
247 authorities to provide information about the record or charge directly to the board in sufficient
248 specificity to enable the board to make a determination whether the record or charge
249 substantially relates to the practice of veterinary medicine.

250 (5) Provides all documents in English.

251 (6) Satisfies the requirements for either licensure by examination or licensure by
252 endorsement. Applicants who have never previously been licensed in any jurisdiction must apply
253 by examination. Applicants who have previously been licensed in Wisconsin or any other
254 jurisdiction must apply by endorsement.

255 **VE 1.16 Qualifications for licensure by examination.** Applicants for licensure by
256 examination shall satisfy all of the following:

257 (1) Prior to November 1, 2000, passes the national board examination and clinical
258 competency test. On or after November 1, 2000, passes the NAVLE.

259 (2) For applicants who graduated from a veterinary college which is not board approved,
260 provide proof of graduation required under sub (4), and evidence of successful completion of
261 either the educational commission for foreign veterinary graduates certification program or the

262 program for the assessment of veterinary education equivalence offered by the American
263 Association of Veterinary State Boards which shall be submitted directly to the board by the
264 AVMA or the American Association of Veterinary State Boards.

265 (3) Pay the nonrefundable application fee of \$115.

266 **VE 1.18 Qualifications for licensure by endorsement.** Applicants for licensure by
267 endorsement shall satisfy all of the following:

268 (1) The applicant has not previously failed, and then not subsequently passed, the
269 examinations required under s. VE 1.14 (1).

270 (2) The applicant holds a current license to practice veterinary medicine in another state
271 or U.S. territory or province of Canada.

272 (3) The applicant has satisfied the qualifications for licensure, in s. VE 1.14 (1), within
273 the last 5 years or has actively practiced for 4000 hours during the 5 years preceding application.

274 (4) For an applicant holding a current unrestricted license to practice veterinary
275 medicine in a country other than the United States or Canada, who is not a graduate of an
276 approved veterinary college, in addition to the requirements of subsections (2) – (4), submit
277 evidence that the applicant has successfully completed either the certification program of the
278 educational commission for foreign veterinary graduates of the AVMA or the program for the
279 assessment of veterinary education equivalence offered by the American Association of
280 Veterinary State Boards.

281 (5) For an applicant holding a current unrestricted license to practice veterinary medicine
282 in a country other than the United States or Canada, who is a graduate of a school of veterinary
283 medicine approved by the board, in addition to the requirements of subsections (2) – (4), submit
284 the following:

285 (a) Evidence satisfactory to the board that the requirements for initial licensure in the
286 country where the applicant was originally licensed, including examination requirements, are
287 substantially equivalent to the requirements for graduates of schools of veterinary medicine
288 approved by the board who are seeking initial licensure in this state; or

289 (b) Before November 1, 2000, evidence that the applicant has successfully completed the
290 national board examination and the clinical competency test. On or after November 1, 2000,
291 evidence that the applicant has successfully completed the NAVLE.

292 (6) Provides verification of licensure records and status which has been sent directly to
293 the board by every state or country in which the applicant has ever held a license or certificate to
294 practice veterinary medicine.

295 (7) Pays the nonrefundable application fee of \$185.

296 **VE 1.20 Licensure review by board.** The board shall review the application and
297 determine eligibility for licensure if any of the following apply:

298 (1) The applicant has a conviction record or pending criminal charge relating to an
299 offense the circumstances of which substantially relate to the practice of veterinary medicine.

300 (2) The applicant has been disciplined by the veterinary licensing authority in any other
301 state, territory or country.

302 (3) The applicant is a party in pending litigation in which it is alleged that the applicant is
303 liable for acts committed in the course of practice which evidence a lack of ability or fitness to
304 practice, as determined by the board.

305 (4) The applicant is currently under investigation by another veterinary licensing
306 authority, for acts, related to the license to practice veterinary medicine, which may provide a
307 basis for disciplinary action in this state, as determined by the board.

308 (5) The applicant has been found liable for damages for acts committed in the course of
309 practice of veterinary medicine which evidenced a lack of ability or fitness to practice, as
310 determined by the board.

311 (6) The applicant has had United States drug enforcement administration privileges
312 restricted or revoked.

313 (7) The applicant has had physical or mental impairment, including impairment related to
314 drugs or alcohol, which is reasonably related to the applicant's ability to adequately undertake the
315 practice of veterinary medicine in a manner consistent with the safety of a patient or the public.

316 **VE 1.22 Fees for service members, former services members, their spouses.** A person
317 applying for a reciprocal credential under s. 89.073, Wis. Stat., shall pay one of the following
318 nonrefundable fees as applicable:

319 (1) \$40 for a service member or former service member.

320 (2) \$141 for a spouse as defined by s. 89.073 (1) (c).

321 **VE 1.24 Issuing a license.** (1) The board shall review its records to determine eligibility
322 of the applicant for licensure. Within 30 business days of determining an applicant is eligible for
323 licensure, the board shall issue a license to the applicant.

324 (2) The board shall inquire as to whether the applicant is competent to practice as a
325 veterinarian in this state and shall impose any reasonable conditions in issuing the license,
326 including reexamination, as the board deems appropriate, if any of the following apply:

327 (a) The applicant has not previously been licensed in any jurisdiction and passed the
328 NAVLE more than 5 years ago.

329 (b) The applicant was previously licensed in Wisconsin or another jurisdiction and has
330 not been licensed in any jurisdiction for more than 5 years.

331 (c) The board has reviewed the application under any provision in s. VE 1.18.

332 **VE 1.26 Administrative fees.** (1) A person requesting a printed license shall pay a
333 nonrefundable fee of \$10.

334 (2) A person requesting verification of licensure to other states shall pay a nonrefundable
335 fee of \$10.

336 **VE 1.28 Renewal of license.** A license expires if not renewed by January 1 of even-
337 numbered years. A licensee who allows the license to expire may apply to the board for renewal
338 of the license as follows:

339 (1) If the licensee applies for renewal of the license less than 5 years after its expiration,
340 the license shall be renewed upon payment of the renewal fee and fulfillment of 30 hours of
341 continuing education required under s. VE 1.30.

342 (2) If the licensee applies for renewal of the license 5 or more years after its expiration,
343 in addition to requiring the licensee to pay the renewal fee, and to fulfill the continuing education
344 hours required under s. VE 1.30, the board shall inquire as to whether the applicant is competent
345 to practice as a veterinarian in this state and shall impose any reasonable conditions on
346 reinstatement of the license, including reexamination, as the board deems appropriate. An
347 applicant under this subsection is presumed to be competent to practice as a veterinarian in this
348 state if at the time of application for renewal the applicant holds a full unexpired license issued
349 by a similar licensing board of another state or territory of the United States or of a foreign
350 country or province whose standards, in the opinion of the board, are equivalent to or higher than
351 the requirements for licensure in this state. Notwithstanding any presumption of competency
352 under this subsection, the board shall require each applicant under this subsection to pass the
353 examination specified under s. VE 1.12 (2).

354 (3) The licensee shall pay a nonrefundable renewal fee of \$160.

355 (4) A licensee who submits a license renewal after January 1 of even numbered years
356 shall pay, in addition to the renewal fee under sub. (3), a nonrefundable late fee of \$25.

357 **VE 1.30 Continuing education; requirements.** (1) (a) Except as provided in subs. (2)
358 and (3), a veterinarian shall complete at least 30 hours of continuing education pertinent to
359 veterinary medicine in each biennial renewal period. The 30 hours of continuing education shall
360 include at least 25 hours of continuing education that relates to scientific topics pertinent to
361 veterinary medicine.

362 (b) All 30 continuing education hours in this subsection shall be documented. A
363 minimum of 25 hours of continuing education shall be documented by an approved continuing
364 education provider.

365 (c) A continuing education hour shall consist of 50 minutes of contact time.

366 (2) Subsection (1) does not apply to an applicant who applies to renew a license that
367 expires on the first expiration date after the initial issuance of the license.

368 (3) The board may waive the requirements, under sub. (1), if it finds that exceptional
369 circumstances, such as prolonged illness, disability, or other similar circumstances, have
370 prevented an applicant from meeting the requirements.

371 (4) Continuing education hours shall be completed during the preceding 2-year licensure
372 period.

373 (5) To obtain credit for completion of continuing education hours, a licensee shall, at the
374 time of each renewal, sign a statement saying that he or she has completed, during the preceding
375 2-year licensure period, the continuing education programs required under sub. (1).

376 (6) A veterinarian who fails to complete the continuing education requirements by the
377 renewal date shall not practice as a veterinarian until his or her certificate is renewed.

378 (7) For auditing purposes, every veterinarian shall maintain records of continuing
379 education hours for at least 5 years from the date the certification statement required under sub
380 (5) is signed. The board may audit for compliance by requiring a veterinarian to submit evidence
381 of compliance to the board for the biennium immediately preceding the biennium in which the
382 audit is performed. Documentation of completion of continuing education hours shall include
383 one of the following:

384 (a) A certificate of attendance from an approved course provider.

385 (b) A grade report or transcript from an accredited college or university.

386 (c) A copy of a published work authored or co-authored by the licensee.

387 (d) A copy of a meeting syllabus, announcement, abstract or proceeding for a
388 presentation.

389 (e) A signed document from an internship or residency institution certifying enrollment in
390 a program.

391 **VE 1.32 Continuing education; programs and courses. (1) CRITERIA FOR**
392 **PROGRAMS AND COURSE APPROVAL.** To be approved, a continuing education program or
393 course shall meet the following criteria:

394 (a) The subject matter of the program or course shall be pertinent to veterinary medicine.

395 (b) The program or course sponsor agrees to record registration and furnish a certificate
396 of attendance to each participant.

397 (2) UNRELATED SUBJECT MATTER. If a continuing education course includes
398 subject matter that is not pertinent to veterinary medicine, only those portions of the course that
399 relate to veterinary medicine will qualify as continuing education under this chapter.

400 (3) MODALITIES AND METHODS OF DELIVERY. Modalities and methods of
401 delivery of continuing education programs acceptable to the board include one or more of the
402 following:

403 (a) Attendance at a scientific workshop, seminar, or laboratory demonstration pertinent to
404 veterinary medicine.

405 (b) Enrollment in graduate or other college level courses pertinent to veterinary medicine.
406 Credit for qualified courses will be approved on the basis of multiplying each college credit hour
407 by 10.

408 (c) Enrollment in an internship, residency or certification program approved by a
409 veterinary specialty organization recognized by the AVMA or in an AVMA accredited
410 veterinary school.

411 (d) Authorship or co-authorship of a published work, such as review articles, abstracts,
412 presentations, proceedings, book chapters, and web-based continuing education materials shall
413 be approved for 5 hours each.

414 (e) A peer reviewed publication shall be approved for 5 hours.

415 (f) Development and presentation of research findings, scientific workshops, seminars or
416 laboratory demonstrations pertinent to veterinary medicine shall be approved for 5 contact hours
417 each.

418 (g) Up to 15 hours per biennium shall be granted for a combination of continuing
419 education hours completed under pars. (d) to (f), provided the continuing education is published
420 or presented under the auspices of a provider approved under sub. (4).

421 (h) On-line, video, audio, correspondence courses, or other interactive distance learning
422 courses pertinent to veterinary medicine, or to employment as a veterinarian.

423 (4) APPROVED PROGRAM PROVIDERS. Subject to compliance with the
424 requirements set forth in subs. (1) to (3), the board shall approve attendance at and completion of
425 one or more continuing education programs approved by any one of the following approved
426 program providers as fulfilling the continuing education hours required under this chapter:

427 (a) A national, regional, state, or local veterinary medical or veterinary technician
428 association.

429 (b) A federal or state agency.

430 (c) An accredited college or university.

431 (d) An association listed in the AVMA or the National Association of Veterinary
432 Technicians in America directory.

433 (e) An AVMA accredited veterinary school or veterinary technician program.

434 (f) A program approved by the American Association of Veterinary State Boards through
435 its Registry of Approved Continuing Education approval program.

436 (g) A foreign veterinary medical or veterinary technician association, an accredited
437 college or university, or a governmental agency that is, as determined by the board comparable
438 to a program provider listed under pars. (a) to (f).

439 **Subchapter IV – Permits**

440 **VE 1.34 Temporary veterinary permits.** (1) An applicant may be granted a temporary
441 veterinary permit before the board receives notice of successful completion of the NAVLE or the
442 examination on state laws and rules related to the practice of veterinary medicine, if the applicant
443 provides evidence that the applicant is either scheduled to take the examination for the first time,
444 or is awaiting results of the examination.

445 (2) An applicant shall complete an application for temporary veterinary permit and
446 submit the nonrefundable fee of \$10.

447 (3) The board shall receive written verification of employment signed and sent directly
448 to the board by the preceptor.

449 (4) The application and verification required by subs. (2) and (3) shall be received by the
450 board office at least 2 weeks prior to the date the applicant intends to begin work.

451 (5) In order to provide supervision for a holder of a temporary veterinary permit, a
452 preceptor shall do all of the following:

453 (a) Delegate only those tasks commensurate with demonstrated abilities of the temporary
454 veterinary permit holder.

455 (b) Be available for direct communication with the temporary veterinary permit holder
456 when the temporary veterinary permit holder is providing veterinary services. Direct
457 communication shall be in person, by telephone, video conference, or electronic communication
458 device.

459 (6) A temporary veterinary permit shall expire upon any of the following:

460 (a) Notification of failure of any examination.

461 (b) Failure to take the next scheduled examination.

462 (c) Issuance of a license.

463 (d) Denial of a license.

464 (7) An applicant may be granted a temporary veterinary permit only once.

465 (8) Any change or addition of preceptor shall be reported to the board by filing a new
466 verification as specified in sub. (3).

467 (9) Within 30 business days of determining an applicant is eligible for a temporary
468 permit, the board shall issue a permit to the applicant. Notification of issuance shall also be sent
469 to the preceptor.

470 **VE 1.36 Veterinary consulting permits.** (1) The board may issue a veterinary
471 consulting permit to practice veterinary medicine in this state to a person holding a license to
472 practice veterinary medicine in another state or territory of the U.S. or in another country,
473 provided the license is in good standing in the other jurisdiction, and a veterinarian has requested
474 a consultation.

475 (2) A veterinary consulting permit may be used up to 60 total days per calendar year.

476 (3) The veterinary consulting permit shall expire on December 31 of each year or on the
477 60th day of use in a calendar year. The holder of a consulting permit may apply for a new permit
478 for a subsequent year by completing the application procedure specified in s. VE 1.36.

479 (4) An applicant for a veterinary consulting permit shall file a completed application
480 with the board. All supporting documents shall be provided in English. An application is not
481 complete until the board receives all of the following:

482 (a) An application form provided by the board and completed by the applicant which
483 includes the applicant's notarized signature.

484 Note: Applications are available upon request to the board office located 2811
485 Agriculture Drive, P.O. Box 8911, Madison, WI 53708-8911.

486 (b) The required nonrefundable fee of \$160.

487 (c) Verification of licensure records and status which has been sent directly to the board
488 by every state or country in which the applicant has ever held a license or certificate to practice
489 veterinary medicine.

490 (d) Written verification from a veterinarian that a consultation is being sought.

491 (5) A veterinary consulting permit shall automatically expire upon notice to the board
492 that the consultation has been completed.

493 (6) After hearing, a veterinary consulting permit may be denied, suspended, limited or
494 revoked, or the permittee may be reprimanded, for any of the following reasons:

495 (a) Revisiting the patient or client or communicating directly with the client without the
496 knowledge of the attending veterinarian.

497 (b) Taking charge of a case or problem without the consent of the attending veterinarian
498 and the client.

499 (c) Violating any law or rule related to the practice of veterinary medicine.

500 **Subchapter V – Practice Related to Veterinary Schools**

501 **VE 1.38 Faculty license.** (1) APPLICATION. An applicant for a faculty license shall file a
502 completed application with the board. All supporting documents shall be submitted in English.

503 An application is not complete until the board receives all of the following:

504 (a) An application form provided by the board and completed by the applicant, which
505 includes the applicant's notarized signature.

506 Note: Applications are available upon request to the board office located at 2811
507 Agriculture Drive, P.O. Box 8911, Madison, Wisconsin 53708-8911.

508 (b) The required nonrefundable fee of \$185.

509 (c) Verification of employment by a school of veterinary medicine in this state which has
510 been submitted directly to the board by the dean of the school.

511 (d) Proof of graduation through one of the following means:

512 1. A certificate of graduation from an approved veterinary college signed and sealed by
513 the dean of the school submitted directly to the board by the school, or evidence of substantially
514 equivalent qualifications.

515 2. Certification of graduation provided by the American Association of Veterinary State
516 Boards.

517 (e) Successful completion of an examination on state laws and rules related to the
518 practice of veterinary medicine.

519 (2) DISCIPLINARY ACTION. A faculty license may be denied, suspended, limited or
520 revoked, or the licensee may be reprimanded, for the following reasons:

521 (a) Violation of any law or regulation substantially related to the practice of veterinary
522 medicine; or

523 (b) Engaging in the practice of veterinary medicine in this state outside the scope of
524 employment unless licensed to do so.

525 (3) EXPIRATION. The faculty license expires upon termination of the faculty employee's
526 employment with the school of veterinary medicine, as reported by the dean of the school of
527 veterinary medicine.

528 **VE 1.40 Post graduate training permit.** (1) An applicant for a post graduate training
529 permit under s. 89.06 (2m) (b), Stats., shall file a completed application with the board. All
530 supporting documents shall be provided in English. An application shall not be considered
531 complete until the board receives all of the following:

532 (a) An application form provided by the board and completed by the applicant, including
533 the applicant's notarized signature.

534 Note: Applications are available upon request to the board office located at 2811
535 Agriculture Drive, P.O. Box 8911, Madison, Wisconsin 53708-8911.

536 (b) Evidence that the applicant has received a degree from a school of veterinary
537 medicine or an equivalent degree.

538 (c) The required nonrefundable fee of \$100.

539 (d) Verification that the applicant is undertaking intern or resident training at a school of
540 veterinary medicine in this state. Verification shall consist of certification signed and sealed by
541 the dean of the school and submitted directly to the board by the school.

542 (2) An applicant for a post graduate training permit shall successfully complete an
543 examination on state laws and rules related to the practice of veterinary medicine before a permit
544 may be issued.

545 (3) A post graduate training permit may be denied, suspended, limited or revoked, or the
546 licensee may be reprimanded, for the following reasons:

547 (a) Violation of any law or regulation substantially related to the practice of veterinary
548 medicine; or

549 (b) Engaging in the practice of veterinary medicine in the State of Wisconsin outside the
550 scope of the training program unless licensed to do so.

