



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

VETERINARY EXAMINING BOARD

CR 106 Board Room, 2811 Agriculture Drive, Madison, Wisconsin
Contact: Matt Tompach (608) 224-5024
July 20, 2016

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

AGENDA

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

- A. Introductions**
- B. Approval of the Agenda**
- C. [Approval of Board Meeting Minutes of June 13, 2016](#)**
- D. [Approval of Board Meeting Minutes of April 27, 2016.](#)**

APPEARANCE – Department of Agriculture, Trade, and Consumer Protection (DATCP) Office of the Secretary: Karley Downing, Lauren Van Buren and Cheryl Daniels, DATCP Attorneys; Matt Tompach, Administrative Policy Advisor; Kelly Markor, Executive Staff Assistant; Sally Ballweg, License/Permit Program Associate; and Michael Malovich License/Permit Program Associate LTE. Introductions and Discussion.

- E. Administrative Updates**
 - 1. [Determining VTNE Exam Eligibility](#)
 - 2. [Professional Assistance Program \(PAP\)](#)
 - 3. Jacquelyn Kieler, DVM, 13 VET 033
- F. [American Association of Veterinary State Boards \(AAVSB\) Annual Meeting, September 22-24, 2016, Scottsdale, AZ](#)**
 - 1. Update on Travel Authorizations
 - 2. Expansion of Delegate Funding Program
 - 3. Annual Meeting Resolution
- G. Legislative/Administrative Rule Matters**
 - 1. [Licensure to Work in State Diagnostic Lab – Bochsler Letter](#)
 - 2. [Rulemaking Update – VE 1 and 7 Statement of Scope](#)

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3. [Continuing Education Requirements for Faculty Licensees](#)

H. Licensing/Exam Inquiries

1. [Esther Maia](#)

I. Scope of Practice

1. [Informed Consent Video for Spay/Neuter Procedures](#)
2. [Update: Unlicensed Practice Cases](#)
3. [Scope of Practice Question – AI and Pregnancy Diagnosis](#)

J. Future Meeting Dates

1. Screening Committee
2. Next Board Meeting – October 26, 2016 (9:00 a.m.)

K. Future Agenda Items

L. Public Comments

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.).

M. Discussion of Licenses and Certificates

N. Deliberation on Proposed Stipulations, Final Decisions and Orders

1. 16 VET 004 L.H., D.V.M.

O. Review of Veterinary Examining Board Pending Cases Status Report as of July 8, 2016

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

R. Ratification of Licenses and Certificates

ADJOURNMENT

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

Approval of Board Meeting Minutes of June 13, 2016

VETERINARY EXAMINING BOARD
MEETING MINUTES
June 13, 2016

PRESENT: Bruce Berth, Diane Dommer Martin, D.V.M., Robert Forbes, D.V.M., Philip Johnson, D.V.M., Dana Reimer, Sheldon Schall; Neil Wiseley, D.V.M.; Lisa Weisensel Nesson, D.V.M.

STAFF: Matt Tompach, Executive Director of VEB; Cheryl Daniels Legal Counsel; Kelly Ann Markor, Executive Staff Assistant.

CALL TO ORDER

Philip Johnson, Chair, called the meeting to order at 11:30 a.m. A quorum of eight (8) members was confirmed.

CLOSED SESSION

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

The Board convened into closed session at 11:33 a.m.

RECONVENE TO OPEN SESSION

MOTION: Sheldon Schall moved, seconded by Dana Reimer, to reconvene in open session at 11:43 pm. Motion carried unanimously.

MOTION: Neil Wiseley, moved, seconded by Robert Forbes, to adopt the final decision and explanation of variance prepared by board counsel for the Board regarding 13 VET 033 Jacquelyn Kieler, and to forward the case to the respondent and consider it closed. Motion carried unanimously.

ADJOURNMENT

MOTION: Sheldon Schall, moved, seconded by Lisa Weisensel Nesson, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:50 a.m.

Approval of Board Meeting Minutes of April 27, 2016.

VETERINARY EXAMINING BOARD
MEETING MINUTES
April 27, 2016

PRESENT: Bruce Berth, Diane Dommer Martin, D.V.M., Robert Forbes, D.V.M., Philip Johnson, D.V.M., Dana Reimer, Sheldon Schall; Neil Wiseley, D.V.M., Lisa Weisensel Nesson, D.V.M.

STAFF: Department of Agriculture, Trade, and Consumer Protection (DATCP) Office of the Secretary: Karley Downing, Lauren Van Buren and Cheryl Daniels, DATCP attorneys; Matt Tompach, Administrative Policy Advisor; Laurie Schammel, telecommunications ;and Department of Safety and Public Services (DSPS) attorney Amanda Florek (via conference call).

CALL TO ORDER

Philip Johnson, Chair, called the meeting to order at 9:05 am. A quorum of eight (8) members was confirmed.

INTRODUCTIONS

DATCP attorney Cheryl Daniels was introduced as Legal Counsel to the Veterinary Examining Board.

APPROVAL OF THE AGENDA

MOTION: Neil Wiseley moved, seconded by Lisa Weisensel Nesson, to approve the Agenda, with the "Public Comments" item moved to follow "Approval of the Minutes." Motion carried unanimously.

APPROVAL OF THE MINUTES

MOTION: Robert Forbes moved, seconded by Neil Wiseley, to approve the Meeting Minutes of the January 25, 2016 Meeting. Motion carried unanimously.

PUBLIC COMMENTS

Dr. Erica Shumacher of the Dane County Humane Society appeared before the Board to discuss on-the-job training opportunities for individuals seeking to become certified veterinary technicians (CVTs), particularly in the administration of anesthesia. Board members discussed possible rules changes to provide more on-the-job training experiences.

ADMINISTRATIVE ITEMS

Staff advised Board members to complete the form authorizing DATCP staff to enter their reimbursement into the on line system.