551 (4) The post graduate training permit expires upon termination of the permittee's
552 internship or residency program, as reported by the dean of the school of veterinary medicine.

553 **VE 1.42 Veterinary students.** (1) A veterinary student may practice veterinary
554 medicine within the school of veterinary medicine pursuant to standards and supervisory
555 protocols established by the school.

556 (2) A veterinary student may perform delegated veterinary acts outside of the school
557 setting as set forth under s. VE 1.44 (1), (3), and (9).

558 **Subchapter VI – Standards of Practice and Unprofessional Conduct**

559 **VE 1.44 Delegation of veterinary medical acts.** (1) In delegating the provision of
560 veterinary medical acts to veterinary students, certified veterinary technicians and others, the
561 veterinarian shall do all of the following:

562 (a) Delegate only those tasks commensurate with the education, training, experience and
563 demonstrated abilities of the person supervised.

564 (b) Provide the supervision required under subs. (2) to (8).

565 (c) Where the veterinarian is not required to be personally present on the premises where
566 the delegated services are provided, be available at all times for consultation either in person or
567 within 15 minutes of contact by telephone, by video conference or by electronic communication
568 device.

569 (d) Observe and monitor the activities of those supervised on a daily basis.

570 (e) Evaluate the effectiveness of delegated acts performed under supervision on a daily
571 basis.

572 (f) Establish and maintain a daily log of each delegated patient service which has been
573 provided off the premises of the supervising veterinarian.

574 (g) Notify the client that some services may be provided by a veterinary student, certified
575 veterinary technician or an unlicensed assistant.

576 (2) The following acts are limited to those holding a license under s. 89.06 (1), 89.06
577 (2m) (a), or 89.072, Stats.; a permit under s. VE 1.36, 1.38, or 1.40; or active status as a student
578 at a college of veterinary medicine approved by the board, and may not be delegated to or
579 performed by veterinary technicians or other persons not holding such license or permit:

580 (a) Diagnosis and prognosis of animal diseases and conditions.

581 (b) Prescribing of drugs, medicines, treatments and appliances.

582 (c) Performing surgery.

583 (3) Except as provided under s. 95.21 (2), Stats., veterinarians may delegate to veterinary
584 students the provision of veterinary medical services under the supervision of the veterinarian
585 when the veterinarian is personally present on the premises where the services are provided.

586 (4) Except as provided under s. 95.21 (2), Stats., veterinarians may delegate to certified
587 veterinary technicians the provision of the following veterinary medical services under the
588 supervision of the veterinarian:

589 (a) Nonsurgical veterinary treatment of animal diseases and conditions, including
590 administration of vaccines.

591 Note: See s. 95.21 (2) (a), Stats., for the delegation of rabies vaccinations.

592 (b) Observations and findings related to animal diseases and conditions to be utilized by a
593 veterinarian in establishing a diagnosis or prognosis, including routine radiographs, nonsurgical
594 specimen collection, drawing of blood for diagnostic purposes, and laboratory testing
595 procedures.

596 (c) Administration of sedatives and presurgical medications.

597 (d) Nutritional evaluation and counseling.

598 (e) Except to certified veterinary technicians who are also licensed professionals
599 governed by the provisions in s. VE 1.48, the provision of any complementary, alternative, or
600 integrative therapy, as defined in s. VE 1.02 (8).

601 (5) Veterinarians may delegate to certified veterinary technicians the provision of the
602 following veterinary medical services under the supervision of the veterinarian when the
603 veterinarian is available to communicate via telehealth technologies within 5 minutes or the
604 veterinarian is personally present on the premises where the services are provided:

605 (a) Performing diagnostic radiographic awake contrast studies not requiring general
606 anesthesia.

607 (b) Sample collection via cystocentesis procedure.

608 (c) Placement of intravenous catheters.

609 (d) Suturing of tubes and catheters.

610 (f) Fine needle aspirate of a mass.

611 (6) Veterinarians may delegate to certified veterinary technicians the provision of the
612 following veterinary medical services under the supervision of the veterinarian when the
613 veterinarian is personally present on the premises where the services are provided:

614 (a) Administration of local or general anesthesia, including induction and monitoring.

615 (b) Performing diagnostic radiographic contrast studies, including those requiring general
616 anesthesia.

617 (c) Dental prophylaxis and simple extractions that require minor manipulation and
618 minimal elevation.

619 (d) Placement of arterial catheters.

620 (e) Performing amniocentesis, embryo collection and transfer, follicular aspiration, and
621 transvaginal oocyte collection and recovery on livestock.

622 (7) Veterinarians may delegate to unlicensed assistants the provision of the following
623 veterinary medical services under the supervision of the veterinarian:

624 (a) Basic diagnostic studies, including routine radiographs, nonsurgical specimen
625 collection, and laboratory testing procedures.

626 (b) Monitoring and reporting to the veterinarian changes in the condition of a hospitalized
627 animal patient.

628 (c) Dispensing prescription drugs pursuant to the written order of the veterinarian.

629 (8) Except as provided under s. 95.21, Stats., veterinarians may delegate to unlicensed
630 assistants the provision of the following veterinary medical services under the supervision of the
631 veterinarian when the veterinarian is personally present on the premises where the services are
632 provided:

633 (a) Nonsurgical veterinary treatment of animal diseases and conditions, including
634 administration of vaccines, and administration of sedatives and presurgical medications.

635 (b) Observations and findings related to animal diseases and conditions to be utilized by a
636 veterinarian in establishing a diagnosis or prognosis, including the drawing of blood for
637 diagnostic purposes.

638 (c) Dental prophylaxis.

639 (d) Nutritional evaluation and counseling.

640 (e) Placement of intravenous catheters.

641 (9) Notwithstanding subs. (1) to (8), a veterinary student, certified veterinary technician
642 or unlicensed assistant employed by a veterinarian may, under the supervision of the veterinarian

643 and pursuant to mutually acceptable written protocols, perform evaluative and treatment
644 procedures necessary to provide an appropriate response to life-threatening emergency situations
645 for the purpose of stabilizing the patient pending further treatment.

646 **VE 1.46 Veterinary consulting.** (1) A consulting veterinarian or other consultant may
647 not do any of the following:

648 (a) Visit the patient or client or communicate directly with the client without the
649 knowledge of the attending veterinarian.

650 (b) Take charge of a case or problem without the consent of the attending veterinarian
651 and the client.

652 Note: The VCPR, as defined in s. 89.02 (8), Stats., remains with the attending
653 veterinarian.

654 (2) Subs. (1) does not apply to other veterinarians or relief veterinarians licensed by the
655 board, practicing with the attending veterinarian, who have access to, and have reviewed, the
656 medical history and records of the animal.

657 **VE 1.48 Veterinary referral to a license holder in another profession.** (1) A
658 veterinarian may make a referral to a client, for treatment of a patient by a license holder in
659 another profession, using complimentary, alternative, or integrative therapies, as defined in s. VE
660 1.02 (8), if the license holder, to whom the client and patient are referred, provides all of the
661 following evidence to the veterinarian for performing the type of therapy for which the referral is
662 being made:

663 (a) The license holder's current licensing in good standing, with the applicable board
664 through the department of safety and professional services.

665 (b) The license holder's education, training, and experience in performing the therapy on
666 an animal.

667 (2) The VCPR, as defined in s. 89.02 (8), Stats., does not extend to the provision of any
668 complementary, alternative, or integrative therapy performed on a veterinarian's patient, under
669 either of the following circumstances:

670 (a) The therapy is performed by a license holder in another profession, where the
671 veterinarian demonstrates meeting the requirements, in sub (1), for making the referral to the
672 license holder.

673 (b) The veterinarian's client obtains any complementary, alternative, or integrative
674 therapy services for a veterinarian's patient without a referral by the veterinarian.

675 **VE 1.50 Veterinary telehealth.**

676 (1) The practice of veterinary medicine takes place where the animal is located at the
677 time of practice, in accordance with ss. 89.05 (1) and 89.02 (6), Wis. Stats.

678 (2) In order to practice veterinary telemedicine in Wisconsin, a veterinarian must be
679 licensed in Wisconsin and have an established VCPR with the client. A VCPR must be
680 established via an in-person physical exam, or timely medically appropriate visits to the premises
681 on which the patient is kept. The VCPR may not be established by telehealth technologies.

682 (3) The VCPR, once established, extends to other veterinarians or relief veterinarians
683 licensed by the board, who are practicing with the attending veterinarian, and who have access
684 to, and have reviewed, the medical history and records of the animal.

685 (4) Telehealth records must be kept in accordance with this chapter.

686 (5) In accordance with s. 89.02 (8) (c), Wis. Stat., an animal owner must be able to easily
687 seek follow-up care or information from the veterinarian who conducts an encounter while using
688 telehealth technologies.

689 (6) A veterinarian using telehealth technologies is required to follow all applicable
690 requirements of this chapter.

691 **VE 1.52 Records.** (1) A veterinarian shall maintain individual patient records on every
692 patient administered to by the veterinarian other than food and fiber patients and equine patients
693 for a period of not less than 3 years after the date of the last entry. The veterinarian shall keep
694 individual client records for equine and food and fiber patients for 3 years after the date of the
695 last entry. A computerized system may be used for maintaining a record, as required under this
696 section, if the system is capable of producing a printout of records contained in such system
697 within 48 hours of a request.

698 (2) The individual patient record shall contain clinical information pertaining to patients
699 other than food and fiber patients and equine patients with sufficient information to justify the
700 diagnosis and warrant treatment, including information regarding each of the following matters
701 which apply:

702 (a) Date.

703 (b) Client name.

704 (c) Patient identification.

705 (d) History.

706 (e) Complaint.

707 (f) Present illness.

708 (g) Provisional diagnosis.

- 709 (h) Physical examination findings.
- 710 (i) Record of client's informed consent by signature and date or other specified means.
- 711 (j) Treatment — medical, surgical.
- 712 (k) Vaccinations administered.
- 713 (L) Drugs prescribed, dispensed or administered, including strength or concentration,
714 route of administration, dosing schedule, number dispensed and number of refills allowed.
- 715 (m) Final diagnosis.
- 716 (n) Consultation, if any.
- 717 (o) Clinical laboratory reports.
- 718 (p) Radiographic reports.
- 719 (q) Necropsy findings.
- 720 (r) Identification of the veterinarian providing the care.
- 721 (3) The client record for food and fiber patients shall contain at least the following
722 information which apply:
- 723 (a) Date.
- 724 (b) Client name.
- 725 (c) Type of call.
- 726 (d) Individual or herd diagnosis.
- 727 (e) Record of client's informed consent by signature and date or other specified means.
- 728 (f) Treatment and drugs used including amounts of drugs administered and method of
729 administration.
- 730 (g) Drugs dispensed including dosing schedule and number dispensed.
- 731 (h) Meat or milk withholdings.

- 732 (i) Clinical laboratory reports.
- 733 (j) Identification of the veterinarian providing the care.
- 734 (4) The client record for equine patients shall contain at least the following information
- 735 which applies:
- 736 (a) Date.
- 737 (b) Client name.
- 738 (c) Patient identification.
- 739 (d) History.
- 740 (e) Physical examination findings.
- 741 (f) Diagnosis.
- 742 (g) Record of client's informed consent by signature and date or other specified means.
- 743 (h) Treatment-medical, surgical.
- 744 (i) Treatment and drugs used including amount of drugs administered and method of
- 745 administration.
- 746 (j) Drugs dispensed including dosing schedule and number dispensed.
- 747 (k) Clinical laboratory reports.
- 748 (L) Radiographic reports.
- 749 (m) Necropsy findings.
- 750 (n) Identification of the veterinarian providing the care.
- 751 (5) A veterinarian shall provide access to health care records in accordance with s.
- 752 89.075, Wis. Stat.

753 **VE 1.54 Change of name and address.** Every veterinarian shall notify the board of a

754 change of name or address within 30 days.

755 **VE 1.56 Display of license.** Each veterinarian shall display a current license in a manner
756 conspicuous to the public view, and shall at all times have evidence of licensure available for
757 inspection when practicing at a remote location.

758 **VE 1.58 Unprofessional conduct.** Unprofessional conduct by a veterinarian is
759 prohibited. Unprofessional conduct includes:

760 (1) Unprofessional conduct under s. 89.07 (1), Wis. Stat.

761 (2) Conduct in the practice of veterinary medicine which evidences a lack of knowledge
762 or ability to apply professional principles or skills.

763 (3) Fraud, gross negligence or deception in the practice of veterinary medicine.

764 (4) Being convicted of a crime the circumstances of which substantially relate to the
765 practice of veterinary medicine.

766 (5) Violating or aiding and abetting the violation of any law or administrative rule or
767 regulation substantially related to the practice of veterinary medicine.

768 (6) Advertising in a manner which is false, fraudulent, misleading or deceptive, or
769 knowingly maintaining a professional association with another veterinarian or veterinary firm
770 that advertises in a manner which is false, fraudulent, misleading or deceptive.

771 (7) Having a veterinary license or federal veterinary accreditation limited, suspended or
772 revoked, or having been subject to any other discipline or restriction.

773 (8) Practicing or attempting to practice, while the veterinarian has a physical or mental
774 impairment, including impairment related to drugs or alcohol which is reasonably related to the
775 applicant's ability to adequately undertake the practice of veterinary medicine in a manner
776 consistent with the safety of a patient or the public.

777 (9) The personal use, misuse, or sale, other than for medical treatment of patients, of the
778 drugs listed in the U.S. Controlled Substances Act of 1979, as amended, or ch. 961, Stats., except
779 personal use of drugs prescribed by a physician for individual use by the veterinarian.

780 (10) Prescribing, ordering, dispensing, administering, supplying or giving of any
781 amphetamine, its salts, isomers and salts of its isomers or related sympathomimetic amine drug
782 designated as a Schedule II drug in ch. 961, Stats., except for the treatment of narcolepsy or
783 hyperkinesis in animals who do not respond to other methods of treatment, or for clinical
784 research of these compounds as approved by the board. A written description of the intended
785 research project proposed shall be filed with the board prior to conducting the research.

786 (11) Prescribing or dispensing veterinary prescription drugs to a client without following
787 the requirements in s. 89.068 (1) (c), Stats.

788 (12) Dispensing any veterinary prescription drugs to a person unless the person requests
789 fulfillment of a prescription meeting the requirements of s. 89.068(1) (b), Stats.

790 (13) Failure to include on the label of a prescription drug the generic or brand name of
791 the drug dispensed, the name and address of the clinic or veterinarian dispensing the drug, the
792 directions for use and caution statements required by law. In case of companion animals, the
793 prescription shall bear the name or identification of the patient.

794 (14) Prescribing, ordering, dispensing, administering, supplying or giving any controlled
795 substance solely for training or racing purposes and not for a medically sound reason.

796 (15) Allowing a veterinary student to treat a patient without the veterinarian giving
797 supervision.

798 (16) Failure of the veterinarian to advise the client that the person assisting is a
799 veterinary student or unlicensed assistant.

800 (17) Failure to maintain records as required by s. VE 1.52.

801 (18) Refusal, upon request, to cooperate in a timely manner with the board's
802 investigation of complaints lodged against the veterinarian. Persons taking longer than 30 days to
803 provide requested information shall have the burden of demonstrating that they have acted in a
804 "timely manner."

805 (19) Failure to keep the veterinary facility and all equipment, including mobile units, in a
806 clean and sanitary condition while practicing as a veterinarian.

807 (20) Failure of a veterinarian to permit the board or its agents to enter and inspect the
808 veterinarian's practice facilities, vehicle, equipment and records during office hours and other
809 reasonable hours.

810 (21) Engaging in unsolicited communications to members of the board regarding a
811 matter under investigation by the board other than to the investigative member of the board.

812 (22) Practicing under an expired license.

813 (23) Exceeding the scope of veterinary practice, as defined in s. 89.02 (6), Stats., by
814 providing medical treatment to humans or distributing, prescribing or dispensing for human use
815 prescription drugs, as defined in s. 450.01 (20), Stats., or any drug labelled for veterinary or
816 animal use only.

817 (24) Falsely certifying to the board under s. VE 1.30 (5) that the veterinarian:

818 (a) Has completed the 30 hours of continuing education required under s. VE 1.30 (1).

819 (b) Is exempt under s. VE 1.30 (2) from having to complete the 30 hours of continuing
820 education required under s. VE 1.30 (1).

821 (25) Failure to inform a client prior to treatment of the diagnostic and treatment options
822 consistent with the veterinary profession's standard of care and the associated benefits and risks
823 of those options.

824 (26) Failure to release a patient's medical records as required by s. 89.075, Stats.

825 (27) Advertising a specialty or claiming to be a specialist when not a diplomate of a
826 veterinary specialty organization recognized by the AVMA American Board of Veterinary
827 Specialties or by a foreign veterinary specialty organization which, in the opinion of the board, is
828 equivalent to an AVMA American Board of Veterinary Specialists recognized veterinary
829 specialty organization.

830 (28) Failure to provide copies of or information from veterinary records, with or without
831 the client's consent, to the board or to public health, animal health, animal welfare, wildlife or
832 agriculture authorities, employed by federal, state, or local governmental agencies who have a
833 legal or regulatory interest in the contents of said records for the protection of animal or public
834 health.

835 **VE 1.60 Board action.** The board may reprimand the licensee or deny, suspend, limit or
836 revoke a veterinary license or permit under this chapter for cause, including any of the following:

837 (1) Filing an incomplete or fraudulent application, or misrepresenting any information on
838 an application.

839 (2) Violating this chapter or ch. 89, Stats.

840 **SECTION 3.** Ch. VE 2 is created to read:

841 **Chapter VE 2 Veterinary Technicians**

842 Subchapter I – Authority and Definitions

843 VE 2.01 Authority

844 VE 2.02 Definitions
845 Subchapter II – Certification
846 VE 2.04 Certification
847 VE 2.06 Fees for service members, former service members, their spouses
848 VE 2.08 Passing scores
849 VE 2.10 Administrative fees
850 VE 2.12 Renewal of certification
851 VE 2.14 Continuing education; requirements
852 VE 2.16 Continuing education; programs and courses
853 Subchapter III – Standards of Practice and Unprofessional Conduct
854 VE 2.18 Prohibited acts
855 VE 2.20 Change of name and address
856 VE 2.22 Display of certificate
857 VE 2.24 Standards of practice
858 VE 2.26 Unprofessional conduct
859 VE 2.28 Board action

860 **Subchapter I – Authority and Definitions**

861 **VE 2.01 Authority.** The rules in this chapter are adopted by the veterinary examining
862 board pursuant to the authority delegated by ss. 15.08 (5), 89.03 (1), 89.03 (2), and 227.11 (2),
863 Stats.

864 **VE 2.02 Definitions.**

865 (1) “Accredited college or university” means an educational institution that is accredited
866 by a regional or national accrediting agency recognized by the U.S. Department of Education.

867 (2) “Advertising” means to give notice by any means, including but not limited to any
868 circular, card, notice, telephone book listing, magazine, newspaper or other printed material or
869 any electronic medium.

870 (3) “AVMA” means the American veterinary medical association.

871 (4) “Board” means the veterinary examining board.

872 Note: The board office is located at 2811 Agriculture Drive, P.O. Box 8911, Madison,
873 Wisconsin 53708–8911.

874 (5) “Board approved technical school or college” means a technical school or college
875 which the board approves.

876 Note: The board shall consider for approval all schools which are accredited or approved
877 by the American veterinary medical association.

878 (6) “Certificate” means a document issued to a person by the board, after the person has
879 met the requirements of s. 89.06 (3), Stats., signifying that the person has met the statutory
880 requirements to practice veterinary technology in Wisconsin.

881 (7) “Client” means the person who owns or who has primary responsibility for the care of
882 a patient.

883 (8) “Department” means the department of agriculture, trade and consumer protection.

884 (9) “Gross negligence” has the meaning set forth at VE 1.02 (18).

885 (10) “Patient” means an animal that is examined or treated by a veterinarian.

886 (11) “Surgery” has the meaning set forth at VE 1.02 (27).

887 (12) “VTNE” means the veterinary technician national exam.

888 **Subchapter II – Certification**

889 **VE 2.04 Certification.** (1) The board may issue a certificate to practice as a veterinary
890 technician to an applicant who does all of the following:

891 (a) Submits an application form provided by the board which includes the applicant's
892 notarized signature.

893 Note: Applications are available upon request to the board office located at 2811
894 Agriculture Drive, P.O. Box 8911, Madison, WI 53708-8911 or at the website at
895 www.datcp.wi.gov.

896 (b) Meets the age and training requirements of s. 89.06 (3), Stats.

897 (c) Pays one of the following nonrefundable fees as applicable:

898 1. \$115 for an applicant who has never been credentialed in Wisconsin or another
899 jurisdiction.

900 2. \$185 for an applicant who has previously been credentialed in Wisconsin or another
901 jurisdiction.

902 (d) Has successfully completed both the VTNE and an examination on state laws and
903 rules related to the practice of veterinary technology, the results of which shall be submitted
904 directly to the board by the department's office of examinations or the interstate reporting
905 services.

906 (e) Provides verification of licensure records and status which has been sent directly to
907 the board by every state or country in which the applicant has ever held a license or certificate to
908 practice veterinary technology.

909 Note: The board accepts the classification of “veterinary nurse” in other jurisdictions as
910 equivalent to “veterinary technician.”

911 (f) Does not have a conviction record or pending criminal charge relating to an offense
912 the circumstances of which substantially relate to the practice of veterinary technology. An
913 applicant who has a conviction record or pending criminal charge shall request appropriate
914 authorities to provide information about the record or charge directly to the board in sufficient
915 specificity to enable the board to make a determination.

916 (g) Provides all supporting documents in English.

917 (2) The board shall review its records to determine eligibility of the applicant. Within 30
918 business days of determining an applicant is eligible for certification, the board shall issue a
919 certificate to the applicant.

920 (3) The board the board shall inquire as to whether the applicant is competent to practice
921 as a veterinary technician in this state and shall impose any reasonable conditions on instatement
922 of the certificate, including reexamination, as the board deems appropriate, if any of the
923 following apply:

924 (a) The applicant has not previously been certified in any jurisdiction and passed the
925 VTNE more than 5 years ago.

926 (b) The applicant was previously certified in Wisconsin or another jurisdiction and has
927 not been certified in any jurisdiction for more than 5 years.

928 (c) The applicant has prior discipline or litigation in another jurisdiction.

929 (d) The applicant has pending discipline or litigation in any jurisdiction.

930 **VE 2.06 Fees for service members, former services members, their spouses.** A person
931 applying for a reciprocal credential under s. 89.073, Wis. Stat., shall pay one of the following
932 nonrefundable fees as applicable:

933 (1) \$40 for a service member or former service member.

934 (2) \$141 for a spouse as defined by s. 89.073 (1) (c).

935 **VE 2.08 Passing scores.** (1) The passing score for veterinary technician applicants on
936 the written national examination shall be based on the board's determination of the level of
937 examination performance required for minimum acceptable competence in the profession. The
938 board shall make the determination after consultation with subject matter experts who have
939 reviewed a representative sample of the examination questions and available candidate
940 performance statistics, and shall set the passing score for the examination at that point that
941 represents minimum acceptable competence in the profession. The board may accept the
942 recommendation of the national examination provider.

943 (2) The passing score for an examination on state laws and rules related to the practice of
944 veterinary technology shall be based on the board's determination of the level of examination
945 performance required for minimum acceptable competence in the profession. The board shall
946 make the determination after consultation with subject matter experts who have reviewed a
947 representative sample of the examination questions and available candidate performance
948 statistics, and shall set the passing score for the examination at that point that represents
949 minimum acceptable competence in the profession.

950 **VE 2.10 Administrative fees.** (1) A person requesting a printed license shall pay a
951 nonrefundable fee of \$10.

952 (2) A person requesting verification of licensure to other states shall pay a nonrefundable
953 fee of \$10.

954 **VE 2.12 Renewal of certification.** A certificate expires if not renewed by January 1 of
955 even-numbered years. A certificate holder who allows the certificate to expire may apply to the
956 board for renewal of the certificate as follows:

957 (1) If the certificate holder applies for renewal of the certificate less than 5 years after its
958 expiration, the certificate shall be renewed upon payment of the renewal fee and fulfillment of 15
959 hours of continuing education required under s. VE 2.14.

960 (2) If the certificate holder applies for renewal of the certificate 5 or more years after its
961 expiration, in addition to requiring the certificate holder to pay the renewal fees, and to fulfill the
962 continuing education hours required under s. VE 2.14, the board shall inquire as to whether the
963 applicant is competent to practice as a veterinary technician in this state and shall impose any
964 reasonable conditions on renewal of the certificate including reexamination, as the board deems
965 appropriate. An applicant under this subsection is presumed to be competent to practice as a
966 veterinary technician in this state if at the time of application for renewal the applicant holds a
967 full unexpired certificate issued by a similar licensing board of another state or territory of the
968 United States or of a foreign country or province whose standards, in the opinion of the board,
969 are equivalent to or higher than the requirements for certification in this state. Notwithstanding
970 any presumptions of competency under this subsection, the board shall require each applicant
971 under this subsection to pass the examination specified under s. VE 2.04 (2).

972 (3) The certificate holder shall pay a nonrefundable renewal fee of \$160.

973 (4) A certificate holder who submits a certificate renewal after January 1 of even
974 numbered years shall pay, in addition to the renewal fee under sub. (3), a nonrefundable late fee
975 of \$25.

976 **VE 2.14 Continuing education; requirements.** (1) (a) Except as provided in subs. (2)
977 and (3), a veterinary technician shall complete at least 15 hours of continuing education pertinent
978 to veterinary medicine or veterinary technology in each biennial renewal period. The 15 hours of
979 continuing education shall include all of the following:

980 1. At least 10 hours of continuing education that relates to scientific topics pertinent to
981 veterinary medicine.

982 (b) All 15 continuing education hours required in this subsection shall be documented. A
983 minimum of 12 hours of continuing education shall be documented by an approved continuing
984 education provider.

985 (c) A continuing education hour shall consist of 50 minutes of contact time.

986 (2) Subsection (1) does not apply to an applicant who applies to renew a certificate that
987 expires on the first expiration date after the initial issuance of the certificate.

988 (3) The board may waive the requirements under sub. (1) if it finds that exceptional
989 circumstances, such as prolonged illness, disability, or other similar circumstances, have
990 prevented an applicant from meeting the requirements.

991 (4) Continuing education hours shall be completed during the preceding 2-year
992 certification period.

993 (5) To obtain credit for completion of continuing education hours, a certificate holder
994 shall, at the time of each renewal, sign a statement saying that he or she has completed, during
995 the preceding 2-year certification period, the continuing education programs required under sub.
996 (1).

997 (6) A veterinary technician who fails to complete the continuing education requirements
998 by the renewal date shall not practice as a veterinary technician until his or her certificate is
999 renewed.

1000 (7) For auditing purposes, every veterinary technician shall maintain records of
1001 continuing education hours for at least 5 years from the date the certification statement required
1002 under sub (5) is signed. The board may audit for compliance by requiring a veterinary technician

1003 to submit evidence of compliance to the board for the biennium immediately preceding the
1004 biennium in which the audit is performed. Documentation of completion of continuing education
1005 hours shall include one of the following:

1006 (a) A certificate of attendance from an approved course provider.

1007 (b) A grade report or transcript from an accredited college or university.

1008 (c) A copy of a published work authored or co-authored by the licensee.

1009 (d) A copy of a meeting syllabus, announcement, abstract or proceeding for a
1010 presentation.

1011 (f) A signed document from an internship or residency institution certifying enrollment in
1012 a program.

1013 **VE 2.16 Continuing education; programs and courses. (1) CRITERIA FOR**
1014 **PROGRAMS AND COURSE APPROVAL.** To be approved, a continuing education program or
1015 course shall meet the following criteria:

1016 (a) The subject matter of the program or course shall be pertinent to veterinary
1017 technology.

1018 (b) The program or course sponsor agrees to record registration and furnish a certificate
1019 of attendance to each participant.

1020 (2) UNRELATED SUBJECT MATTER. If a continuing education course includes
1021 subject matter that is not pertinent to veterinary technology, only those portions of the course that
1022 relate to veterinary technology will qualify as continuing education under this chapter.

1023 (3) MODALITIES AND METHODS OF DELIVERY. Modalities and methods of
1024 delivery of continuing education programs acceptable to the board include one or more of the
1025 following:

1026 (a) Attendance at a scientific workshop, seminar, or laboratory demonstration pertinent to
1027 veterinary technology.

1028 (b) Enrollment in graduate or other college level courses pertinent to veterinary
1029 technology. Credit for qualified courses will be approved on the basis of multiplying each
1030 college credit hour by 10.

1031 (c) Enrollment in an internship, residency or certification program approved by a
1032 veterinary specialty organization recognized by the AVMA or in an AVMA accredited
1033 veterinary school.

1034 (d) Authorship or co-authorship of a published work, such as review articles, abstracts,
1035 presentations, proceedings, book chapters, and web-based continuing education materials shall
1036 be approved for 5 hours each.

1037 (e) A peer reviewed publication shall be approved for 5 hours.

1038 (f) Development and presentation of research findings, scientific workshops, seminars or
1039 laboratory demonstrations pertinent to veterinary technology shall be approved for 5 contact
1040 hours each.

1041 (g) Up to 8 hours per biennium shall be granted for a combination of continuing
1042 education hours completed under pars. (d) to (f), provided the continuing education is published
1043 or presented under the auspices of a provider approved under sub. (4).

1044 (h) On-line, video, audio, correspondence courses, or other interactive distance learning
1045 courses pertinent to veterinary technology, or to employment as a veterinary technician.

1046 (4) APPROVED PROGRAM PROVIDERS. Subject to compliance with the
1047 requirements set forth in subs. (1) to (3), the board shall approve attendance at and completion of

1048 one or more continuing education programs approved by any one of the following approved
1049 program providers as fulfilling the continuing education hours required under this chapter:

1050 (a) A national, regional, state, or local veterinary medical or veterinary technician
1051 association.

1052 (b) A federal or state agency.

1053 (c) An accredited college or university.

1054 (d) An association listed in the AVMA or the National Association of Veterinary
1055 Technicians in America directory.

1056 (e) An AVMA accredited veterinary school or veterinary technician program.

1057 (f) A program approved by the American Association of Veterinary State Boards through
1058 its Registry of Approved Continuing Education approval program.

1059 (g) A foreign veterinary medical or veterinary technician association, an accredited
1060 college or university, or a governmental agency that is, as determined by the board comparable
1061 to a program provider listed under pars. (a) to (f).

1062 **Subchapter III – Standards of Practice and Unprofessional Conduct**

1063 **VE 2.18 Prohibited acts.** The following acts are limited to veterinarians and therefore
1064 prohibited for veterinary technicians:

1065 (1) Diagnosis and prognosis of animal diseases and conditions.

1066 (2) Prescribing of drugs, medicines, treatments and appliances.

1067 (3) Performing surgery.

1068 **VE 2.20 Change of name and address.** Every veterinary technician shall notify the
1069 board of a change of name or address within 30 days.

1070 **VE 2.22 Display of certificate.** Each veterinary technician shall display a current
1071 certificate in a manner conspicuous to the public view.

1072 **VE 2.24 Standards of practice.** (1) Veterinary technicians may perform delegated
1073 veterinary acts as set forth under s. VE 1.44 (4), (5), (6), and (9).

1074 (2) In the performance of delegated veterinary acts a veterinary technician shall:

1075 (a) Accept only those delegated veterinary acts for which there are mutually approved
1076 protocols, written standing orders or verbal directions.

1077 (b) Accept only those delegated veterinary acts for which the veterinary technician is
1078 competent to perform based on education, training or experience.

1079 (c) Consult with a veterinarian in cases where the veterinary technician knows or should
1080 know a delegated veterinary act may harm a patient.

1081 **VE 2.26 Unprofessional conduct.** The following acts constitute unprofessional conduct
1082 by a veterinary technician and are prohibited:

1083 (1) Unprofessional conduct under s. 89.07 (1), Wis. Stat.

1084 (2) Performing as a veterinary technician unless supervised as specified under s. VE 1.44
1085 (4), (5), (6), and (9).

1086 (3) Misrepresentation in obtaining a veterinary technician certificate or in performing as
1087 a veterinary technician.

1088 (4) Conduct in the practice of veterinary technology which evidences a lack of
1089 knowledge or ability to apply professional principles or skills.

1090 (5) Gross negligence while performing as a veterinary technician.

1091 (6) The personal use, misuse or sale other than for medical treatment of patients, of drugs
1092 listed in the U.S. controlled substances act of 1970, as amended, or ch. 961, Stats., other than
1093 drugs prescribed by a physician for use by the veterinary technician.

1094 (7) Practicing or attempting to practice while the veterinary technician has a physical or
1095 mental impairment, including impairment related to drugs or alcohol, which is reasonably related
1096 to the applicant's ability to adequately undertake the practice of veterinary technology in a
1097 manner consistent with the safety of a patient or the public.

1098 (8) Being convicted of a crime the circumstances of which substantially relate to the
1099 practice of veterinary technology.

1100 (9) Violating or aiding and abetting the violation of any law or administrative rule
1101 substantially related to the practice of veterinary technology.

1102 (10) Having a veterinary technician certificate limited, suspended or revoked or subject
1103 to any other disciplinary action in another state or U.S. jurisdiction.

1104 (11) Accepting fees for animal health care services from a client.

1105 (12) Practicing under an expired certificate.

1106 (13) Falsely certifying to the board under s. VE 2.14 (5) that the veterinary technician:

1107 (a) Has completed the 15 hours of continuing education required under s. VE 2.14 (1).

1108 (b) Is exempt under s. VE 2.14 (2) from having to complete the 15 hours of continuing
1109 education required under s. VE 2.14 (1).

1110 (14) Advertising a specialty or claiming to be a specialist when not recognized as such
1111 by a veterinary technician specialty academy recognized by the National Association of
1112 Veterinary Technicians in America or by a foreign veterinary technician specialty academy

1113 which, in the opinion of the board, is equivalent to a National Association of Veterinary
1114 Technicians in America recognized veterinary technician specialty academy.

1115 **VE 2.28 Board action.** The board may reprimand the certificate holder or deny, suspend,
1116 limit or revoke a certification under this chapter for cause, including any of the following:

1117 (1) Filing an incomplete or fraudulent application, or misrepresenting any information on
1118 an application.

1119 (2) Violating this chapter or ch. 89, Stats.

1120 **SECTION 4.** Ch. VE 3 is created to read:

1121 **Chapter VE 3 Complaint Procedures**

1122 Subchapter I – Authority and Definitions

1123 3.01 Authority

1124 3.02 Definitions

1125 Subchapter II – Procedures for Informal Complaints

1126 3.04 Scope; kinds of proceedings

1127 3.06 Receiving informal complaints

1128 3.08 Screening

1129 3.10 Unlicensed persons

1130 3.12 Negotiated settlement

1131 3.14 Issuing an administrative warning

1132 3.16 Contents of an administrative warning

1133 3.18 Review of an administrative warning

1134 3.20 Administrative warning review procedures

1135 3.22 Review record

1136	Subchapter III – Procedures for Disciplinary Proceedings
1137	3.24 Scope
1138	3.26 Commencement of disciplinary proceedings
1139	3.28 Pleadings to be captioned
1140	3.30 Complaint
1141	3.32 Service and filing of complaint
1142	3.34 Answer
1143	3.36 Administrative law judge
1144	3.38 Settlements
1145	3.40 Conduct of hearing
1146	3.42 Witness fees and costs
1147	3.44 Record of proceedings, transcripts
1148	3.46 Proposed decision
1149	3.48 Assessment of costs
1150	3.50 Service of proposed decision
1151	3.52 Final decision and order
1152	Subchapter IV – Summary Suspensions and Limitations
1153	3.54 Scope
1154	3.56 Petition for summary suspension or limitation
1155	3.58 Notice of petition to respondent
1156	3.60 Issuance of summary suspension or limitation order
1157	3.62 Contents of summary suspension or limitation order
1158	3.64 Service of summary suspension or limitation order

1159	3.66 Hearing to show cause
1160	3.68 Delegation
1161	3.70 Commencement of disciplinary proceeding
1162	Subchapter V – Administrative Injunctions
1163	3.72 Scope; kinds of proceedings
1164	3.74 Pleadings to be captioned
1165	3.76 Petition for administrative injunction
1166	3.78 Service and filing of petition
1167	3.80 Answer
1168	3.82 Administrative law judge
1169	3.84 Settlements
1170	3.86 Conduct of public hearing
1171	3.88 Witness fees and costs
1172	3.90 Record of proceedings, transcripts
1173	3.92 Decision
1174	3.94 Service of decision
1175	3.96 Final decision and order

Subchapter I – Authority and Definitions

1177 **3.01 Authority.** The rules in this chapter are adopted by the veterinary examining board
1178 pursuant to the authority in ss. 89.03(1), 227.11 (2) (a) and 227.51 (3), Stats.

1179 **3.02 Definitions.** In this chapter:

1180 (1) “Administrative injunction” means a special order enjoining a person from the
1181 continuation of a practice or use of a title without a credential required under ch. 89, Stats.