Staff also updated Board members on the process of the online licensing system at DATCP.

ADMINISTRATIVE UPDATES

Delegated Authority – Screening Panel

MOTION Robert Forbes moved, seconded by Sheldon Schall, to delegate Board authority to the Screening Panel to consider questions related to scope of practice of veterinary medicine and veterinary technicians. The Screening Panel may choose to approve or reject a particular practice, or bring the matter to the full Board. Motion carried unanimously.

Credentialing Committee – Passive Review

MOTION Bruce Berth moved, seconded by Lisa Weisensel Nesson, that the Board authorize a “passive review” process for Credentialing Committee background checks, 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. Motion carried unanimously.

AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS (AAVSB) ANNUAL MEETING, SEPTEMBER 22-24, 2016, SCOTTSDALE, AZ

MOTION Neil Wiseley moved, seconded by Diane Dommer Martin, to authorize one member to attend the American Association of Veterinary State Boards (AAVSB) Annual Meeting on September 22-24 in Scottsdale, AZ. DATCP staff will prepare the travel request. Motion carried unanimously.

LEGISLATIVE ADMINISTRATIVE RULE MATTERS

Licensure to Work in State Diagnostic Lab

DATCP Legal Counsel Karley Downing informed Board members that any change in veterinary licensure requirements to work at the state Veterinary Diagnostic Laboratory would require an act of the Legislature; it cannot be done by rule-making.

Rulemaking Update - VE 1 and 7 Statement of Scope

MOTION: Diane Dommer Martin moved, seconded by Robert Forbes, to approve the Statement of Scope for changes to VE 1 and 7, relating to the definition of surgery and alternative therapies, respectively. Motion carried unanimously.

SCOPE OF PRACTICE INQUIRIES

Massage and Rehabilitation Therapies

Pulsed Electro-Magnetic Field (PEMF) Therapy

The Board directed staff to respond to the inquiries with letters informing that the Board is currently engaged in rule-making on these issues and will seek stakeholder input as process moves forward.

Scrotal Castration of Dogs

The Board directed staff to respond an inquiry on this procedure with a letter explaining that this surgery does fall within the scope of current, acceptable veterinary medical practice, as defined in Wis. Admin. Code VE §7.01(5). However, this general acceptance does not shield any “particular surgery performed” using this method from any other potential standard of practice violations, just like any surgical procedure.

FUTURE MEETING DATES

Veterinary Examining Board

The next Veterinary Examining Board Meeting will be July 20, 2016 at 9:00 am

Screening Committee

The next meetings of the VEB Screening Committee will be May 25, 2016 and June 29, 2016, both at 9:30 a.m. The following meeting is scheduled upon adjournment of the July VEB meeting.

FUTURE AGENDA ITEMS

Philip Johnson requested that telemedicine be considered for the October meeting, after the AAVSB conference in September.

Robert Forbes requested the Board discuss the practice inspection process at a future meeting.

Lisa Weisensel Nesson requested a briefing on backorder drugs available in other countries. Staff will contact the state Pharmacy Board.

Board members requested an update on the professional assistance program at the July Board meeting, and to meet current VEB the licensing staff at DATCP.

PUBLIC COMMENTS

There were no further comments.

CLOSED SESSION

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

The Board convened into Closed Session at 11:09 a.m.

RECONVENE TO OPEN SESSION

MOTION: Robert Forbes moved, seconded by Lisa Weisensel Nesson, to reconvene in Open Session at 1:55 p.m. Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Neil Wiseley, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against DLSC case number 14 VET 014 V.K., DVM; 14 VET 034 M.P., DVM; 14 VET 038 R.M., DVM; and 16 VET 007 B.B., DVM. Motion carried unanimously (Sheldon Schall abstaining).

MOTION: Diane Dommer Martin moved, seconded by Dana Reimer, to restore to full licensure to case numbers 11 VET 039 R.M.; DVM, 14 VET 003 M.L., DVM; 14 VET 006 E.N., DVM; 14 VET 016 C.S., DVM; 14 VET 032 B.B., DVM; and 15 VET 020 J.S., DVM. Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Lisa Weisensel Nesson, to direct Board Legal Counsel to prepare a final decision and explanation of variance for the Board regarding 13 VET 033 Jacquelyn Kieler, DVM. Members will consider the draft language at a subsequent Board meeting. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS BY THE OFFICE OF LEGAL COUNSEL

MOTION: Neil Wiseley moved, seconded by Bruce Berth, to reject application by endorsement for S.G. Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Lisa Weisensel Nesson moved, seconded by Scheldon Schall to delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Robert Forbes moved, seconded by Bruce Berth, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:05 p.m.

Determining VTNE Exam Eligibility

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Matt Tompach		2) Date When Request Submitted: 7/6/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Determining VTNE Exam Eligibility	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: DATCP is looking to have the AAVSB review eligibility for Wisconsin vet tech applicants to take the VTNE, a task currently done by DATCP staff. The AAVSB reviews eligibility to take the VTNE as a service for its member Boards, a service currently provided for more than half the states.			
11) Authorization			
Matt Tompach		7/6/16	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Matt Tompach		7/6/16	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Tompach, Matthew C - DATCP

From: Nancy Grittman <ngrittman@aavsb.org>
Sent: Tuesday, June 21, 2016 10:36 AM
To: Tompach, Matthew C - DATCP
Subject: VTNE Eligibility Review - AVMA-accredited graduates & special accommodations - Wisconsin

Importance: High

Dear Matt:

Hope you are doing well and enjoying summer weather. It already feels like late July and August weather in KC.

As previously discussed and included in the AAVSB VTNE Letter of Agreement, the AAVSB will determine VTNE eligibility of a VTNE candidate who is a graduate of a veterinary technology program accredited by the American Veterinary Medical Association (AVMA) or Canadian Veterinary Medical Association (CVMA). This is an AAVSB service to our Member Board organizations.