1182 (2) "Administrative law judge" means the administrative law judge assigned by the
1183 division to hear a disciplinary proceeding or summary suspension or limitation appeal, on behalf
1184 of the board, or an administrative injunction proceeding on behalf of the department.

1185 (3) "Board" means the veterinary examining board.

1186 (4) "Case advisor" means a member of the board assigned to assist disciplinary counsel in
1187 an investigation of an informal complaint about a credential holder.

1188 (5) "Complainant" means the person who signs a complaint.

1189 (6) "Complaint" means the formal charging of violations against a credential holder in a
1190 disciplinary proceeding.

1191 (7) "Court-ordered injunction" means a judgment and order by a court of competent
1192 jurisdiction enjoining a person from the continuation of a practice or use of a title without a
1193 credential required under ch. 89, Stats.

1194 (8) "Credential" means a license, certification, or permit that is issued under ch. 89, Stats.

1195 (9) "Credential holder" means an individual holding any license, permit, or certificate
1196 granted by the board, or having any right to renew a license, permit, or certificate granted by the
1197 board.

1198 (10) "Department" means the department of agriculture, trade and consumer protection.

1199 (11) "Department counsel" means the department attorney assigned an informal
1200 complaint against any person who may be continuing a practice or use of a title without a
1201 credential required under ch. 89, Stats.

1202 (12) "DHA" means the division of hearings and appeals in the department of
1203 administration.

1204 (13) "Division" means the division of animal health in the department.

1205 (14) "Disciplinary counsel" means the department attorney assigned an informal
1206 complaint against a credential holder.

1207 (15) "Disciplinary proceeding" means an administrative proceeding against a credential
1208 holder for any alleged violations of law constituting misconduct.

1209 (16) "Informal complaint" means any written information submitted to the board or
1210 department by any person, which alleges facts that, if true, warrant action including an
1211 administrative warning, discipline, or an injunction.

1212 (17) "Minor violation" means all of the following:

1213 (a) No significant harm was caused by misconduct of the credential holder.

1214 (b) Continued practice by the credential holder presents no immediate danger to the
1215 public.

1216 (c) If prosecuted, the likely result of prosecution would be a reprimand or a limitation
1217 requiring the credential holder to obtain additional education.

1218 (d) The complaint does not warrant use of prosecutorial resources.

1219 (18) "Misconduct" means a violation of a statute, rule, or regulation related to the
1220 profession or other conduct for which discipline may be imposed under ch. 89, Stats.

1221 (19) "Office" means the office of legal counsel in the department.

1222 (20) "Petition" means a petition for summary license suspension or limitation or a
1223 special order for an administrative injunction.

1224 (21) "Petitioner" means the disciplinary or department counsel.

1225 (22) "Respondent" means a credential holder who is charged in a disciplinary proceeding
1226 or a person who is charged in an administrative injunction proceeding.

1227 (23) “Screening” means preliminary review of complaints to determine the disposition of
1228 any informal complaints.

1229 (24) “Screening committee” means the committee of the board that meets with
1230 disciplinary counsel to determine the disposition of any informal complaints.

1231 (25) “Special order” means an administrative order issued by the department enforced
1232 against a named or identified person.

1233 **Subchapter II – Procedures for Informal Complaints**

1234 **3.04 Scope; kinds of proceedings.** This subchapter governs procedures for investigating
1235 and disposing of informal complaints against credential holders and unlicensed entities before
1236 the board and persons before the department.

1237 **3.06 Receiving informal complaints.** All informal complaints received shall be referred
1238 to the office for filing, screening and, if necessary, investigation.

1239 **3.08 Screening.** Screening for complaints against license holders shall be done by the
1240 board’s screening committee, in consultation with the disciplinary counsel. Considerations in
1241 screening include, but are not limited to:

1242 (1) Whether the person complained against is licensed.

1243 (2) Whether the matter alleged is a violation of any statute, rule, regulation, or standard
1244 of practice.

1245 (3) Whether the matter alleged, if taken as a whole, is either:

1246 (a) Not a violation, so that the matter may be closed;

1247 (b) A minor violation, so that the matter may be disposed of with an administrative
1248 warning; or

1249 (c) Requires further investigation by disciplinary counsel, with assistance by a case
1250 advisor and department staff as assigned.

1251 **3.10 Unlicensed persons.** Department staff shall investigate complaints, and may consult
1252 with the board, concerning any complaint against a person who may be engaged in the practice
1253 of veterinary medicine without holding a credential.

1254 **3.12 Negotiated settlement.** (1) WHEN INITIATED. At the discretion of the disciplinary
1255 counsel, in consultation with the case advisor in assigned matters, or department counsel,
1256 negotiations for settlement may be held prior to the commencement of a disciplinary or
1257 unlicensed practice proceeding. Where the informal complaint investigation reveals undisputed
1258 or clearly ascertainable facts, from documents received, resolution through negotiations is
1259 encouraged.

1260 (2) LIMITATION. Negotiations for settlement shall not be held without the consent of the
1261 credential holder or unlicensed person. No agreement reached between the parties through
1262 negotiations, which imposes discipline upon a credential holder, shall be effective or binding
1263 until the parties stipulate to the agreement in writing, signed by the credential holder and any
1264 representative and disciplinary counsel, for approval by the board in a signed final order.

1265 (3) ORAL STATEMENTS IN NEGOTIATIONS. Oral statements made during negotiations shall
1266 not be introduced into or made part of the record in a disciplinary proceeding.

1267 **3.14 Issuing an administrative warning.** In lieu of commencing disciplinary
1268 proceedings under subch. III or injunction proceedings under subch. IV, the board or department
1269 may issue an administrative warning, after making all of the following findings:

1270 (1) That there is specific evidence of misconduct by the credential holder or unlicensed
1271 person.

1272 (2) That the misconduct is a minor violation of a statute or rule related to the profession
1273 or other conduct for which discipline or an administrative injunction may be imposed.

1274 (3) That issuance of an administrative warning will adequately protect the public.

1275 **3.16 Contents of an administrative warning.**

1276 (1) An administrative warning shall be issued in writing, shall state the findings required
1277 by s. VE 3.12, and include a notice of appeal rights under s. VE 3.16.

1278 (2) An administrative warning may be issued to a credential holder or unlicensed person
1279 by mailing the administrative warning to the last address provided to the department. Service by
1280 mail is complete on the date of mailing. The warning may also be issued by email, if the
1281 credential holder or unlicensed person has given permission to send all notices to a specified
1282 email address. Service by email is complete upon sending.

1283 **3.18 Review of an administrative warning.** A credential holder who has been issued an
1284 administrative warning may make a request in writing for the board to review its issuance within
1285 20 days after the date of mailing or emailing. The request shall be in writing and set forth:

1286 (1) The credential holder's name and address.

1287 (2) The reason for requesting a review.

1288 **3.20 Administrative warning review procedures.** The procedures for an administrative
1289 warning review are:

1290 (1) Within 45 calendar days of receipt of a request for review, the board shall notify the
1291 credential holder of the time and place of the review.

1292 (2) No discovery is permitted. A credential holder may inspect records under s. 19.35,
1293 Stats., the public records law.

1294 (3) The board shall preside over the appeal and the review shall be electronically
1295 recorded.

1296 (4) The board shall provide the credential holder with an opportunity to make a personal
1297 appearance before it and present a statement. The board may request the disciplinary counsel to
1298 appear and present a statement on issues raised by the credential holder. The board may establish
1299 a time limit for making a presentation. Unless otherwise determined by the disciplinary
1300 authority, the time for making a personal appearance shall be 20 minutes.

1301 (5) If the credential holder fails to appear for a review, or withdraws the request for a
1302 review, the disciplinary authority may note the failure to appear in the minutes and leave the
1303 administrative warning in effect without further action.

1304 (6) The board may adjourn into closed session to deliberate on the request for review.
1305 Any action taken by the board following deliberation shall be made in open session. The board
1306 shall send the final decision of its review to the credential holder.

1307 **3.22 Review record.** The credential holder may request a copy of the recorded review at
1308 no cost.

1309 **Subchapter III – Procedures for Disciplinary Proceedings**

1310 **3.24 Scope.** This subchapter governs procedures in all disciplinary proceedings against
1311 credential holders before the board.

1312 **3.26 Commencement of disciplinary proceedings.** Disciplinary proceedings commence
1313 when a complaint is served upon the respondent.

1314 **3.28 Pleadings to be captioned.** All pleadings, notices, orders, and other papers filed in
1315 disciplinary proceedings shall be captioned: “BEFORE THE WISCONSIN VETERINARY

1316 EXAMINING BOARD" and shall be entitled: "IN THE MATTER OF DISCIPLINARY
1317 PROCEEDINGS AGAINST _____, RESPONDENT."

1318 **3.30 Complaint.** The disciplinary counsel may make a complaint upon information and
1319 belief and it shall contain:

1320 (1) The name and address of the licensee complained against and the name and address
1321 of the complainant.

1322 (2) A short statement in plain language of the cause for disciplinary action identifying
1323 with reasonable particularity the transaction, occurrence or event out of which the cause arises
1324 and specifying the statute, rule or other standard alleged to have been violated.

1325 (3) A request in essentially the following form: "Wherefore, the complainant demands
1326 that the board hear evidence relevant to matters alleged in this complaint, determine and impose
1327 the discipline warranted, and assess the costs of the proceeding against the respondent."

1328 (4) The signature of the complainant.

1329 **3.32 Service and filing of complaint.**

1330 (1) The complaint and other papers may be served on a respondent by mailing a copy of
1331 the paper to the respondent at the last known address of the respondent, by any procedure
1332 described in s. 801.14 (2), Stats., or by electronic transmission if agreed to by the respondent or
1333 respondent's authorized representative. Service by mail is complete upon mailing.

1334 (2) Any paper required to be filed with the board may be mailed to the board's office
1335 and, if an administrative law judge has been designated to preside in the matter, to the
1336 administrative law judge and shall be deemed filed on the date of the postmark. Materials
1337 submitted by personal service or by inter-departmental mail shall be considered filed on the date
1338 they are received at the board's office or by the administrative law judge. Papers required to be

1339 filed may instead be filed and served by electronic mail or facsimile transmission. For materials
1340 transmitted by electronic mail, the filing date shall be the date that the electronic mail was sent.
1341 For materials transmitted by facsimile, the date received shall determine the date of filing.

1342 **3.34 Answer.**

1343 (1) An answer to a complaint shall state in short and plain terms the defenses to each
1344 cause asserted and shall admit or deny the allegations upon which the complainant relies. If the
1345 respondent is without knowledge or information sufficient to form a belief as to the truth of the
1346 allegation, the respondent shall so state and this has the effect of a denial. Denials shall fairly
1347 meet the substance of the allegations denied. The respondent shall make denials as specific
1348 denials of designated allegations or paragraphs but if the respondent intends in good faith to deny
1349 only a part or a qualification of an allegation, the respondent shall specify so much of it as true
1350 and material and shall deny only the remainder.

1351 (2) The respondent shall set forth affirmatively in the answer any matter constituting an
1352 affirmative defense.

1353 (3) Allegations in a complaint are admitted when not denied in the answer.

1354 (4) An answer to a complaint shall be filed within 20 days from the date of service of the
1355 complaint.

1356 **3.36 Administrative law judge.**

1357 (1) DESIGNATION. The board may request DHA assign an administrative law judge to
1358 preside over any disciplinary proceeding.

1359 (2) AUTHORITY AND DUTIES. An administrative law judge may, on behalf of the board,
1360 do all of the following:

- 1361 (a) Gain permission from parties for service of all documents to be via electronic
1362 transmission, or other means if necessary.
- 1363 (b) Require parties to clarify positions or issues.
- 1364 (c) Hold prehearing conferences and issue memoranda for the record, summarizing all
1365 actions taken and agreements reached.
- 1366 (d) Make procedural rulings and issue scheduling orders, including for motions, date,
1367 time and location of hearing, discovery, identification of witnesses and evidence for hearing,
1368 stipulations by the parties for hearing and other matters aiding in the orderly disposition of the
1369 proceedings.
- 1370 (e) Hold motion hearings and make rulings on said motions.
- 1371 (f) Adjourn or postpone proceedings.
- 1372 (g) Grant continuances or extensions of time.
- 1373 (h) Issue subpoenas to compel witness attendance and document production.
- 1374 (i) Regulate discovery proceedings, and issue orders to compel or limit discovery.
- 1375 (j) Select the location of the hearing.
- 1376 (k) Preside over hearings and regulate the course of hearings.
- 1377 (L) Administer oaths and affirmations.
- 1378 (m) Make evidentiary rulings and receive relevant evidence.
- 1379 (n) Impose sanctions on disobedient parties.
- 1380 (o) Require or permit the parties to file written briefs and arguments.
- 1381 (p) Supervise the required creation of a stenographic or electronic record of the portion of
1382 the proceedings conducted under the auspices of the administrative law judge.

1383 (q) If required, order and supervise the preparation of a written transcript of proceedings
1384 conducted before the administrative law judge.

1385 (r) Issue proposed decisions.

1386 (2) Limits on authority. The administrative law judge may not exercise any authority
1387 reserved to the board.

1388 (3) Impartiality.

1389 (a) An administrative law judge shall withdraw from a contested case if the
1390 administrative law judge determines that there is a conflict of interest or other circumstance
1391 which prevents the administrative law judge from acting impartially, or which creates an undue
1392 appearance of bias.

1393 (b) If an administrative law judge receives an ex parte communication which violates s.
1394 227.50 (1), Stats., the administrative law judge shall deal with the ex parte communication as
1395 provided in s. 227.50 (2), Stats. (3)

1396 **3.38 Settlements.** At any point in a proceeding, the parties may agree to settle the case.
1397 Parties wishing to settle a case shall file both a written stipulation, signed by the respondent and
1398 any representative and disciplinary counsel, setting forth the agreed terms of settlement, and a
1399 proposed final order disposing of the case, for approval by the board. No stipulation disposing of
1400 a complaint shall be effective or binding in any respect until approved by the board in a signed
1401 final order.

1402 **3.40 Conduct of hearing.**

1403 (1) RECORD. An electronic or stenographic recording shall be made of all hearings in
1404 which the testimony of a witness is offered as evidence.

1405 (2) EVIDENCE. The respondent shall have the right to appear in person or by counsel, and
1406 both parties have the right to call, examine, and cross-examine witnesses and to introduce
1407 evidence into the record.

1408 (3) A hearing, or any portion of a hearing, may be held by telephone or video-conference if the
1409 administrative law judge determines that this method is justified for the convenience of any party or
1410 witness, and that no party is unfairly prejudiced by this method. The party calling a witness to testify by
1411 telephone or video-conference shall notify the administrative law judge before the hearing to allow for
1412 making the necessary arrangements and is responsible for providing the witness with a complete set of
1413 numbered copies of all exhibits.

1414 (3) BRIEFS. The administrative law judge may require or permit the filing of briefs.

1415 (4) MOTIONS. All motions, except those made at hearing, shall be in writing, filed by the
1416 date set by the administrative law judge, and a copy served upon the opposing party. If no date
1417 is set by the administrative law judge all motions shall be filed 10 business days before hearing.

1418 (5) SUMMARY JUDGMENT. The parties may use the summary judgment procedure
1419 provided in s. 802.08, Stats.

1420 (6) ADJOURNMENTS. The administrative law judge may, for good cause, grant
1421 continuances, adjournments and extensions of time.

1422 (7) SUBPOENAS.

1423 (a) Subpoenas for the attendance of any witness at a hearing in the proceeding may be
1424 issued in accordance with s. 885.01, Stats. Service shall be made in the manner provided in
1425 s. 805.07 (5), Stats. A subpoena may command the person to whom it is directed to produce the
1426 books, papers, documents, or tangible things designated therein.

1427 (b) An administrative law judge may issue protective orders according to the provision
1428 the provisions of s. 805.07, Stats.

1429 **3.42 Witness fees and costs.** Witnesses subpoenaed at the request of the disciplinary
1430 counsel shall be entitled to compensation from the state for attendance and travel as provided
1431 in ch. 885, Stats.

1432 **3.44 Record of proceedings, transcripts.**

1433 **(1) RECORD OF ORAL PROCEEDINGS.** Oral proceedings in a disciplinary proceeding shall
1434 be electronically recorded unless the administrative law judge determines that a stenographic
1435 record is required.

1436 **(2) ELECTRONIC RECORDING; COPIES.** If an oral proceeding in a contested case is
1437 electronically recorded, a copy of the recording shall be furnished at cost to any party who
1438 requests a copy.

1439 **(3) STENOGRAPHIC RECORDING; COPIES.** (a) If a stenographic recording is made, the
1440 reporting service who records the proceeding may charge a fee for an original transcription and
1441 for copies. Fees are identified in the state operational purchasing bulletin for reporting services
1442 and fees allowed to be charged.

1443 Note: Purchasing bulletins may be obtained through the State Bureau of Procurement, PO
1444 Box 7867, Madison WI 53707-7867, call (800) 482-7813 or email doawispro@wisconsin.gov.

1445 (b) A person who is without means and who requires a transcript for appeal or other
1446 reasonable purposes shall be furnished with a transcript without charge upon the filing of a
1447 petition of indigency signed under oath.

1448 **3.46 Proposed decision.** The administrative law judge shall prepare a proposed decision
1449 for consideration by the board. The proposed decision shall include proposed findings of fact,
1450 conclusions of law, and a final order, with a signed opinion explaining the proposed decision.

1451 **3.48 Assessment of costs.**

1452 (1) The proposed decision shall include a recommendation whether all or part of the
1453 costs of the proceeding shall be assessed against the respondent.

1454 (2) If a respondent objects to the recommendation that costs be assessed, objections to
1455 the assessment of costs shall be filed at the same time as other objections to the proposed
1456 decision.

1457 (3) When costs are imposed, the administrative law judge shall file a supporting
1458 affidavit with the proposed decision, listing costs incurred to be paid by the respondent. Within
1459 20 days, the disciplinary counsel shall file a supporting affidavit showing costs incurred. The
1460 respondent shall file any objection to the affidavits within 15 days after service of the
1461 disciplinary counsel's affidavit.

1462 **3.50 Service of proposed decision.** The administrative law judge shall deliver the
1463 proposed decision, with a copy of the record including the electronic recording of the
1464 proceedings, to the board. The administrative law judge shall serve the proposed decision on the
1465 parties, in the manner agreed to by the parties. Each proposed decision shall contain a notice
1466 providing each party, adversely affected by the proposed decision, with an opportunity to file
1467 objections and written argument with the board. A party adversely affected by a proposed
1468 decision shall have 20 days from the date of service of the proposed decision to file objections
1469 and argument.

1470 Note: Objections may be electronically filed at datcpveb@wisconsin.gov or mailed to the
1471 Wisconsin Veterinary Examining Board, PO Box 8911, Madison, WI 53708-8911.

1472 **3.52 Final decision and order.** After the time expires for filing all objections to the
1473 proposed decision and order, including assessment of costs, the board shall meet to make a final
1474 decision and order in a disciplinary proceeding. The final decision and order shall include a

1475 determination whether all or part of the costs of the proceeding shall be assessed against the
1476 respondent. If the final decision varies from the administrative law judge's proposed decision,
1477 the final decision shall explain the reasons for all variations.

1478 **Subchapter IV – Summary Suspensions and Limitations**

1479 **3.54 Scope.** This subchapter governs procedures in all summary suspension or limitation
1480 proceedings against credential holders before the board.

1481 **3.56 Petition for summary suspension or limitation.**

1482 (1) The disciplinary counsel shall petition the board for a summary suspension or
1483 limitation. The petition shall state the name and credential status of the respondent, and an
1484 assertion of the facts establishing that the respondent has engaged in or is likely to engage in
1485 conduct such that the public health, safety or welfare imperatively requires summary suspension
1486 or limitation of the respondent's credential.

1487 (2) The petitioner shall sign the petition upon oath and make the petition upon
1488 information and belief or by affidavit of another person with knowledge of the necessary facts to
1489 sustain the petition.

1490 **3.58 Notice of petition to respondent.** Prior to presenting the petition, the petitioner
1491 shall give notice to the respondent and respondent's authorized representative of the time and
1492 place when the petition will be presented to the board. Notice may be given by mailing a copy of
1493 the petition and notice to the last-known address of the respondent as indicated in the records of
1494 the board, pursuant to s. 227.44 (1), Stats. Notice by mail is complete upon mailing. Notice may
1495 also be given by electronic transmission if agreed to by the respondent or authorized
1496 representative.

1497 **3.60 Issuance of summary suspension or limitation order.**

1498 (1) If the board finds that notice has been given under s. VE 3.58 and finds probable
1499 cause to believe that the respondent has engaged in or is likely to engage in conduct such that the
1500 public health, safety or welfare imperatively requires emergency suspension or limitation of the
1501 respondent's license, the board may issue an order for summary suspension or limitation. The
1502 order may be issued at any time prior to or subsequent to the commencement of a disciplinary
1503 proceeding under s. VE 3.26.

1504 (2) The petitioner may establish probable cause under sub. (1), by affidavit or other
1505 evidence.

1506 (3) The summary suspension or limitation order shall be effective upon service, under s.
1507 VE 3.62, or upon actual notice of the summary suspension or limitation order to the respondent
1508 or respondent's attorney, whichever is sooner. The order shall continue through the effective date
1509 of the final decision and order made in the disciplinary proceeding against the respondent, unless
1510 the credential is restored or the limitation is lifted under s. VE 3.64 or the disciplinary proceeding
1511 is otherwise terminated.

1512 **3.62 Contents of summary suspension or limitation order.** The summary suspension
1513 or limitation order shall include all of the following:

1514 (1) The manner in which the respondent or the respondent's attorney was notified of the
1515 petition for summary suspension or limitation.

1516 (2) The identification of all witnesses providing evidence at the time the petition for
1517 summary suspension or limitation was presented and identification of the evidence used as a
1518 basis for the decision to issue the summary suspension or limitation order.

1519 (3) A finding that the public health, safety or welfare imperatively requires emergency
1520 suspension or limitation of the respondent's credential.

1521 (4) A statement that the suspension or limitation order is in effect and continues until the
1522 effective date of a final order and decision in the disciplinary proceeding against the respondent,
1523 unless otherwise ordered by the board.

1524 (5) A statement of the respondent's right to request a hearing at any time to show cause
1525 why the summary suspension or limitation order should not be continued, with the board's office
1526 mailing address or email address where a request for hearing may be filed.

1527 (6) A statement that the hearing to show cause shall be scheduled for hearing on a date
1528 within 20 days of receipt by the board of respondent's request for hearing, unless a later time is
1529 requested by or agreed to by the respondent.

1530 **3.64 Service of summary suspension or limitation order.** An order of summary
1531 suspension or limitation shall be served upon the respondent by mail or by email if agreed to by
1532 respondent or respondent's attorney.

1533 **3.66 Hearing to show cause.**

1534 (1) A hearing to show cause shall be scheduled for a date no later than 20 days after the
1535 filing of the request for hearing with the board, unless a later time is requested by or agreed to by
1536 the respondent.

1537 (2) Unless the parties otherwise agree, no discovery is permitted, except for the taking
1538 and preservation of evidence as provided in ch. 804, Stats., with respect to witnesses described in
1539 s. 227.45 (7) (a) to (d), Stats. A respondent may inspect records under s. 19.35, Stats., the public
1540 records law.

1541 (3) At the hearing to show cause, the disciplinary counsel may call, examine and cross-
1542 examine witnesses, or present other evidence in order sustain its burden to show, by a
1543 preponderance of the evidence, why the summary suspension or limitation order should be

1544 continued. The respondent may testify, call, examine and cross-examine witnesses, and offer
1545 other evidence to rebut disciplinary counsel's showing.

1546 (4) Immediately upon conclusion of the hearing to show cause the board shall make
1547 findings and an order on the record. If it is determined that the summary suspension or limitation
1548 order should not be continued, the suspended credential shall be immediately restored, and any
1549 limitation shall be lifted.

1550 **3.68 Delegation.**

1551 (1) The board may delegate authority to preside over and rule in a hearing to show cause
1552 to an administrative law judge employed by the division.

1553 (2) A delegation of authority under subs. (1) may be continuing.

1554 **3.70 Commencement of disciplinary proceeding.**

1555 (1) A complaint, under s. VE 3.26, commencing a disciplinary proceeding against the
1556 respondent shall be issued no later than 20 days following the issuance of the summary
1557 suspension or limitation order or the suspension or limitation shall lapse at the end of the tenth
1558 day. The formal disciplinary proceeding shall be determined promptly.

1559 (2) If at any time the disciplinary proceeding is not advancing with reasonable
1560 promptness, the respondent may make a motion to the administrative law judge for an order
1561 granting relief.

1562 (3) If it is found that the disciplinary proceeding is not advancing with reasonable
1563 promptness, and the delay is not as a result of the conduct of respondent or respondent's counsel,
1564 a remedy, as would be just, shall be granted including:

1565 (a) An order immediately terminating the summary suspension or limitation.

1566 (b) An order compelling that the disciplinary proceeding be held and determined by a
1567 specific date.

1568 **Subchapter V – Administrative Injunctions**

1569 **3.72 Scope; kinds of proceedings.** This subchapter governs procedures for public
1570 hearings before the department to determine whether a person has engaged in a practice or used a
1571 title without a credential required under ch. 89, Stats., and issue a special order for an
1572 administrative injunction

1573 **3.74 Pleadings to be captioned.** All pleadings, notices, orders, and other papers filed in
1574 an administrative injunction proceeding shall be captioned: "BEFORE THE DEPARTMENT OF
1575 AGRICULTURE, TRADE AND CONSUMER PROTECTION" and shall be entitled: "IN THE
1576 MATTER OF A PETITION FOR A SPECIAL ORDER TO ENJOIN _____,
1577 RESPONDENT."

1578 **3.76 Petition for administrative injunction.** Department counsel, on behalf of the
1579 division, may petition for a special order from the department to issue an administrative
1580 injunction, which shall allege that a person has engaged in a practice or used a title without a
1581 credential required under ch. 89, Stats. A petition may be made on information and belief and
1582 shall contain:

1583 (1) The name and address of the respondent and the name and address of the department
1584 attorney who is prosecuting the petition.

1585 (2) A short statement in plain language of the basis for the belief that the respondent has
1586 engaged in a practice or used a title without a credential required under ch. 89, Stats., and
1587 specifying the statute or rule alleged to have been violated.

1588 (3) A request in essentially the following form: "Wherefore, the petitioner requests that a
1589 public hearing be held and that the department issue a special order enjoining the person from the
1590 continuation of the practice or use of the title."

1591 (4) The signature of the petitioner.

1592 **3.78 Service and filing of petition.**

1593 (1) The petition and other papers required to be served on a respondent may be served by
1594 mailing a copy of the paper to the respondent at the last known address of the respondent, by any
1595 procedure described in s. 801.14 (2), Stats., or by electronic transmission if agreed to by the
1596 respondent or respondent's attorney. Service by mail is complete upon mailing.

1597 (2) Any paper required to be filed with the department may be mailed to the department
1598 secretary's office and, if an administrative law judge has been designated to preside in the
1599 matter, to the administrative law judge and shall be deemed filed on the date of the postmark.
1600 Materials submitted by personal service or by inter-departmental mail shall be considered filed
1601 on the date they are received at the department secretary's office or by the administrative law
1602 judge. Papers required to be filed may instead be filed and served by facsimile transmission or by
1603 electronic mail. For materials transmitted by facsimile, the date received shall determine the date
1604 of filing. For materials transmitted by electronic mail, the filing date shall be the date that the
1605 electronic mail was sent.

1606 **3.80 Answer.**

1607 (1) An answer to a petition shall state in short and plain terms the defenses to each cause
1608 asserted and shall admit or deny the allegations upon which the complainant relies. If the
1609 respondent is without knowledge or information sufficient to form a belief as to the truth of the
1610 allegation, the respondent shall so state and this has the effect of a denial. Denials shall fairly

1611 meet the substance of the allegations denied. The respondent shall make denials as specific
1612 denials of designated allegations or paragraphs but if the respondent intends in good faith to deny
1613 only a part or a qualification of an allegation, the respondent shall specify so much of it as true
1614 and material and shall deny only the remainder.

1615 (2) The respondent shall set forth affirmatively in the answer any matter constituting an
1616 affirmative defense.

1617 (3) Allegations in a petition are admitted when not denied in the answer.

1618 (4) An answer to a petition shall be filed within 20 days from the date of service of the
1619 petition.

1620 **3.82 Administrative law judge.**

1621 (1) DESIGNATION. The department may request DHA assign an administrative law judge
1622 to preside over any administrative injunction proceeding.

1623 (2) AUTHORITY AND DUTIES. An administrative law judge may, on behalf of the
1624 department, do all of the following:

1625 (a) Gain permission from parties for service of all documents to be via electronic
1626 transmission, or other means if necessary.

1627 (b) Require parties to clarify positions or issues.

1628 (c) Hold prehearing conferences and issue memoranda for the record, summarizing all
1629 actions taken and agreements reached.

1630 (d) Make procedural rulings and issue scheduling orders, including for motions, date,
1631 time and location of hearing, discovery, identification of witnesses and evidence for hearing,
1632 stipulations by the parties for hearing and other matters aiding in the orderly disposition of
1633 the proceedings.

- 1634 (e) Hold motion hearings.
- 1635 (f) Adjourn or postpone proceedings.
- 1636 (g) Grant continuances or extensions of time.
- 1637 (h) Issue subpoenas to compel the witness attendance and document production.
- 1638 (i) Regulate discovery proceedings, and issue orders to compel or limit discovery.
- 1639 (j) Select the location of the hearing.
- 1640 (k) Preside over hearings and regulate the course of hearings.
- 1641 (L) Administer oaths and affirmations.
- 1642 (m) Make evidentiary rulings and receive relevant evidence.
- 1643 (n) Impose sanctions on disobedient parties.
- 1644 (o) Require or permit the parties to file written briefs and arguments.
- 1645 (p) Supervise the required creation of a stenographic or electronic record of the portion of
- 1646 the proceedings conducted under the auspices of the administrative law judge.
- 1647 (q) If required, order and supervise the preparation of a written transcript of proceedings
- 1648 conducted before the administrative law judge.
- 1649 (r) Issue proposed decisions.
- 1650 (s) Issue final decisions and orders, if requested by the department.
- 1651 (2) Limits on authority. The administrative law judge may not exercise any authority
- 1652 which is reserved to the department, except as delegated in writing under (1) (s).
- 1653 (3) Impartiality.
- 1654 (a) An administrative law judge shall withdraw from a contested case if the
- 1655 administrative law judge determines that there is a conflict of interest or other circumstance

1656 which prevents the administrative law judge from acting impartially, or which creates an undue
1657 appearance of bias.

1658 (b) If an administrative law judge receives an ex parte communication which violates s.
1659 227.50 (1), Stats., the administrative law judge shall deal with the ex parte communication as
1660 provided in s. 227.50 (2), Stats. (3)

1661 **3.84 Settlements.** At any point in a proceeding, the parties may agree to settle the case.
1662 Parties wishing to settle a case shall file both a written stipulation, signed by the respondent and
1663 any representative, and the division representative and department counsel, setting forth the
1664 agreed terms of settlement, and a proposed final order disposing of the case, for approval by the
1665 department. No stipulation disposing of a petition filed under this subchapter shall be effective or
1666 binding in any respect until the final order is approved and signed by the department.

1667 **3.86 Conduct of public hearing.**

1668 (1) RECORD. A stenographic, electronic or other record shall be made of all hearings in
1669 which the testimony of witnesses is offered as evidence.

1670 (2) EVIDENCE. The respondent shall have the right to appear in person or by counsel, and
1671 both parties have the right to call, examine, and cross-examine witnesses and to introduce
1672 evidence into the record.

1673 (3) BRIEFS. The administrative law judge may require or permit the filing of briefs.

1674 (4) MOTIONS. All motions, except those made at hearing, shall be in writing, filed by the
1675 date set by the administrative law judge, with a copy served upon the opposing party.

1676 (5) SUMMARY JUDGMENT. The parties may use the summary judgment procedure
1677 provided in s. 802.08, Stats.

1678 (6) ADJOURNMENTS. The administrative law judge may, for good cause, grant
1679 continuances, adjournments and extensions of time.

1680 (7) SUBPOENAS.

1681 (a) Subpoenas for the attendance of any witness at a hearing in the proceeding may be
1682 issued in accordance with s. 885.01, Stats. Service shall be made in the manner provided in
1683 s. 805.07 (5), Stats. A subpoena may command the person to whom it is directed to produce the
1684 books, papers, documents, or tangible things designated therein.

1685 (b) An administrative law judge may issue protective orders according to the provision
1686 the provisions of s. 805.07, Stats.

1687 **3.88 Witness fees and costs.** Witnesses subpoenaed at the request of the department shall
1688 be entitled to compensation from the state for attendance and travel as provided in ch. 885, Stats.

1689 **3.90 Record of proceedings, transcripts.**

1690 (1) RECORD OF ORAL PROCEEDINGS. Oral proceedings in an administrative injunction
1691 case shall be electronically recorded unless the administrative law judge determines that a
1692 stenographic record is necessary.

1693 (2) ELECTRONIC RECORDING; COPIES. If an oral proceeding in an administrative
1694 injunction case is electronically recorded, a copy of the recording shall be furnished at cost to
1695 any party who requests a copy.

1696 (3) STENOGRAPHIC RECORDING; COPIES. (a) If a stenographic recording is made, the
1697 reporting service who recorded the proceeding may charge a fee for an original transcription and
1698 for copies. Fees are identified in the state operational purchasing bulletin for reporting services
1699 and fees allowed to be charged.

1700 (b) A person who is without means and who requires a transcript for appeal or other
1701 reasonable purposes shall be furnished with a transcript without charge upon the filing of a
1702 petition of indigency signed under oath.

1703 **3.92 Decision.** The administrative law judge shall prepare a proposed decision for
1704 consideration by the department or a final decision, if designated as final decision maker. The
1705 decision, whether proposed or final, shall include findings of fact, conclusions of law, and an
1706 order, with a signed opinion explaining the decision.

1707 **3.94 Service of decision.** The administrative law judge shall deliver the proposed or final
1708 decision, with a copy of the record including the electronic recording of the proceedings, to the
1709 department. The proposed or final decision shall be served by the administrative law judge on the
1710 parties with a notice providing each party adversely affected by the proposed decision with an
1711 opportunity to file objections and written argument with respect to the objections to the
1712 department or to the administrator of DHA, depending on who is the final decision maker. A
1713 party adversely affected by a decision shall have 20 days from the date of service of the proposed
1714 decision to file objections and argument.

1715 **3.96 Final decision and order.** After the time expires for filing all objections to the
1716 proposed decision and order, the department or the administrator of DHA shall make a final
1717 decision and order in the administrative injunction proceeding. If the final decision varies from
1718 the administrative law judge's decision, the final decision shall explain the reasons for all
1719 variations.

1720 **SECTION 5.** Ch. VE 11 is renumbered Ch. VE 4.

1721 **EFFECTIVE DATE.** This rule is effective on the first day of the month commencing after the
1722 date of publication, as provided under Wis. Stat. § 227.22 (2) (intro.).

Dated this _____ day of _____, 2021.

WISCONSIN VETERINARY EXAMINING BOARD

By _____
Hunter Lang, DVM
Chair
Veterinary Examining Board

Wisconsin Veterinary Examining Board

Regulatory Flexibility Analysis

Rule Subject: Veterinarians and Veterinary Technicians
Adm. Code Reference: VE 1 to 11
Rules Clearinghouse #:
DATCP Docket #: 19-R-07

Rule Summary

The proposed rule makes structural changes, minor language changes, and telehealth changes as described below.

Structural Changes

- Consolidates the eleven existing rule chapters into three chapters: one for veterinarians, one for veterinary technicians, and one for the professional assistance program. Consolidation makes the rules easier to access quickly.
- Adds a chapter for relevant complaint procedures that did not transfer in the previous rules from DSPS to DATCP.
- States the current fee amounts in rule. Fee amounts do not change.

Minor Language Changes

- Makes changes regarding procedures and processes.
 - o Removes the word annual from references to the review of colleges and technical schools.
 - o Expands the temporary veterinary permit process to include applicants who are scheduled to take or are awaiting results from the examination on state laws and rules.
 - o Clarifies that applicants for licensure who have previously been licensed in Wisconsin or another jurisdiction must apply by endorsement.
 - o Adds for clarity and consistency a section identifying common situations in which the board may require additional information from an applicant when reviewing an application.
 - o States more clearly that the board may reprimand the licensee or deny, suspend, limit or revoke a credential for cause, including filing an incomplete or fraudulent application, misrepresenting information on an application, or violating the rule chapter or Wis. Stat. ch. 89.
- Makes technical changes and updates.