The AAVSB will open the November/December 2016 VTNE online application window on June 30 to start accepting applications.

If Wisconsin is ready to move forward, the AAVSB is ready to assist with this transition on June 30 for the November/December 2016 VTNE applicants and moving forward with a shared review process.

The transition would include changing our information on the website and email communications to direct VTNE candidates who are AVMA-accredited graduates to initially request to have their final transcripts sent to the AAVSB for review and submit their credential application/documents to Wisconsin based on WI's requirements.

VTNE alternate route (OJT) candidates receive an email to initially submit the necessary credential application/documents to Wisconsin as part of the veterinary technician credentialing and VTNE eligibility review process.

Similar to the currently shared VTNE eligibility review process with California, the AAVSB can review all special accommodation requests and send the VTNE special accommodations applications to all WI candidates.

Please let me know what questions you may have and if Wisconsin is ready to proceed with the AAVSB reviewing VTNE eligibility for WI's AVMA-accredited graduates starting with the Nov/Dec 2016 VTNE online applications.

Thanks,
Nancy

Nancy B. Grittman
Director of Examinations
American Association of Veterinary State Boards
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Facebook: <https://www.facebook.com/aavsb>

Twitter: <https://twitter.com/aavsb>

Strengthening the Veterinary Regulatory Community

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AAVSB Reviews and Determines VTNE Eligibility

Alberta	Maine	Puerto Rico
California*	Maryland	Rhode Island
Colorado	Massachusetts	Saskatchewan
Connecticut	Minnesota	South Carolina
District of Columbia	Montana	South Dakota
Florida	Nebraska	Tennessee
Georgia	Nevada	Texas
Hawaii	New Hampshire	Utah
Idaho	New Jersey	Vermont
Indiana	North Dakota	Virgin Islands
Iowa	Ohio	West Virginia
Kansas	Oregon	Wyoming
Kentucky	Pennsylvania	

Candidates request final transcripts sent directly from the school to the AAVSB prior to VTNE online application deadline (including AVMA-accredited graduates applying through CA).

*California receives credential documentation for all alternate route candidates to review and determine VTNE eligibility.

Regulated States/Provinces Review and Determine VTNE Eligibility

Alaska	Louisiana	North Carolina
Alabama	Manitoba	Nova Scotia (EVTA)
Arkansas	Michigan	Oklahoma
Arizona	Missouri	Ontario
British Columbia	Mississippi	Quebec (ATSAQ)
Delaware	New Brunswick (EVTA)	Virginia
EVTA (NL, PEI)	New Mexico	Washington
Illinois	New York	Wisconsin

All credential documentation sent directly to the state/province to review and determine VTNE eligibility.

Many of the above states/provinces have earlier deadlines than the AAVSB deadlines and candidates must adhere to both deadlines including submitting the VTNE online application prior to the AAVSB deadlines.

All candidates need to refer to their respective jurisdiction for specific credential requirements!

The Board and Agency Directory <http://aavsb.org/DLR/> has contact information for all jurisdictions.

Professional Assistance Program (PAP)

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Cheryl Daniels		2) Date When Request Submitted: 7/6/16 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date.</small>	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Professional Assistance Program (PAP)	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Update on DATCP's efforts to work with the WVMA to explore model wellness programs and how one might work in Wisconsin.			
11) Authorization			
Cheryl Daniels		7/6/16	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Matt Tompach		7/6/16	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



Model Program for Wellness

Introduction

The purpose of this document is to provide information on key wellness issues affecting the profession today. Useful background information is provided first; a model wellness program follows. Health issues of major concern and addressed within this model program include chemical dependence, eating disorders, compassion fatigue, anger management, stress, profession burnout, depression, anxiety disorders, and suicide.

Programs should be in position to protect the health and function of veterinary community members through five primary ways:

1. Education and early detection
2. Investigation and intervention
3. Referral for evaluation and treatment
4. Monitoring
5. Consultation

Through established programs, it is hoped that individuals with problems will be detected early, rehabilitated, and monitored in a confidential manner in an effort to avoid potential disciplinary investigation and action; confidentiality and monitoring are key essentials as they promote early detection and improve long-term outcome, respectively. Programs should be structured to assist veterinary professionals based on their diagnosis, treatment history, successful participation in an aftercare program, and continued compliance with the treatment recommendations. It is also likely that programs will be of assistance to veterinary professionals whose license to practice is under a restriction or condition imposed by state or federal licensing authorities.

Background

The AVMA recognizes that impairment of veterinary professionals occurs throughout the profession and across the country. Furthermore, the AVMA recognizes and supports the importance of wellness programs that are active and serve members of the veterinary community in each state.

In an effort to address the issue of impairment of veterinary professionals, in 1992 the AVMA created the first model program to assist chemically impaired veterinarians, students, veterinary technicians, and their families. The scope of this program dealt only with impairment as related to drug and alcohol abuse. The new model program, developed by the AVMA Committee on Wellness in 2004, recognizes that impairment can also occur due to physical, mental, or emotional illness, chemical addictions, stress related disorders including depression and compassion fatigue, eating disorders, pathological gambling, and other health problems. The AVMA Committee on Wellness recommends that this 2004 model program be used as a template for state programs.

Wellness Issues

Problems that cause impairment among veterinarians, including physical and mental illnesses and substance related disorders, are common and deserve attention. Veterinarians have an ethical responsibility to take an active role in helping their colleagues in this regard. This model program provides assistance for veterinarians experiencing problems with substance abuse or dependence, or mental or physical illnesses. The intent of the program is to encourage veterinary professionals to enter appropriate evaluation and treatment, in lieu of disciplinary action, as long as safety can be assured. Veterinarians who are aware of a colleague's possible impairment may seek confidential information and support on how to assist these individuals.