- Adds the denial of a license to the list of reasons for a temporary veterinary permit to expire.
 - Allows applicants to provide proof of graduation through the American Association of Veterinary State Boards (AAVSB), which allows for electronic submissions using the AAVSB online system.
 - Adds direction in the rules to assure the requirements for access to health care records required in Wis. Stat. s. 89.075 are clear and consistently applied.
 - Removes an obsolete provision regarding continuing education auditing of journal articles read. The Board previously eliminated the ability to self-study journal articles and mistakenly did not also eliminate this provision regarding auditing.
 - Clarifies the continuing education requirements for persons who have not been credentialed for more than 5 years.
 - Adds language to clearly state license exemptions.
- Allows veterinarians to delegate additional veterinary medical acts to certified veterinary technicians and unlicensed assistants.
 - Allows veterinarians to delegate the placement of intravenous catheters to unlicensed assistants under the direct supervision of the veterinarian present on the premises, per requests from stakeholders.
 - Additional changes to the delegation of veterinary medical acts are included in the telehealth section of this summary.
- Makes changes for consistency and ease of use the places in which rule requirements repeat, or refer to requirements in statute.
 - Modifies language regarding unprofessional conduct so that it also refers to Wis. Stat. s. 89.07 (1).
 - Modifies language regarding prescribing and dispensing a veterinary drug to refer to Wis. Stat. s. 89.068 (1) (c) allows.
 - Makes a correction to the delegation of rabies vaccinations to reflect Wis. Stat. s. 95.21 (2) (a).
- Modifies terminology for clarity and consistency.
 - Adds additional definitions and updates existing definitions language for clarity.
 - Renames “temporary permit” to “temporary veterinary permit” and renamed “temporary consulting permit” to “veterinary consulting permit.”
 - Changes language to use the word “dispense” rather than “sell” to be more consistent with statutory language and definitions to make the language clearer and easier to understand.
 - Adds a note clarifying that the board accepts “veterinary nurse” as equivalent to “veterinary technician.”

Telehealth Changes

- Adds definitions related to telehealth.

- Adds definitions related to veterinary consulting and clarifies that a consulting veterinarian or other consultant may not do any of the following:
 - o Visit the patient or client or communicate directly with the client without the knowledge of the attending veterinarian.
 - o Take charge of a case or problem without the consent of the attending veterinarian and the client.

- Clarifies that the practice of veterinary medicine takes place where the animal is located at the time of practice, in alignment with Wis. Stat. §§ 89.05 (1) and 89.02 (6).

- Clarifies that in order to practice veterinary medicine in Wisconsin a veterinarian must be licensed in Wisconsin and have an established veterinary-client-patient relationship (VCPR) with the client. A VCPR must be established via an in person physical exam, or timely medically appropriate visits to the premises on which the patient is kept. It may not be established by telehealth technologies.

- Clarifies that the VCPR, once established, extends to other veterinarians within the practice, or relief veterinarians within the practice, that have access to, and have reviewed, the medical history and records of the animal.

- Clarifies that records must be kept, regardless of the encounter type.

- Clarifies, in accordance with Wis. Stat. § 89.02(8) (c), that an animal owner must be able to easily seek follow-up care or information from the veterinarian who conducts an encounter while using telehealth technologies.

- Expands the delegation of medical services to allow a veterinarian to delegate the following items to a certified veterinary technician (CVT) if the veterinarian is available to communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.
 - o Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
 - o Sample collection via a cystocentesis procedure.
 - o Placement of intravenous catheters.
 - o Suturing of tubes and catheters.
 - o Fine needle aspirate of a mass.

Small Businesses Affected

The proposed rule will directly affect Wisconsin licensed veterinarians and certified veterinary technicians. Most veterinary practices are small businesses. Current fee amounts would not change. Adjustments to make rule language and structure clearer, and to simplify processes where possible, may reduce the burden to each of these affected entities, by making the rules easier to access and understand quickly.

The Board convened a Telehealth Advisory Committee (Committee) to advise the Board in relation to the veterinary telehealth. The Committee was comprised of 13 representatives: 10 veterinarians and 3 certified veterinary technicians. Of the veterinarians, 1 works in large and small animal practice, 3 work in large animal practice, 1 works in equine and small animal practice, and 5 work in small animal practice. The veterinarians included representatives from the Wisconsin Veterinary Medical Association, Sexing Technologies, and the Dairy Business Association.

Reporting, Bookkeeping and other Procedures

The proposed rule does not create any new reporting or bookkeeping requirements. The proposed rule adds a chapter for relevant complaint procedures that did not transfer in the previous rules from DSPTS to DATCP. The proposed rule also makes minor language changes regarding the following procedures and processes:

- Removes the word annual from references to the review of colleges and technical schools.
- Expands the temporary veterinary permit process to include applicants who are scheduled to take or are awaiting results from the examination on state laws and rules.
- Clarifies that applicants for licensure who have previously been licensed in Wisconsin or another jurisdiction must apply by endorsement.
- Adds for clarity and consistency a section identifying common situations in which the board may require additional information from an applicant when reviewing an application.
- States more clearly that the board may reprimand the licensee or deny, suspend, limit or revoke a credential for cause, including filing an incomplete or fraudulent application, misrepresenting information on an application, or violating the rule chapter or Wis. Stat. ch. 89.

Professional Skills Required

The proposed rule does not create any new professional skills requirements.

Accommodation for Small Business

No accommodation for small business will be necessary for the proposed rule. The Board expects the proposed rule to have minimal to no economic impact. No fee amounts will be changed in the proposed rule.

Most veterinary practices are small businesses. The proposed rule's structural changes and minor language changes may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly.

The proposed rule also allows for more use of telehealth technologies than the existing rule. New language regarding telehealth may reduce the economic burden to veterinarians and animal owners, especially in rural areas. The proposed rule expands the delegation of medical services to allow a veterinarian to delegate the following items to a CVT if the veterinarian is available to

communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.

- Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
- Sample collection via a cystocentesis procedure.
- Placement of intravenous catheters.
- Suturing of tubes and catheters.
- Fine needle aspirate of a mass.

Conclusion

The Board expects the proposed rule to have minimal to no economic impact. No fee amounts will be changed in the proposed rule.

Dated this _____ day of _____, 2021.

WISCONSIN VETERINARY EXAMINING BOARD

By _____
Hunter Lang, DVM
Chair
Veterinary Examining Board

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input type="checkbox"/> Original <input checked="" type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 7/1/21
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) VE 1 to 11	
4. Subject Veterinarians and Veterinary Technicians	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.115 (2) (jm)
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input checked="" type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The proposed rule makes structural changes, minor language changes, and telehealth changes as described below.	
Structural Changes <ul style="list-style-type: none">- Consolidates the eleven existing rule chapters into three chapters: one for veterinarians, one for veterinary technicians, and one for the professional assistance program. Consolidation makes the rules easier to access quickly.- Adds a chapter for relevant complaint procedures that did not transfer in the previous rules from DSPS to DATCP.- States the current fee amounts in rule. Fee amounts do not change.	
Minor Language Changes <ul style="list-style-type: none">- Makes changes regarding procedures and processes.<ul style="list-style-type: none">o Removes the word annual from references to the review of colleges and technical schools.o Expands the temporary veterinary permit process to include applicants who are scheduled to take or are awaiting results from the examination on state laws and rules.o Clarifies that applicants for licensure who have previously been licensed in Wisconsin or another jurisdiction must apply by endorsement.o Adds for clarity and consistency a section identifying common situations in which the board may require additional information from an applicant when reviewing an application.o States more clearly that the board may reprimand the licensee or deny, suspend, limit or revoke a credential for cause, including filing an incomplete or fraudulent application, misrepresenting information on an application, or violating the rule chapter or Wis. Stat. ch. 89.	

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- Makes technical changes and updates.
 - o Adds the denial of a license to the list of reasons for a temporary veterinary permit to expire.
 - o Allows applicants to provide proof of graduation through the American Association of Veterinary State Boards (AAVSB), which allows for electronic submissions using the AAVSB online system.
 - o Adds direction in the rules to assure the requirements for access to health care records required in Wis. Stat. s. 89.075 are clear and consistently applied.
 - o Removes an obsolete provision regarding continuing education auditing of journal articles read. The Board previously eliminated the ability to self-study journal articles and mistakenly did not also eliminate this provision regarding auditing.
 - o Clarifies the continuing education requirements for persons who have not been credentialed for more than 5 years.
 - o Adds language to clearly state license exemptions.

- Allows veterinarians to delegate additional veterinary medical acts to certified veterinary technicians and unlicensed assistants.
 - o Allows veterinarians to delegate the placement of intravenous catheters to unlicensed assistants under the direct supervision of the veterinarian present on the premises, per requests from stakeholders.
 - o Additional changes to the delegation of veterinary medical acts are included in the telehealth section of this summary.

- Makes changes for consistency and ease of use the places in which rule requirements repeat, or refer to requirements in statute.
 - o Modifies language regarding unprofessional conduct so that it also refers to Wis. Stat. s. 89.07 (1).
 - o Modifies language regarding prescribing and dispensing a veterinary drug to refer to Wis. Stat. s. 89.068 (1) (c) allows.
 - o Makes a correction to the delegation of rabies vaccinations to reflect Wis. Stat. s. 95.21 (2) (a).

- Modifies terminology for clarity and consistency.
 - o Adds additional definitions and updates existing definitions language for clarity.
 - o Renames “temporary permit” to “temporary veterinary permit” and renamed “temporary consulting permit” to “veterinary consulting permit.”
 - o Changes language to use the word “dispense” rather than “sell” to be more consistent with statutory language and definitions to make the language clearer and easier to understand.
 - o Adds a note clarifying that the board accepts “veterinary nurse” as equivalent to “veterinary technician.”

Telehealth Changes

- Adds definitions related to telehealth.

 - Adds definitions related to veterinary consulting and clarifies that a consulting veterinarian or other consultant may not do any of the following:
 - o Visit the patient or client or communicate directly with the client without the knowledge of the attending veterinarian.
 - o Take charge of a case or problem without the consent of the attending veterinarian and the client.

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- Clarifies that in order to practice veterinary medicine in Wisconsin a veterinarian must be licensed in Wisconsin and have an established veterinary-client-patient relationship (VCPR) with the client. A VCPR must be established via an in person physical exam, or timely medically appropriate visits to the premises on which the patient is kept. It may not be established by telehealth technologies.
- Clarifies that the VCPR, once established, extends to other veterinarians within the practice, or relief veterinarians within the practice, that have access to, and have reviewed, the medical history and records of the animal.
- Clarifies that records must be kept, regardless of the encounter type.
- Clarifies, in accordance with Wis. Stat. § 89.02(8) (c), that an animal owner must be able to easily seek follow-up care or information from the veterinarian who conducts an encounter while using telehealth technologies.
- Expands the delegation of medical services to allow a veterinarian to delegate the following items to a certified veterinary technician (CVT) if the veterinarian is available to communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.
 - o Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
 - o Sample collection via a cystocentesis procedure.
 - o Placement of intravenous catheters.
 - o Suturing of tubes and catheters.
 - o Fine needle aspirate of a mass.

12. 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.

The Board held a preliminary public hearing on SS 125-19 on February 17, 2020, with a written comment period through February 24, 2020. The Board received three comments. All three comments requested that the statement of scope be expanded to address the use of telehealth technologies in the practice of veterinary medicine. One comment also requested that the statement of scope address the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian. This statement of scope for this rule proposal (SS 064-20) includes both of these topics.

The Board held a preliminary hearing on SS 064-20 on August 19, 2020, with a written comment period through August 26, 2020. The Board received three comments. One comment was for information. Two comments expressed support of the scope, both expressed support of including telehealth in the scope, and one also expressed support of including addressing the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian in the scope.

The Board convened a Telehealth Advisory Committee (Committee) to advise the Board in relation to the veterinary telehealth. The Committee was comprised of 13 representatives: 10 veterinarians and 3 certified veterinary technicians. Of the veterinarians, 1 works in large and small animal practice, 3 work in large animal practice, 1 works in equine and small animal practice, and 5 work in small animal practice. The veterinarians included representatives from the Wisconsin Veterinary Medical Association, Sexing Technologies, and the Dairy Business Association. The Department submitted a notice to JCRAR with the names of the Committee members on February 9, 2021. The Committee met on March 4, March 25, and April 8, 2021, to discuss potential veterinary telehealth options.

13. Identify the Local Governmental Units that Participated in the Development of this EIA.
Not applicable.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local

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Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The Board expects the proposed rule to have minimal to no economic impact. No fee amounts will be changed in the proposed rule.

Most veterinary practices are small businesses. The proposed rule's structural changes and minor language changes may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly.

The proposed rule also allows for more use of telehealth technologies than the existing rule. New language regarding telehealth may reduce the economic burden to veterinarians and animal owners, especially in rural areas. The proposed rule expands the delegation of medical services to allow a veterinarian to delegate the following items to a CVT if the veterinarian is available to communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.

- Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
- Sample collection via a cystocentesis procedure.
- Placement of intravenous catheters.
- Suturing of tubes and catheters.
- Fine needle aspirate of a mass.

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

The proposed rule makes changes clarity and ease of use. The fee amounts remain the same but are stated in the proposed rule to make them readily accessible. Restructuring the chapters makes the rules easier to read and reference quickly. Adding a chapter for relevant complaint procedures makes those procedures clearer and more accessible to credential holders and members of the public. Changes and clarifications to procedures and processes, technical changes and updates, delegation of veterinary medical acts, references to relevant statutory requirements, and terminology make the rules more consistent and easier to understand. The proposed rule allows the Board to respond to public interest to address the use of telehealth technologies in veterinary medicine.

Without the proposed rule, the existing rules would remain unnecessarily difficult to understand. The amounts of fees would continue to be unspecified in rule. Current requirements relating to veterinarians and veterinary technicians would remain scattered across multiple rule chapters. Some of the board's procedures and processes would remain unclear. The board would not be able to evaluate technical changes and updates or the delegation of veterinary medical acts. References to relevant statutory requirements would remain inconsistent. Some terminology would continue to be unclear and confusing. The board would also not be able to respond to public interest to address the use of telehealth technologies in veterinary medicine.

16. Long Range Implications of Implementing the Rule

The proposed rule's structural changes and minor language changes may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly. The proposed rule also allows for more use of telehealth technologies than the existing rule.

17. Compare With Approaches Being Used by Federal Government

Pursuant to 9 CFR 160 to 162, a veterinarian must be specifically authorized by the United States Department of Agriculture – Animal and Plant Health Inspection Service to perform animal disease eradication and control functions under federal animal health laws.

Licensure requirements to practice veterinary medicine are established by each state and should not be affected by federal requirements.

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

The structural changes and minor language changes in the proposed rule are unique to Wisconsin rules and make the rules clearer and easier to use. Veterinary telehealth regulations in Wisconsin, Illinois, Iowa, Michigan, and Minnesota are compared below. Regulatory recommendations by the American Association of Veterinary State Boards, the American Veterinary Medical Association, and the Wisconsin Veterinary Medical Association are also included for comparison.

Wisconsin

Under both the existing rule and the proposed rule, a veterinarian must be licensed in Wisconsin in order to practice veterinary medicine and have an established VCPR with the client. A VCPR must be established via an in-person physical exam, or timely medically appropriate visits to the premises on which the patient is kept. It may not be established by telehealth technologies.

The proposed rule clarifies items related to telehealth and also expands the delegation of medical services to allow a veterinarian to delegate the specific items to a CVT if the veterinarian is available to communicate via telehealth technologies within five minutes.

Illinois

In Illinois, a valid VCPR cannot be established solely by telephonic or electronic communications. No further information was provided regarding whether Illinois would allow telehealth to be used if a VCPR was previously established.

Iowa

In Iowa, a valid VCPR cannot be established solely by telephonic or electronic communications. No further information was provided regarding whether Illinois would allow telehealth to be used if a VCPR was previously established.

Michigan

Michigan recently promulgated a new rule related to the practice of veterinary medicine using telehealth technologies, which became effective April 15, 2021. The Michigan rules now require:

- Disclosure of the identity and contact information of the veterinarian providing telehealth services. Licensing information shall be provided upon request.
 - Ensure that the technology method and equipment used to provide telehealth services complies with all current privacy-protection laws.
 - Employ sound professional judgement to determine whether using telehealth is an appropriate method for delivering medical advice or treatment to the animal patient.
 - Have sufficient knowledge of the animal patient to render telehealth services demonstrating by satisfying one of the following:
 - o Have recently examined the animal patient in-person or have obtained current knowledge of the animal patient through the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically.
 - o Have conducted medically appropriate and timely visits to the premises where the group of animal patients is kept.
 - Act within the scope of practice.
 - Exercise the same standard of care applicable to traditional, in-person veterinary care service.
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- Be readily available to the animal patient for follow-up veterinary services or ensure there is another suitable provider available for follow-up care.
- Consent for medical advice and treatment shall be obtained before providing a telehealth service.
- Evidence of consent for medical advice and treatment must be maintained in the animal patient's medical record.
- A veterinarian providing a telehealth service may prescribe a drug if the veterinarian is a prescriber acting within the scope of practice and in compliance.

Minnesota

Minnesota only allows patient-specific telemedicine within a VCPR. A VCPR cannot be established without an in-person examination. A veterinarian licensed in another state can serve as a consultant to the Minnesota veterinarian that holds the VCPR for that patient. The same standards of care apply to services rendered via telemedicine as to in-person visits.

American Association of Veterinary State Boards (AAVSB)

The AAVSB practice act model and AAVSB guidelines for telehealth are both available at <https://www.aavsb.org/board-services/member-board-resources/practice-act-model/>. Regarding the VCPR, the AAVSB practice model act and AAVSB guidelines for telehealth state that:

- Veterinarian-Client-Patient Relationship (VCPR) exists when:
 - o Both the Veterinarian and Client agree for the Veterinarian to assume responsibility for making medical judgments regarding the health of the Animal(s); and
 - o The Veterinarian has sufficient knowledge of the Animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the Animal(s); and
 - o The Veterinarian has provided the client with information for obtaining timely follow up care.
- The AAVSB recommends that each jurisdiction promulgate appropriate regulations clarifying who may be included within the scope of a single VCPR such as a Veterinarian or another Veterinarian within the same practice group with access to medical records. The AAVSB recommends that each jurisdiction promulgate appropriate regulations defining how to establish sufficient knowledge of the Animal(s), including the following:
 - o A recent examination of the Animal or group of Animals, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically; or
 - o Through medically appropriate and timely visits to the premises at which the Animal or group of Animals are kept.
- The AAVSB recommends that each Jurisdiction promulgate appropriate regulations for the Veterinarian to provide instructions to the Client for obtaining follow up care that may include directing the Client to another Veterinarian or emergency clinic. It is essential for the VCPR to be easily established in order to require the Veterinarian to assume accountability for the Veterinary Medical Services rendered. Furthermore, as standards of practice and codes of conduct change over time, it is easier to promulgate new rules incorporating such changes rather than adopting legislative modifications.

American Veterinary Medical Association (AVMA)

AVMA guidelines for the use of telehealth in veterinary practice are available at <https://www.avma.org/sites/default/files/2021-01/AVMA-Veterinary-Telehealth-Guidelines.pdf>. Regarding the VCPR, the AVMA guidelines state that:

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- Having a VCPR in place is critical whenever practicing veterinary medicine, whether practicing in person or remotely using telemedicine. The AVMA Model Veterinary Practice Act, which many governmental bodies use as a guide when establishing or revising laws governing veterinary practice, includes the following definition of the VCPR: The veterinarian-client-patient relationship is the basis for veterinary care. To establish such a relationship the following conditions must be satisfied:
 - o The licensed veterinarian has assumed the responsibility for making medical judgments regarding the health of the patient(s) and the need for medical therapy and has instructed the client on a course of therapy appropriate to the circumstance.
 - o There is sufficient knowledge of the patient(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition(s) of the patient(s).
 - o The client has agreed to follow the licensed veterinarian's recommendations.
 - o The licensed veterinarian is readily available for follow up evaluation or has arranged for:
 - Emergency or urgent care coverage, or
 - Continuing care and treatment has been designated by the veterinarian with the prior relationship to a licensed veterinarian who has access to the patient's medical records and/or who can provide reasonable and appropriate medical care.
 - o The veterinarian provides oversight of treatment.
 - o Such a relationship can exist only when the veterinarian has performed a timely physical examination of the patient(s) or is personally acquainted with the keeping and care of the patient(s) by virtue of medically appropriate and timely visits to the operation where the patient(s) is(are) kept, or both.
 - o Patient records are maintained. Both the licensed veterinarian and the client have the right to establish or decline a veterinarian-client-patient relationship within the guidelines set forth in the AVMA Principles of Veterinary Medical Ethics. A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency or urgent care to a patient when a client cannot be identified, and a veterinarian-client-patient relationship is not established, should not be subject to penalty based solely on the veterinarian's inability to establish a veterinarian-client-patient relationship.

 - Many states have adopted this definition of the VCPR, or a very similar one, as a component of their state veterinary practice act or regulations. In addition, federal law requires a veterinarian to establish a VCPR before undertaking any extra-label drug use in animals, issuing a Veterinary Feed Directive, or the creation and use of certain types of biologics. It is also important for veterinarians to understand that they must comply with the federal law requiring a VCPR under these circumstances, regardless of how a state may ultimately define a VCPR in state law or regulation.

 - Given current technological capabilities, available research, and the existing state and federal regulatory landscape, the AVMA believes veterinary telemedicine should only be conducted within an existing VCPR. An exception may be made for advice given in an emergency until a patient can be seen by a veterinarian. Ultimately, how a state defines the VCPR, the congruence of that state VCPR with federal requirements, and whether or not a VCPR exists in a given situation based on those definitions, determine what services can be offered.

 - Within an established VCPR: A variety of telehealth and telemedicine service models are available to veterinarians and veterinary practices. Client-facing telemedicine services may include use of tools that allow the veterinarian to remotely and securely gather essential patient health information from the animal owner or another caretaker; access the patient's medical records; and conduct a virtual evaluation of the patient through real-time video or transmitted photographs or other data.

 - Without an established VCPR: The veterinarian may provide non-patient-specific advice, but must stay clear of
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ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

diagnosing, prognosis of, or treating patients. Two exceptions may apply: (1) if state law allows a VCPR to be established electronically, the veterinarian has met the requirements for doing so, and activities that would invoke a requirement for adherence to the federal VCPR are not conducted or (2) advice given in an emergency until a patient can be seen by a veterinarian. Non-client electronic communications that include the provision of non-patient-specific advice and general educational content are usually acceptable.

Wisconsin Veterinary Medical Association (WVMA)

WVMA formed a Telehealth Task Force and submitted suggested guidelines to the Board on December 19, 2019. Regarding the VCPR, the WVMA suggested guidelines state that:

- VCPR Required: Veterinary services may only be provided using telehealth technologies where a VCPR is established. If an existing VCPR relationship is present, then telehealth technologies may be used as long as the VCPR is maintained in accordance with Wis. Stat. s. 89.02 (8) and the requirements in this Section. If an existing VCPR relationship is not present, then a veterinarian must take appropriate steps to establish a VCPR consistent with Wis. Stat. s. 89.02 (8) and the requirements in this Section.
- Establishing an Initial VCPR for Telehealth: For purposes of establishing an initial VCPR prior to engaging in the practice of veterinary medicine using telehealth technologies, the veterinarian must meet the requirements of Wis. Stat. s. 89.02 (8) and:
 - o For livestock, (food and fiber animals), the veterinarian must have either conducted an in-person physical examination of the patient or must have visited the premises on which the patient is kept at least once in the immediate six (6) months prior to engaging in any telehealth treatment or services.
 - o For companion animals and equine animals, the veterinarian must have conducted an in-person physical examination of the patient at least once in the immediate six (6) months prior to engaging in any telehealth treatment or services.
- Maintaining a VCPR for Telehealth: Once a VCPR is established, for purposes of maintaining that VCPR and engaging in the ongoing practice of veterinary medicine using telehealth technologies, the veterinarian must meet the requirements of Wis. Stat. s. 89.02 (8) and:
 - o For livestock (food and fiber animals), the veterinarian must either conduct an in-person physical examination of the patient or must visit the premises on which the patient is kept at least once every six (6) months.
 - o For companion animals and equine animals, the veterinarian must conduct an in-person physical examination of the patient at least once every twelve (12) months.

19. Contact Name
Angela Fisher

20. Contact Phone Number
608-224-4890

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)

The Board expects the proposed rule to have minimal to no economic impact. No fee amounts will be changed in the proposed rule.

Most veterinary practices are small businesses. The proposed rule's structural changes and minor language changes may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly.

The proposed rule also allows for more use of telehealth technologies than the existing rule. New language regarding telehealth may reduce the economic burden to veterinarians and animal owners, especially in rural areas. The proposed rule expands the delegation of medical services to allow a veterinarian to delegate the following items to a CVT if the veterinarian is available to communicate via telehealth technologies within five minutes. Under current rules, these items may only be delegated to a CVT if the veterinarian is personally present on the premises.

- Performing diagnostic radiographic awake contrast studies not requiring general anesthesia.
- Sample collection via a cystocentesis procedure.
- Placement of intravenous catheters.
- Suturing of tubes and catheters.
- Fine needle aspirate of a mass.

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

The proposed rule will directly affect Wisconsin licensed veterinarians and certified veterinary technicians. Most veterinary practices are small businesses. Current fee amounts would not change. Adjustments to make rule language and structure clearer, and to simplify processes where possible, may reduce the burden to each of these affected entities, by making the rules easier to access and understand quickly.

The Board convened a Telehealth Advisory Committee (Committee) to advise the Board in relation to the veterinary telehealth. The Committee was comprised of 13 representatives: 10 veterinarians and 3 certified veterinary technicians. Of the veterinarians, 1 works in large and small animal practice, 3 work in large animal practice, 1 works in equine and small animal practice, and 5 work in small animal practice. The veterinarians included representatives from the Wisconsin Veterinary Medical Association, Sexing Technologies, and the Dairy Business Association.

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

The proposed rule's structural changes and minor language changes may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly. The

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

proposed rule also allows for more use of telehealth technologies than the existing rule.

5. Describe the Rule's Enforcement Provisions

The proposed rule does not makes changes to enforcement.

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

Yes No

**Summary of Public Comments
Statement of Scope SS 064-20
Chapters VE 1-11**

**Permanent Rule Regarding Licensing, Practice Scope, and Standards of Practice for Veterinarians and
Veterinary Technicians**

**Statement of Scope Preliminary Public Hearing
Teleconference, 2:00 pm, August 19, 2020**

Name/Organization	Position	Summary of Comments
Chris Stokes, Sanimax	For Information	- Asked whether the administration of drugs includes euthanasia drugs.
John Holevoet, Dairy Business Association	Support	- Excited about the prospect of this rule being undertaken and appreciate the department's work on this matter. - Sees this as an opportunity for telehealth. - Optimistic that the end result will be a rule that provides more flexibility for farmers and veterinarians.

**Statement of Scope Preliminary Public Comment Period
Written Comments Received through August 26, 2020**

Name/Organization	Position	Summary of Comments
Jordan Lamb on behalf of the Wisconsin Veterinary Medical Association (WVMA)	Support	- Supports the scope to revise and reorganize VE 1-11. - Supports that the scope has been revised to clearly allow the VEB to: (1) develop an administrative rule to address the use of telehealth technologies in the practice of veterinary medicine in Wisconsin and (2) allow the development of an administrative code amendment to address the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian.

**Economic Impact Analysis Public Comment Period
Written Comments Received through June 21, 2021**

Name/Organization	Position	Summary of Comments
Teri Kleist, CVT		- Noted confusing language regarding veterinary nurse and veterinary technology and suggested to either say veterinary nursing as equivalent to veterinary technology or veterinary nurse is equivalent to a veterinary technician. - Expressed that against the term veterinary nurse as there are still many objections from the national nursing organization regarding that term, and "nurse" does not adequately encompass the vast skills and knowledge base the veterinary technicians have compared to human medical nurses.

DAH Rules Estimated Timelines

Future dates are estimates for the purposes of work planning.
Last Updated: 6/25/21

Key	
White	Estimated date
Blue	Actual date
Yellow	Estimated date requires revision
Red	Projection exceeds deadline (scope expires)

Rule	Topic	Scope #	DATCP Docket #	Clearing-house #	Statement of Scope										Hearing Draft										Final Draft										Deadline to Refer to Legis. (Scope Expires)	Rule Effective Date			
					Initiate		Governor			Preliminary Hearing ¹					Board		Info		EIA ²		Board		Clearinghouse		Hearing			Board		Governor		Legislature ³					Adopt		
					Begin Scope	Scope to Governor	Governor Approve Scope	Scope Publish in Register	Materials to OS	Board Approve Hearing	Notice Publish in Register	Hearing Date(s)	Record Open Until	Materials to OS	Board Approve Scope	Advisory Comm. Meet	Posted for Comment	Record Open Until	Materials to OS	Board Approve Draft	Refer to CH	Receive CH Comment	Notice Publish in Register	Hearing Date(s)	Record Open Until	Materials to OS	Board Approve Final	Final to Governor	Governor Approve Final	Refer to Legis.	Refer to Comm.	Comm. Review Ends	Refer to JCRAR	JCRAR Review Ends			Rule to LRB		
VE 1-11	Reorg v3 + Tele	SS 064-20	19-R-07		2/24/20	4/7/20	5/15/20	6/8/20	7/6/20	7/23/20; 7/29/20	8/10/20	8/19/20	8/26/20	9/3/20	9/24/20; 10/21/20	3/4/21; 3/25/21; 4/8/21	6/4/21	6/21/21	7/1/21	7/22/21	7/29/21	8/18/21	8/30/21	9/9/21; 9/15/21	9/29/21	1/6/22	1/27/22	2/3/22	4/4/22	4/18/22	1/25/23	3/26/23	4/5/23	6/4/23	6/18/23	12/8/22	11/1/23		

Rule Process Step:	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18	Step 19	Step 20	Step 21	Step 22	Step 23	Step 24	Step 25	Step 26	Step 27	Step 28	Step 29	Step 30	Step 31	Expiration	Step 32	
General Projection Assumptions: (specific projections may vary)	Begin process of drafting scope	90 days after Step 1	60 days after Step 2	14 days after Step 3	21 days before Step 6	30 days after Step 4	10 days after Step 6	7 days after Step 7	7 days after Step 8	21 days before Step 11	30 days after Step 9	120 days after Step 11	90 days after Step 11	60 days after Step 13	21 days before Step 16	21 days after Step 14	7 days after Step 16	20 days after Step 17	10 days before Step 20	14 days after Step 18	14 days after Step 20	21 days before Step 23	90 days after Step 21	7 days after Step 23	60 days after Step 24	14 days after Step 25	10 days after Step 26	60 days after Step 27	10 days after Step 29	60 days after Step 30	14 days after Step 31	30 months after Step 4	1-2 months after Step 31	
Notes:					7 days OS + 14 days Board	Or next Board meeting	Monday after DATCP submits to publish	At least 3 days after publish in register		7 days OS + 14 days Board	Or next Board meeting	Only some rule packages will have	Or later if advisory comm.	14, 30, or 60 days	7 days OS + 14 days Board	Or next Board meeting				At least 10 days after publish in register								Or next session if referred after March in even year	30 days, can be extended to 60 days (+ more if hearing)		30 days, can be extended to 60 days (+ more if hearing)			1st of month after 1 full month (+3mo small bus.)

¹JCRAR may require a preliminary public hearing for the scope statement.

²JCRAR may require a separate, independent economic analysis any time between the EIA posting and the Governor's approval of the final draft.

³The standing committees and/or JCRAR may take actions, including requiring a meeting/hearing, making germane changes, recalling the rule, and introducing legislation.

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	7/21/21
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Telehealth Guidance
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	“VEB-GD-003 Telehealth”
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>Background:</p> <p>Veterinarians have requested guidance about what they can and cannot do using telehealth technologies.</p> <p>The attached draft guidance document is based on discussions with the Telehealth Advisory Committee and includes guidance mirroring language that is included in the rule hearing draft.</p> <p>Action Requested:</p> <p>Discuss the attached draft Telehealth guidance document and approve, reject, or make changes.</p>



State of Wisconsin

Veterinary Examining Board

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Guidance Document VEB-GD-003
Telehealth
DRAFT

Wis. Stat. ch. 89
Wis. Admin. Code ch. VE 1-11
6/25/21 **DRAFT**

Topic

This guidance document clarifies what a veterinarian may and may not do with regards to the use of telehealth technologies in the practice of veterinary medicine under current rules and statutes.

Relevant Statutes and Administrative Code

Wis. Stat. § 89.02 (6) defines the practice of veterinary medicine as to examine into the fact or cause of animal health, disease or physical condition, or to treat, operate, prescribe or advise for the same, or to under-take, offer, advertise, announce, or hold out in any manner to do any of said acts, for compensation, direct or indirect, or in the expectation thereof.

Wis. Stat. § 89.02 (8) defines the veterinarian–client–patient relationship as a relationship between a veterinarian, a client and the patient in which all of the following apply:

- (a) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the patient and the patient’s need for medical treatment, and the client has agreed to accept those medical judgments and to follow the related instructions of the veterinarian.
- (b) The veterinarian has sufficient knowledge of the patient to initiate a general or preliminary diagnosis of the medical condition of the patient because the veterinarian has recently examined the patient or has made medically appropriate and timely visits to the premises on which the patient is kept.
- (c) The veterinarian is readily available for follow–up treatment of the patient if the patient has an adverse reaction to veterinary treatment.

Wis. Stat. § 89.03 (1) authorizes the board to promulgate rules to establish the scope of the practice permitted for veterinarians and veterinary technicians, within the limits of the definition under Wis. Stat. § 89.02 (6).

Wis. Stat. § 89.05 (1) specifies that, except as provided under sub. (2) and §§ 256.155 and 257.03, no person may offer to practice, advertise to practice or practice veterinary medicine, or use, in connection with his or her name, any title or description which may convey the impression that he or she is a veterinarian, without a license or temporary permit from the examining board. For purposes of this subsection, a person who makes extra–label use of a drug on an animal without a prescription or in any manner not authorized by that prescription is considered to be practicing veterinary medicine.

Wis. Admin. Code § VE 7.03 (1) requires that a veterinarian shall maintain individual patient records on every patient administered to by the veterinarian other than food and fiber patients and equine patients for a period of not less than 3 years after the date of the last entry. The veterinarian shall keep individual client records for equine and food and fiber patients for 3 years after the date of the last entry. A computerized system may be used for maintaining a record, as required under this section, if the system is capable of producing a printout of records contained in such system within 48 hours of a request.

Wis. Admin. Code § VE 7.03 (2) to (4) specifies what each record shall contain for individual patients, food and fiber patients, and equine patients.

Board Position

In alignment with Wis. Stat. §§ 89.02 (6) and 89.05 (1), the practice of veterinary medicine takes place where the animal is located at the time of practice, and in order to practice veterinary medicine in Wisconsin a veterinarian must be licensed in Wisconsin.

In accordance with Wis. Stat. §§ 89.02 (6) and (8) and 89.068 (1) (c) and Wis. Admin. Code §§ VE 7.02 (1) and 7.06 (10), and except as provided otherwise, to practice veterinary medicine in Wisconsin on animal patients, a veterinarian must have an established veterinary-client-patient relationship with the client.

In accordance with Wis. Stat. §89.02 (8) (b), a veterinary-client-patient relationship must be established via the veterinarian making an in person physical exam, as the meaning of “recently examined the patient”, or through timely medically appropriate visits by the veterinarian to the premises on which the patient is kept. It may not be established by telehealth technologies.

The veterinary-client-patient relationship, once established, extends to other veterinarians within the practice, or relief veterinarians within the practice, that have access to, and have reviewed, the medical history and records of the animal.

In accordance with Wis. Admin. Code § VE 7.03, records must be kept, regardless of the encounter type.

In accordance with Wis. Stat. § 89.02 (8) (c), an animal owner must be able to easily seek follow-up care or information from the veterinarian who conducts an encounter while using telehealth technologies.

All medical services provided to patients, regardless of how the service is provided, must meet the minimum standard of care.