As noted above, problems that cause impairment among veterinary professionals are quite varied and of sufficient importance to be addressed by organized medicine. In addition, the AVMA recognizes and supports the importance of overall wellness throughout the veterinary community. The AVMA supports the belief that every member of the veterinary community has both an ethical and humanitarian responsibility to take an active role in helping their fellow colleagues. In order to provide the greatest amount of assistance, it is the position of the AVMA that each state organize, develop, and fund a Veterinary Wellness Program. In addition to the information set forth herein, please refer to the "[Guiding Principles for State Veterinary Wellness Programs](#)" prepared by the AVMA Committee on Wellness. A list of links to wellness-themed Web sites is available at www.avma.org. This area is accessible to AVMA members only.

Specific Wellness Issues Include:

Chemical Dependence

Chemical dependence is a primary disease or disorder characterized by, among other things, continued compulsive use of mood-altering substances despite adverse consequences. (See the *Diagnostic and Statistical Manual of Mental Disorders* published by the American Psychiatric Association for detailed diagnostic criteria.) Studies have shown that 10-15% of health professionals are affected by chemical dependence at some point in their professional careers. Alcohol is the most common drug involved, but veterinarians and other members of the veterinary health care team have a high rate of self-administering mood-altering prescription and illicit chemicals. Veterinary professionals usually use drugs to relieve stress in a vain attempt to feel normal rather than to get high. Progression of the disease is characterized by increasing the dose of alcohol, opiates, or other sedative or stimulant drugs to achieve the desired effect. As a result, more and more of the professionals' time is consumed in the pursuit of the drug's effect at the sacrifice of family, social interaction, and the practice of veterinary medicine. Tolerance may be significant such that large doses are taken on a daily basis.

Psychiatric Illness

Documented scientific data is limited related to the incidence of various psychiatric diagnoses in veterinary populations; however, since their inception during the 1970's, impaired professionals committees and programs in the US have been called upon to offer services to professionals impaired by various psychiatric illnesses.

In general, a referral is made when the veterinary professional's behavior is significantly affected and the individual is unwilling or unable to seek assistance when experiencing distress. Data suggest that members of the veterinary profession and their counterparts in human medicine, are extremely reluctant to acknowledge a need for help, and that their colleagues and supervisors are equally reluctant to intervene.

Assistance may be provided for problems such as depression, anxiety, personality disorder, compassion fatigue, anger management and others, by referring to appropriate professionals. These professionals must have the ability to provide an immediate referral to a person in crisis. It is also of tantamount importance that state wellness programs

have immediate access to suicide prevention resources and referrals. While the data do not indicate that veterinary professionals have a higher occurrence of suicide compared with other professions, the veterinary community is not immune. The AVMA does not suggest or recommend that state wellness and peer assistance programs actively engage in suicide prevention (unless individuals have specific training in suicide prevention). Instead, it is recommended that trained personnel be contacted immediately if suicide ideation is present.

Chemical Dependence with Accompanying Psychiatric Illnesses (Co-Occurring Disorders)

As treatment programs for chemical dependence become more sophisticated and more oriented to relapse prevention, an increasing number of addicted patients are found to be suffering from one or more underlying psychiatric conditions. Statistics from the general population indicate that undiagnosed underlying disorders increase the likelihood that patients will relapse following addiction treatment.

The treating psychiatrist must be thoroughly familiar with addiction disorders, issues of chemical dependency, and the importance of ongoing involvement in a twelve-step or alternative mutual-help group during the recovery process. Careful attention should be taken to make the patient aware of additional diagnoses and the fact that medications for one condition may affect another disorder. Frequent monitoring is recommended.

Eating Disorders

Anorexia nervosa, bulimia nervosa, and compulsive over-eating are being diagnosed more frequently among members of the veterinary community. Eating disorders, although reported more often in females, occur in both sexes and in all age groups. The increased frequency of reporting these disorders may reflect an increased awareness among the public and among mental health care providers. Food addiction, however manifest, impairs the veterinary profession similarly to other addictive diseases.

The Wellness Program is available to assist with recommendations for the evaluation, treatment, and management of recovery based on a twelve-step or similar program.

Anger Management

Anger is a normal emotion that varies in intensity from mild irritation to intense fury and rage accompanied by physiological changes such as increased heart rate and epinephrine release. It is a natural, adaptive response to threats, which allow us to fight and to defend ourselves when we are attacked. However, when anger gets out of control it can lead to problems in the workplace, in personal relationships, and in the overall quality of life for a member of the veterinary community.

Three common approaches to relieving anger are expressing, suppressing, and calming. Expressing your angry feelings in an assertive, non-aggressive manner is the healthiest way to express anger. Being assertive is not being pushy or demanding—it's simply being respectful of yourself. Anger can also be suppressed, and then converted or redirected. This happens when you hold in your anger, stop thinking about it, and focus on something positive. The aim is to inhibit or suppress your anger and convert it into more constructive behavior. Unfortunately, this does not allow outward expression and may lead to high blood pressure or depression. The last coping mechanism is called calming, which means not just controlling your outward behavior, but also controlling your internal response as well. An example of this type of mechanism would be meditation.

When these measures fail to maintain a person's ability to cope with their emotions, professional advice should be sought.

Profession Burnout

Burnout is a syndrome characterized by emotional exhaustion, cynicism, and depersonalization caused by chronic stress in a demanding environment and/or the inability or desire to meet those demands. Other symptoms of burnout are as varied as the sufferers. Some individuals become angry or resort to blaming any annoyance on external factors. Others become quiet, introverted and isolated, indicating the start of depression. Burnout can also manifest as under- or overeating, abusing alcohol or other mood-altering substances, as well as a range of physical symptoms, including chronic illness, high blood pressure, and frequent headaches.

A predisposition to burnout is common for people in the veterinary profession. Personality traits such as achievement orientation, high focus, and autonomy are found in people among the profession and in those admitted into veterinary colleges. Veterinary medicine is demanding and often requires much of an individual's time and energy. This takes away from other parts of an individual's life such as family, partners, and other areas important to that person. For those who cannot cope with the demands of their occupation, professional advice can be very helpful. It should be kept in mind that people who are best protected from burnout have a strong sense of self-esteem and are confident, maintain a good social support system, and a network of friends.

Compassion Fatigue

Compassion fatigue is a type of burnout characterized by deep physical, emotional, and spiritual exhaustion accompanied by acute emotional pain. People experiencing compassion fatigue continue to give themselves fully to their patients, finding it difficult to maintain a healthy balance of empathy and objectivity. The veterinary profession with its tremendous physical and emotional demands, naturally predisposes those in the community to compassion fatigue. Compassion fatigue takes a toll, not only on the individual, but also on the workplace, causing a decrease in productivity, an increase in the number of sick days, and a higher employee turnover.

MODEL WELLNESS PROGRAM

Goals

Wellness programs are typically administered and managed by the State Veterinary Medical Association's Wellness Committee with appropriate liaison with the State Board of Veterinary Medicine. If possible, it is desirable to obtain state legislation that provides immunity for the Program and confidentiality of all Program records. Wellness programs are effective means of managing problems of chemical dependence, mental illness, and other impairments. Such programs are based on interaction and cooperation between governmental agencies, professional associations, health care providers, and members of the recovery community. Many states have found it beneficial to form coalitions with other health professional organizations in the state, not only to leverage resources, but to identify best practices and successful methods.

Strongly structured Wellness Programs provide:

- Immediate availability, which shifts the burden of evaluation from the reporting individual(s) to the program
- Experienced and confidential evaluation and treatment recommendations (veterinarian-staff conflict can be curtailed, patient safety enhanced, malpractice suits avoided, and often proceedings can be kept out of the public record)
- Established guidelines for re-entry into the veterinary medical practice (the program enables affected individuals to return to a productive status in most cases)

- Discreet evaluation of each case and anonymity of the veterinarian and others associated, whenever possible
- A contractual agreement between the affected individual and the program, which lessens the probability of relapse and provides for early detection and management if relapse does occur
- Education for staff and other groups and assistance with organization of wellness activity
- Assistance to families of the veterinary community during the recovery process

Keys to this cost effective and safe method are the use of volunteers, geographically selected monitoring networks, and a system of checks and balances.

Scope of a Model Wellness Program

All veterinarians, residents, veterinary medical students, and veterinary technicians are within the scope of (State Wellness Program). Veterinarians identified to (State Wellness Program) may be referred by fellow veterinarians, friends, families, staff, or others. Self-referrals are encouraged. The (State Veterinary Board) may also refer veterinarians who have impairment in medical practice. (State Wellness Program) assistance in achieving recovery can be instrumental in these circumstances in preserving the veterinarian's medical license, assuring patient safety, and public confidence.

Evaluation

If the professional agrees to accept help and/or monitoring from the (State Wellness Program), the director, or designee will formulate an action plan based in large part on the suggestions of the provider performing the evaluation and/or treatment. This may include further medical or psychiatric evaluation to clarify the diagnosis or to make more specific treatment recommendations. Direct referral to inpatient or outpatient treatment may be recommended. Special medical examinations may be requested to determine the nature, presence, and extent of impairment. Results of this evaluation will be used to determine the level of (State Wellness Program) participation and to develop treatment and monitoring plans.

The (State Wellness Program) does not engage in evaluation or treatment. Referral and close liaison will be maintained with a recovery or rehabilitation program for each program participant by the director or his/her designee in consultation with the reported veterinary professional, those treating him/her, his/her close associates, and others as appropriate.

Treatment may include inpatient or outpatient services for detoxification, rehabilitation, psychiatric care, and/or attendance at self-help and peer support groups. Urine drug screens may be required for documentation of continued recovery as may be needed for the (State Veterinary Board), hospitals, other groups, and liability insurance companies. Monitoring significantly improves the prognosis and successful outcome. Significant changes in the treatment protocol should be approved by the director of (State Wellness Program).

Treatment Provider Criteria-Chemical Impairment

The (Wellness Program), in cooperation with its state Board of Veterinary Medicine, maintains a current list of approved treatment facilities to whom referrals can be made for evaluations/assessments of veterinary professionals. The following criteria are recommended:

1. Providers performing evaluations/assessments should have demonstrable expertise in recognizing the unique characteristics of health professionals involved in the disease of chemical dependence. To avoid the appearance of conflict of interest, a member of the professionals wellness committee should have no vested interest in the provider offering the evaluation/assessment.
2. Providers should be familiar with the Wellness Program and strongly encourage the patient to release to the health professional/(Wellness Program) any records pertaining to the identity, diagnosis, prognosis, or treatment of such patient that are maintained in connection with the performance of any program or activity relating to substance abuse education, prevention, training, treatment, rehabilitation, or research.
3. When assessment for chemical dependence requires residential or hospital inpatient care, it should be for an appropriate period of time to observe for withdrawal and to complete the evaluation—generally a minimum of (3) days.
4. The individual may undergo a complete medical evaluation, including appropriate laboratory and physical examinations. Laboratory examinations should include appropriate urine and blood drug screens and should be conducted by a physician with demonstrable knowledge of chemical dependence.
5. Evaluation may also include in-depth interviews from collateral sources of information including referent, family, associates, spouse(s), or anyone else that knows about the individual and their habits.
6. The psychiatric history and mental status examination should be performed by a psychiatrist knowledgeable in addictive disease.

A comprehensive psychological assessment may include:

- a. Neuropsychological testing performed by a qualified clinical psychologist or psychiatrist
- b. Testing shall give an indication of personality structure, including but not limited to assessment of memory and cognitive understanding
- c. The assessment instrument(s) used should be specified In the psychologist's report
- d. Upon completion of the evaluation, release of all evaluation results AND THE RECOMMENDED TREATMENT PLAN will be made to the (State Wellness Program).