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	7/21/21
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Legislative Update
4) Should the Item be in Open or Closed Session?	Open
5) Are there Attachments? (If yes, include file names)	“Legislative Update” “21-1044_1” “21-1046_1” “21-1594_1”
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>This is informational. No Board action is required.</p> <p>Attached is a legislative update summary related to Wis. Stat. ch. 89, as well as the bills referenced in the summary.</p>

DAH Relevent Statutes Current Status

2021-2022 Legislative Session

Last Updated: 6/25/21

Agency	Ch.	Citation	Topic	Description	LRB #	Bill #	Recent Status Notes
VEB	89	89.072 (3)	Reciprocal Credentials	Would add language regarding reciprocal credentials for persons licensed in other states and meeting certain requirements.	21-1044/1		Co-sponsorship due 3/30/21.
	45	45.44 (3) (c) 3.	License Fee Waivers	Would add a license fee waiver for veterans' spouses.	21-1046/1	SB-310, AB-298	Exec action 5/26/21.
	440	440.01 (1)	Telehealth	Would establish definitions for telehealth in human medical practice.	21-1594/1, 21-2791/1	SB-309, AB-296	Public hearing 5/26/21.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1044/1
KP:kjf

2021 BILL

1 **AN ACT** *to renumber* 440.09 (2); *to renumber and amend* 440.09 (2m), 440.09
2 (3) (a), 440.09 (3) (b), 440.09 (4) and 440.09 (5); *to amend* 101.022, 101.874 (2),
3 101.874 (3) (intro.) and 440.09 (title); and *to create* 89.072 (3), 101.874 (4),
4 440.09 (1) (title), 440.09 (1m), 440.09 (2e) (title) and 440.09 (3m) of the statutes;
5 **relating to:** reciprocal credentials and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill establishes a process for credential holders from other states to obtain reciprocal credentials to practice their professions in Wisconsin. Under the bill, a person who applies to the Department of Safety and Professional Services, a credentialing board, or the Veterinary Examining Board, as appropriate, must be granted a reciprocal credential if the person holds a license, certification, registration, or permit granted by another state that qualifies the person to practice the profession authorized under the analogous credential granted by DSPS or the appropriate board. In order to receive the reciprocal credential, an applicant must reside in Wisconsin and satisfy certain other requirements, including that 1) the applicant has held a license, certification, registration, or permit analogous to the credential in another state for at least one year; 2) when the applicant was granted the license, certification, registration, or permit, minimum education and, if applicable, work experience and clinical supervision requirements applied; 3) the applicant has not had a license, certification, registration, or permit revoked; 4) the applicant does not have a complaint, allegation, or investigation pending before a

BILL

regulating entity in another state or country relating to unprofessional conduct; 5) the applicant passes a criminal background check that applies to applicants for the analogous credential; and 6) the applicant passes an examination on the laws governing practice of the profession in Wisconsin, if such an examination is required for the analogous credential.

The bill generally applies to credentials granted by the Veterinary Examining Board, DSPS, and credentialing boards in DSPS, but does not apply to credentials related to transportation network companies, private colleges, boxing and martial arts, body art and tanning facilities, private detectives, and security guards.

Additionally, a person who applies for a reciprocal credential under the bill during the first year after it takes effect is not required to pay any fee for the credential.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 89.072 (3) of the statutes is created to read:

2 89.072 (3) (a) The examining board shall grant a license or certification under
3 s. 89.06 to a person who the examining board determines meets all of the following
4 requirements:

5 1. The person applies for a license or certification under this chapter on a form
6 prescribed by the examining board.

7 2. The person holds a license, certification, registration, or permit that was
8 granted by another state that qualifies the person to perform the acts authorized
9 under the license or certification granted by the examining board and all of the
10 following apply:

11 a. The person has held that license, certification, registration, or permit for at
12 least one year.

13 b. When the person was granted the license, certification, registration, or
14 permit, there were minimum education requirements in effect, and the other state

BILL

1 verifies that the person met those requirements in order to receive that license,
2 certification, registration, or permit.

3 3. The person establishes residence in this state.

4 4. The person previously passed all examinations required for the license,
5 certification, registration, or permit in the other state, if required by the other state.

6 5. The person has not had his or her license, certification, registration, or
7 permit revoked and has not voluntarily surrendered a license, certification,
8 registration, or permit in another state or country while under investigation for
9 unprofessional conduct.

10 6. The person has not had discipline imposed by a regulating entity in another
11 state or country, except that if a regulating entity in another state or country has
12 taken disciplinary action against the person, the examining board shall determine
13 if the cause for the action was corrected and the matter resolved, and if the matter
14 has been resolved, the examining board shall issue the license or certification if the
15 other requirements in this paragraph are satisfied.

16 7. The person does not have a complaint, allegation, or investigation pending
17 before a regulating entity in another state or country that relates to unprofessional
18 conduct. If the individual has any complaint, allegation, or investigation pending,
19 the examining board shall suspend the application process and may not issue or deny
20 a license or certification to the person until the complaint, allegation, or
21 investigation is resolved.

22 8. The person does not have an arrest record, as defined in s. 111.32 (1), or a
23 conviction record, as defined in s. 111.32 (3), that would disqualify the person from
24 being granted a license or certification under this chapter.

BILL**SECTION 1**

1 9. The person passes an examination on the laws and rules related to practicing
2 under a license or certification under this chapter.

3 10. The person pays the fee established under s. 89.063.

4 (b) The examining board shall promulgate rules to implement par. (a) but may
5 not require any requirements other than those specified in par. (a) to be satisfied in
6 order for a person to be granted a license or certification under par. (a).

7 **SECTION 2.** 101.022 of the statutes is amended to read:

8 **101.022 Certain laws applicable to occupational licenses.** Sections
9 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),
10 440.075, 440.09 (2), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15, 440.19, 440.20
11 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the requirements imposed
12 on the department under those statutes, apply to occupational licenses, as defined
13 in s. 101.02 (1) (a) 2., in the same manner as those statutes apply to credentials, as
14 defined in s. 440.01 (2) (a).

15 **SECTION 3.** 101.874 (2) of the statutes is amended to read:

16 101.874 (2) The department may enter into a reciprocal agreement with
17 another state under which credentials issued to electricians, electrical apprentices,
18 electrical contractors, and electrical inspectors by either state are recognized as
19 comparable credentials by the other state. ~~Under~~ Except as provided under sub. (4),
20 under the agreement, the department may recognize credentials from the other state
21 only if the education, experience, and examination requirements in the other state
22 are at least equivalent to the education, experience, and examination requirements
23 for being issued credentials under this subchapter.

24 **SECTION 4.** 101.874 (3) (intro.) of the statutes is amended to read:

BILL

1 101.874 (3) (intro.) Upon entering into an agreement under this section, the
2 department may issue a credential under the agreement only if all of the following
3 apply:

4 **SECTION 5.** 101.874 (4) of the statutes is created to read:

5 101.874 (4) Notwithstanding any agreement the department enters into under
6 this section, the department shall grant a reciprocal credential under s. 440.09 (3m)
7 to an individual who meets the requirements under s. 440.09 (3m).

8 **SECTION 6.** 440.09 (title) of the statutes is amended to read:

9 **440.09** (title) **Reciprocal credentials for ~~service members, former~~**
10 **~~service members, and their spouses.~~**

11 **SECTION 7.** 440.09 (1) (title) of the statutes is created to read:

12 440.09 (1) (title) DEFINITIONS.

13 **SECTION 8.** 440.09 (1m) of the statutes is created to read:

14 440.09 (1m) RECIPROCAL CREDENTIALS; GENERALLY. In addition to any provisions
15 allowing an individual to be granted a reciprocal credential, an individual may be
16 granted a reciprocal credential under sub. (2e) or (3m). Subject to sub. (2e) (c), an
17 individual who is granted a reciprocal credential under sub. (2e) or (3m) shall
18 otherwise be considered to hold the applicable credential under, and be subject to, the
19 applicable provisions governing that credential.

20 **SECTION 9.** 440.09 (2) of the statutes is renumbered 440.09 (2e) (a).

21 **SECTION 10.** 440.09 (2e) (title) of the statutes is created to read:

22 440.09 (2e) (title) RECIPROCAL CREDENTIALS FOR SERVICE MEMBERS, FORMER
23 SERVICE MEMBERS, AND THEIR SPOUSES.

24 **SECTION 11.** 440.09 (2m) of the statutes is renumbered 440.09 (2e) (b) and
25 amended to read:

BILL**SECTION 11**

1 440.09 (2e) (b) If an individual is unable to provide documentation under this
2 subsection that the individual is a service member, former service member, or the
3 spouse of a service member or former service member, the individual may submit an
4 affidavit to the department or credentialing board, as appropriate, stating that the
5 individual is a service member, former service member, or the spouse of a service
6 member or former service member.

7 **SECTION 12.** 440.09 (3) (a) of the statutes is renumbered 440.09 (2e) (c) 1. and
8 amended to read:

9 440.09 (2e) (c) 1. A reciprocal credential granted under this ~~section~~ subsection
10 expires on the applicable renewal date specified in s. 440.08 (2) (a), except that if the
11 first renewal date specified in s. 440.08 (2) (a) after the date on which the credential
12 is granted is within 180 days of the date on which the credential is granted, the
13 credential expires on the 2nd renewal date specified in s. 440.08 (2) (a) after the date
14 on which the credential is granted.

15 **SECTION 13.** 440.09 (3) (b) of the statutes is renumbered 440.09 (2e) (c) 2. and
16 amended to read:

17 440.09 (2e) (c) 2. The department or credentialing board, as appropriate, shall
18 grant a renewed reciprocal credential under this subsection to an applicant who pays
19 the renewal fee specified under s. 440.05 (2) and satisfies the requirements that
20 apply for renewing that credential.

21 **SECTION 14.** 440.09 (3m) of the statutes is created to read:

22 440.09 (3m) RECIPROCAL CREDENTIALS FOR OUT-OF-STATE CREDENTIAL HOLDERS.
23 (a) Except as provided in par. (b), the department and each credentialing board shall
24 grant a reciprocal credential to an individual who the department or credentialing
25 board determines meets all of the following requirements:

BILL

1 1. The individual applies for a reciprocal credential under this subsection on
2 a form prescribed by the department or credentialing board.

3 2. The individual holds a license, certification, registration, or permit that was
4 granted by another state that qualifies the individual to perform the acts authorized
5 under the appropriate credential granted by the department or credentialing board
6 and all of the following apply:

7 a. The individual has held that license, certification, registration, or permit for
8 at least one year.

9 b. When the individual was granted that license, certification, registration, or
10 permit, there were minimum education requirements and, if applicable, work
11 experience and clinical supervision requirements in effect, and the other state
12 verifies that the individual met those requirements in order to receive that license,
13 certification, registration, or permit.

14 3. The individual establishes residence in this state.

15 4. The individual previously passed all examinations required for the license,
16 certification, registration, or permit in the other state, if required by the other state.

17 5. The individual has not had a license, certification, registration, or permit
18 revoked and has not voluntarily surrendered a license, certification, registration, or
19 permit in another state or country while under investigation for unprofessional
20 conduct.

21 6. The individual has not had discipline imposed by a regulating entity in
22 another state or country, except that if a regulating entity in another state or country
23 has taken disciplinary action against the individual, the department or the
24 credentialing board shall determine if the cause for the action was corrected and the
25 matter resolved, and if the matter has been resolved, the department or the

BILL**SECTION 14**

1 credentialing board shall grant the reciprocal credential if the other requirements
2 in this paragraph are satisfied.

3 7. The individual does not have a complaint, allegation, or investigation
4 pending before a regulating entity in another state or country that relates to
5 unprofessional conduct. If the individual has any complaint, allegation, or
6 investigation pending, the department or credentialing board shall suspend the
7 application process and may not grant or deny a reciprocal credential to the
8 individual until the complaint, allegation, or investigation is resolved.

9 8. The individual does not have an arrest record, as defined in s. 111.32 (1), or
10 a conviction record, as defined in s. 111.32 (3), that would disqualify the individual
11 from being granted that credential under the applicable provisions governing that
12 credential.

13 9. The individual passes an examination on the laws of this state, if required
14 for other applicants for that credential under the applicable provisions governing
15 that credential.

16 10. The individual pays all applicable fees, including the fee specified under s.
17 440.05 (2).

18 (b) 1. Paragraph (a) does not apply to any credentials or other forms of
19 permission granted pursuant to an interstate compact or to the extent that its
20 application conflicts with an interstate compact.

21 2. Paragraph (a) does not apply to the extent that its application conflicts with
22 any federal law.

23 3. Paragraph (a) does not apply to any credentials or activities regulated under
24 s. 440.26, subch. IV or V of ch. 440, or ch. 444, 463, or 470.

BILL

1 (c) The department and any credentialing board to which this subsection
2 applies shall promulgate rules to implement par. (a) but may not require any
3 requirements other than those specified in par. (a) to be satisfied in order for an
4 individual to be granted a reciprocal credential under par. (a).

5 **SECTION 15.** 440.09 (4) of the statutes is renumbered 440.09 (2e) (d) and
6 amended to read:

7 440.09 (2e) (d) The department or credentialing board, as appropriate, shall
8 expedite the issuance of a reciprocal credential granted under this ~~section~~
9 subsection.

10 **SECTION 16.** 440.09 (5) of the statutes is renumbered 440.09 (2e) (e) and
11 amended to read:

12 440.09 (2e) (e) The department or credentialing board, as appropriate, may
13 promulgate rules necessary to implement this ~~section~~ subsection.

14 **SECTION 17. Nonstatutory provisions.**

15 (1) RECIPROCAL LICENSES; TEMPORARY FEE WAIVER. Notwithstanding ss. 89.063,
16 89.072 (3) (a) 10., 101.82 (4), 440.05, and 440.09 (3m) (a) 10. and the applicable fee
17 provisions in chs. 440 to 480, a person who submits an application for a reciprocal
18 credential under s. 89.072 (3) or 440.09 (3m) no later than the first day of the 13th
19 month beginning after the effective date of this subsection is not required to pay any
20 fee for an initial reciprocal credential.

21 (END)



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1594/1
JPC:ekg&cjs

2021 BILL

1 **AN ACT** *to renumber and amend* 250.15 (1); and *to create* 250.15 (1) (b), 250.15
2 (2) (d), 440.01 (1) (ab), (bm), (dg) and (hm) and 440.17 of the statutes; **relating**
3 **to:** funding for free and charitable clinics and defining telehealth.

Analysis by the Legislative Reference Bureau

This bill defines “free and charitable clinics” as health care organizations that use a volunteer and staff model to provide health services to uninsured, underinsured, underserved, economically and socially disadvantaged, and vulnerable populations and that meet criteria specified in the bill. The bill incorporates into statutory language an allocation made in the biennial budget act, 2019 Wisconsin Act 9, that requires the Department of Health Services to give \$500,000 in grants annually to free and charitable clinics.

Additionally, this bill incorporates the definitions of “telehealth” and other related terms from the Medical Assistance program into the statutory chapters that pertain to occupational licensing. “Telehealth” means a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or a consultation or are used to transfer medically relevant data about a patient. The bill requires the Department of Safety and Professional Services and any attached examining board or affiliated credentialing board to define and use “telehealth” and related terms consistent with this bill in all promulgated rules.

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 250.15 (1) of the statutes is renumbered 250.15 (1) (intro.) and
2 amended to read:

3 250.15 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, ~~“community:~~

4 (a) “Community health center” means a health care entity that provides
5 primary health care, health education and social services to low-income individuals.

6 **SECTION 2.** 250.15 (1) (b) of the statutes is created to read:

7 250.15 (1) (b) “Free and charitable clinics” means health care organizations
8 that use a volunteer and staff model to provide health services to uninsured,
9 underinsured, underserved, economically and socially disadvantaged, and
10 vulnerable populations and that meet all of the following criteria:

11 1. The organizations are nonprofit and tax exempt under section 501 (c) (3) of
12 the Internal Revenue Code or are a part of a larger nonprofit, tax-exempt
13 organization.

14 2. The organizations are located in this state or serve residents in this state.

15 3. The organizations restrict eligibility to receive services to individuals who
16 are uninsured, underinsured, or have limited or no access to primary, specialty, or
17 prescription care.

18 4. The organizations provide one or more of the following services:

19 a. Medical care.

20 b. Mental health care.

21 c. Dental care.

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1 d. Prescription medications.

2 5. The organizations use volunteer health care professionals, nonclinical
3 volunteers, and partnerships with other health care providers to provide the services
4 under subd. 4.

5 6. The organizations are not federally qualified health centers as defined in 42
6 USC 1396d (1) (2) and do not receive reimbursement from the federal centers for
7 medicare and medicaid services under a federally qualified health center payment
8 methodology.

9 **SECTION 3.** 250.15 (2) (d) of the statutes is created to read:

10 250.15 (2) (d) To free and charitable clinics, \$500,000.

11 **SECTION 4.** 440.01 (1) (ab), (bm), (dg) and (hm) of the statutes are created to
12 read:

13 440.01 (1) (ab) “Asynchronous telehealth service” means telehealth that is
14 used to transmit medical data about a patient to a health care provider when the
15 transmission is not a 2-way, real-time interactive communication.

16 (bm) “Interactive telehealth” means telehealth delivered using multimedia
17 communication technology that permits 2-way, real-time, interactive
18 communications between a health care provider at a distant site and the patient or
19 the patient’s health care provider.

20 (dg) “Remote patient monitoring” means telehealth in which a patient’s
21 medical data is transmitted to a health care provider for monitoring and response if
22 necessary.

23 (hm) “Telehealth” means a practice of health care delivery, diagnosis,
24 consultation, treatment, or transfer of medically relevant data by means of audio,
25 video, or data communications that are used either during a patient visit or a

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1 consultation or are used to transfer medically relevant data about a patient.
2 “Telehealth” includes asynchronous telehealth services, interactive telehealth, and
3 remote patient monitoring.

4 **SECTION 5.** 440.17 of the statutes is created to read:

5 **440.17 Telehealth.** If the department, an examining board, or an affiliated
6 credentialing board promulgates rules related to telehealth, the department, the
7 examining board, or the affiliated credentialing board shall define “telehealth” to
8 have the meaning given in s. 440.01 (1) (hm).

9 (END)

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	7/21/21
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Biennial Budget
4) Should the Item be in Open or Closed Session?	Open Session
5) Are there Attachments? (If yes, include file names)	No
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>This item is for information only. No board action is required.</p> <p>The biennial budget bill for 2021-2023 has been passed by the legislature and signed by the governor. The budget includes two items relevant to the VEB:</p> <ol style="list-style-type: none">1. Created 1.0 permanent FTE position for the VEB as requested.2. Transferred \$450,000 from the VEB Program Revenue (PR) appropriation to the DATCP-DAH Dog Seller and Dog Facility (DSDF) appropriation to address a negative cash balance in the DSDF appropriation. The VEB appropriation will maintain a positive cash balance. This is a one-time transfer.

Veterinary Examining Board Agenda Request Form

1) Meeting Date	July 21,2021
2) Requestor Name	Melissa Mace
3) Item Title for the Agenda	Strategic Plan goals – update
4) Should the Item be in Open or Closed Session?	Y
5) Are there Attachments? (If yes, include file names)	N
6) Is a Public Appearance Anticipated?	N
7) Description of the Agenda Item	<p>GOALS</p> <ol style="list-style-type: none"> 1. Develop rules for the safe practice of telehealth in Wisconsin and implement them by the end of 2022. <ol style="list-style-type: none"> a. Considering hearing draft for approval today. b. Considering a guidance document as well. 2. Proactively engage license holders about the value of VPAP with a target of meeting the national average for EAP program utilization by the end of 2023. <ol style="list-style-type: none"> a. See Quarterly report 3. Close 80% of active disciplinary cases within 12 months of the case opening at screening committee. <ol style="list-style-type: none"> a. There have been 14 cases resulting in discipline that have been closed in 2021. 12 of the 14 were closed within 12 months, for a total of 86% 4. Increase outreach to credential holders.