All veterinarians who refuse recommended treatment and or further evaluation or second opinion will be subject to notification of the Board of Veterinary Medical Examiners by the (State Wellness Program).

Drug Testing Procedures

1. (State Wellness Program) participants may be required to submit to observed and chain of custody urine, hair, blood, or other body fluid screens upon random request of (State Wellness Program), treatment providers, hospitals or employers, and (State Wellness Program) members. Such a provision will be specified in the participant's assistance agreement.
2. As a rule, urine specimens will be used to perform the screens. Blood screens for drugs may be requested depending on the situation.
3. The criteria for an immediate request for an observed urine drug screen are as follows:
 - Obvious attempt at adulteration of the specimen
 - Previous positive test
 - Dilution suggested as may be evident by low specific gravity or creatinine level
 - Specimen temperature out of range
 - Obvious clinical signs suggestive of being under the influence

A confirmed alteration will be considered a positive screen

4. The participant will be asked to list any medication (prescribed and OTC) he/she may be taking prior to submitting the specimen.
5. The performing laboratory must be Substance Abuse and Mental Health Services Administration (SAMHSA)-certified or be a recognized equivalent certifying organization, which establishes approved testing protocol and positive thresholds for satisfactory cut-off levels for various drugs.
6. The location where the (Program) participant will have urine/blood drug screens collected will be specified to the participant.
7. When a request is made to a participant to submit a drug screen, a 24-hour period will be given to submit a urine specimen, and a 4-hour period for blood specimen.
8. On occasion, the participant may be requested to provide a urine drug screen or breath alcohol test immediately. If a participant fails to respond to the request within the specified timeframe without justification, the test will be considered positive.
9. The frequency of urine/blood screens will vary in each individual (State Wellness Program) participant depending on the individual's agreement.
10. Results of all urine/blood screens will be forwarded to the (State Wellness Program).
11. All positive screens will be immediately reported to the (State Wellness Program).
12. All costs involved in performing urine/blood screens will be the responsibility of the participant.
13. (State Wellness Program) recognizes the value of cost containment. A list of commercial laboratories which currently offer the benefit of reduced costs, SAMHSA certification, or equivalent certification, and who understand the assistance process of the (State Wellness Program) system will be maintained and periodically updated.

Therapeutic Monitoring Groups

Wellness Programs recognize that accurate monitoring and progression in recovery is not always possible. Therefore the program must receive reports from a reliable resource on a regular basis. Thus, the use of Therapeutic Monitoring Groups (TMG) may be utilized in some situations.

Therapeutic Monitoring Groups may include and/or accomplish:

1. Report and document progress/or relapse
2. Provide a professional support network
3. Require alcohol/drug screening
4. Receive self-reports from the individual
5. Use of a work site monitor to which the individual is accountable

Release Forms

Appropriate release of information forms will be signed by the participant in compliance with Federal and State laws.

**F. American Association of Veterinary State Boards
(AAVSB) Annual Meeting, September 22-24, 2016,
Scottsdale, AZ**

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

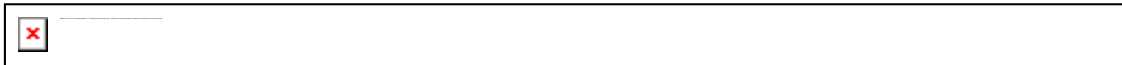
AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Matt Tompach		2) Date When Request Submitted: 7/6/16	
		Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? American Association of Veterinary State Boards (AAVSB) Annual Meeting, September 22-24, 2016, Scottsdale, AZ	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Update on travel authorizations for AAVSB annual meeting, expansion of AAVSB's Delegate Funding Program, and AAVSB meeting resolution.			
11) Authorization Matt Tompach 7/6/16 _____ Signature of person making this request Date Supervisor (if required) Date Matt Tompach 7/6/16 _____ Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Tompach, Matthew C - DATCP

From: James T. Penrod, CAE, FASLA <jpenrod@aavsb.org>
Sent: Thursday, June 30, 2016 2:45 PM
To: Tompach, Matthew C - DATCP
Subject: AAVSB Expands Delegate Funding Program

Strengthening the veterinary regulatory community



FOR IMMEDIATE RELEASE:

Date: June 30, 2016

Contact: Lainie Franklin, Member Services & Marketing Coordinator
1-877-698-8482

The AAVSB® Expands Delegate Funding Program for Annual Meeting & Conference

Kansas City, MO (June 30, 2016) - The American Association of Veterinary State Boards (AAVSB)'s Board of Directors recently approved an expansion to its Delegate Funding Program for the Annual Meeting & Conference. The [new policy](#) allows for the AAVSB to waive registration costs and to cover reasonable travel expenses for **two** participants from each of the AAVSB's Member Boards to attend the AAVSB Annual Meeting & Conference. Participants must meet the qualifications of Delegate or Alternate Delegate and must attend the Delegate Assembly.

AAVSB Executive Director Jim Penrod noted, "The previous policy only allowed the AAVSB to fund one Delegate from each jurisdiction. Expanding the Delegate Funding Program to two participants encourages each Member Board to send their Executive Director and a Board Member or multiple board members to the Annual Meeting at virtually no cost."

The [AAVSB Annual Meeting & Conference](#) brings together Member Boards to collaborate, educate, network, and conduct business, providing direction for the Association. The conference attracts attendees that include Member Board Members and Executive Directors, AAVSB Board of Directors, AAVSB Committee Members, and AAVSB Staff. It is the primary forum for the members' collective voice to be heard and to stay abreast of the latest information in veterinary medicine regulation.

AAVSB President Dr. John Lawrence added, "To make sure the Association is effectively serving the needs of our Member Boards, we need 100% participation at the

Annual Meeting & Conference. I'm pleased that the Board of Directors voted to expand the Delegate Funding Program. This makes it even easier for our members to attend and for all jurisdictions to be represented at the Delegate Assembly."

For more information about the AAVSB Annual Meeting & Conference and the expanded Delegate Funding Program (including eligibility requirements), please visit: aavsb.org/AnnualMeeting.

About the AAVSB: The AAVSB is a 501(c)(3) non-profit organization whose mission is to support and advance the regulatory process for veterinary medicine. The membership of the AAVSB consists of 60 jurisdictions representing all of the United States and the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and seven Canadian provinces: Alberta, British Columbia, New Brunswick, Nova Scotia, Ontario, Prince Edward Island, and Saskatchewan.

American Association of Veterinary State Boards | 1-877-698-8482 | aavsb@aavsb.org | www.aavsb.org

STAY CONNECTED:



American Association of Veterinary State Boards, 380 West 22nd Street,
Suite 101, Kansas City, MO 64108

[SafeUnsubscribe™](#) matthew.tompach@wisconsin.gov

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Sent by jpenrod@aavsb.org in collaboration with



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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 and therefore 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, AAVSB must be fiscally prudent at all times. Those participating in the Delegate Funding Program are required to adhere to this policy, and 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 Board 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 and are expected to attend the Thursday afternoon session.
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. The participants will be invoiced for additional guests. The AAVSB is unable to accept payments at the conference.

4. Meeting registration includes breakfast and lunch throughout the meeting as well as the networking event. No reimbursement for additional meals, snacks, and drinks including expenses for food and beverages consumed during the Delegate's travel.
5. Hotel accommodations include up to four (4) nights at the AAVSB designated hotel and the participants will be included on the AAVSB Master List. Additional nights will 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.
6. Upon check-in, 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. All room taxes are paid by AAVSB.
7. Participants must utilize 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.
8. 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.
9. 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, scheduled car pick-ups, and on-demand transportation including tips will also be reimbursed.
10. Mileage at the Federal government reimbursement rate will be paid to and from home and the airport or other mass transit point of departure.

11. Four days of parking expenses at the home airport or other mass transit point of departure will be reimbursed.
12. No reimbursement for rental cars. Parking at the hotel for rental cars will not be reimbursed.
13. No reimbursement for other miscellaneous items to include tips.

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 AAVSB designated Travel Agency with the name of the participants and provide the participants with contact information for the AAVSB designated Travel Agency and any further instructions.
4. An AAVSB Request for Reimbursement of Travel Expenses form must accompany all requests for reimbursement. Receipts for automobile transportation (mileage reimbursement), or ground transportation to and from the airport to the AAVSB designated hotel (unless AAVSB has pre-arranged ground transportation with the Travel Agent) must be provided or the expenses may not be reimbursed.
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; revised by the AAVSB Board of Directors on 01/19/2013, 06/20/2015, 9/19/2015, 1/23/2016, 5/11/2016, and 6/17/2016.



MEMORANDUM

To: Executive Directors of the AAVSB Member Boards for Distribution
From: AAVSB Bylaws and Resolution Committee
Date: June 24, 2016
Subject: Resolution 2016-01

Prior to each Annual Meeting, the AAVSB Member Boards can submit resolutions to be voted upon by the Delegate Assembly. As the policy states, resolutions are reserved for important or complex issues that require greater formality than a standard motion.

This year, the AAVSB received one resolution and it is enclosed for your review. This resolution was submitted by the AAVSB Conference Committee and asks the Board of Directors to adopt a policy for expanding the potential dates for the Annual Meeting.

The Bylaws and Resolution Committee recommends that the Delegate Assembly pass this resolution.

For your review, the resolutions policy is also enclosed.

Enclosures

RESOLUTION 2016-01

Submitted by: AAVSB Conference Committee

AAVSB Bylaws and Resolution Committee Suggestion: PASS

WHEREAS, the AAVSB Members during the 2005 AAVSB Annual Meeting & Conference approved designating the second weekend following Labor Day each year for the AAVSB Annual Meeting & Conference; and

WHEREAS, the AAVSB Board of Directors expanded the AAVSB Annual Meeting & Conference dates selection to the second or third weekends following Labor Day if pricing at the hotel was significantly better on the third weekend and/or if a religious holiday occurred during the week of or on the second weekend; and

WHEREAS, the AAVSB competes with other national organization conferences to which AAVSB member boards support and attend; and

WHEREAS, important issues, including elections of AAVSB Board of Directors and Officers, are addressed at the AAVSB Annual Meeting; and

WHEREAS, AAVSB desires to provide flexibility on dates to the benefit and recognition of the time commitment of its own conference attendees;

NOW therefore be it RESOLVED, that the Board of Directors adopt a policy to permit the AAVSB to schedule its Annual Meeting & Conference during the month of October if desired September dates are reasonably unavailable.

Licensure to Work in State Diagnostic Lab – Bochsler Letter

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Matt Tompach		2) Date When Request Submitted: 7/6/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Licensure to Work in State Diagnostic Lab – Bochsler Letter	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Review letter from Dr. Bochsler, director of the WVDL, on the issue of licensure to work in the WVDL.			
11) Authorization			
Matt Tompach		7/6/16	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Matt Tompach		7/6/16	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



**Wisconsin Veterinary
Diagnostic Laboratory**
UNIVERSITY OF WISCONSIN-MADISON

May 11, 2016

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

Dear Veterinary Examining Board:

The Wisconsin Veterinary Diagnostic Laboratory (WVDL) employs veterinary pathologists who perform necropsy of animals at our facility, and receive animal tissues and other specimens from field/clinic necropsy and biopsy performed by referring veterinarians, all for diagnostic testing at our lab.

Currently, WVDL pathologists are also faculty members within the UW School of Veterinary Medicine (UW SVM), Department of Pathobiological Sciences.

One of our recently-employed pathologists at WVDL is not eligible for a traditional WI veterinary individual license to practice as a result of being a foreign veterinary graduate. He is a very good pathologist, quite capable, and is board-certified by the American College of Veterinary Pathologists.* In addition to also being a faculty member at the UW SVM, he also holds a current Wisconsin license to practice through the UW SVM (copy attached), but not a traditional, individual license.** (ref. VEB 89.06 Licensure (2m))

I am his supervisor, am a board-certified pathologist, hold a current veterinary license in WI, and am the assigned case coordinator and veterinary pathologist of record for cases that he works on. I read/review and approve every case prior to finalizing them, and both of our names appear on the reports. His resume/cv is attached.

I am requesting that the Veterinary Examining Board consider veterinary pathologists who work at the WVDL, who are also faculty at the UW SVM, and who hold a WI license to practice veterinary medicine through the UW SVM, also be viewed as licensed at the WVDL, but limited to only WVDL or SVM case material in their job/role as veterinary pathologists.

Respectfully Submitted,

Philip N. Bochsler, DVM, PhD
Diplomate, American College of Veterinary Pathologists
Director, WVDL

*The highest credential of competency in the field of veterinary pathology

Attachments: **1. Veterinary license (via UW SVM), Dr. Raman (Anantharaman Muthuswamy)
2. VEB 89.06 Licensure (2m)
3. MOU, UW SVM and WVDL (see p. 2)
4. Curriculum vitae, Dr. Raman

445 Easterday Lane Madison, WI 53706-1253
Phone: 608-262-5432 Toll-free: 800-608-8387
Fax: 847-574-8085

1521 E. Guy Avenue P.O. Box 97 Barron, WI 54812-0097
Phone: 715-637-3151 Toll Free: 800-771-8387
Fax: 715-637-9220

The State of Wisconsin Department of Safety and Professional Services

Hereby certifies that

ANANTHARAMAN MUTHUSWAMY

was granted a license to practice as a

VETERINARY MEDICINE

in the State of Wisconsin in accordance with Wisconsin Law

on the 3rd day of November in the year 2015.

The authority granted herein must be renewed each biennium by the granting authority.

In witness thereof, the State of Wisconsin

Department of Safety and Professional Services


has caused this certificate to be issued under

the seal of the Department of Safety and Professional Services




Chairperson


Secretary


Secretary

CHAPTER 89

VETERINARY EXAMINING BOARD

89.02	Definitions.	89.07	Discipline.
89.03	Rules.	89.071	Administrative warnings.
89.04	Violations.	89.0715	Assessment of costs.
89.05	Practice; penalties.	89.072	Licenses of other jurisdictions.
89.06	Licensure.	89.073	Temporary reciprocal credentials for the spouses of service members.
89.062	Renewal; continuing education.	89.075	Access to health care records.
89.063	Fees.	89.078	Background investigations.
89.065	Examinations.	89.079	Unauthorized practice.
89.068	Drugs for animal use.	89.08	Injunctive relief.

Cross-reference: See also VE, Wis. adm. code.

89.02 Definitions. As used in this chapter, unless the context requires otherwise:

(1g) "Administer," when used in reference to administering a drug to an animal, means directly applying the drug, whether by injection, ingestion, or any other means, to the body of the animal.

(1m) "Animal" means any animal except a human being.

(3) "Client" means the person who owns or who has primary responsibility for the care of a patient.

(3d) "Department" means the department of agriculture, trade and consumer protection.

(3g) "Dispense" means the act of delivering a drug to a person who may lawfully possess the drug, including the compounding, packaging or labeling necessary to prepare the drug for delivery.

(3r) "Drug" has the meaning given in s. 450.01 (10).

(4) "Examining board" means the veterinary examining board.

(4e) "Extra-label use" means use of a drug in a manner that is not in accordance with the directions for use that are contained on the label affixed to the container in which the drug is dispensed.

(4m) "Food-producing animal" means an animal that is raised to produce food for human consumption.

(4s) "Patient" means an animal that is examined or treated by a veterinarian.

(5) "Pesticide" has the meaning specified in s. 94.67 (25).

(5m) "Pharmacist" means an individual who is licensed as a pharmacist under ch. 450.

(6) To "practice veterinary medicine" means 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 undertake, 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.

(6m) "Prescription" means a written, oral or electronic order from a veterinarian to a pharmacist or to another veterinarian that authorizes the pharmacist or other veterinarian to dispense a drug, or from a veterinarian to a client that authorizes the client to make extra-label use of a drug.

(7) "Veterinarian" means a practitioner of veterinary medicine who is duly licensed by the examining board.

(8) "Veterinarian-client-patient relationship" means 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.

(9) "Veterinary drug" means any of the following:

(a) A drug that is recognized as a drug for animal use in the official U.S. pharmacopoeia or the official national formulary or any supplement to either of them.

(b) A drug that is intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in an animal.

(c) A drug that is intended to affect the structure or function of the body of an animal, including medicated feed or a growth-promoting implant, but not including feed that does not contain a drug.

(d) A substance that is intended for use as a component of a drug described in par. (a), (b) or (c).

(e) A drug that is produced and intended for human use but that is prescribed by a veterinarian for animal use.

(10) "Veterinary over-the-counter drug" means a drug that is labeled for animal use, that may be dispensed without a prescription and that is not required to bear the label statement: "CAUTION: Federal law restricts this drug to use by or on the order of a licensed veterinarian."

(11) "Veterinary prescription drug" means a drug that may not be dispensed without the prescription of a veterinarian.

(12) "Veterinary technician" means a person duly certified by the examining board to work under the direct supervision of a licensed veterinarian.

History: 1975 c. 309; 1983 a. 189; 1987 a. 39; 1989 a. 279; 1991 a. 306; 1993 a. 213; 1995 a. 321; 1997 a. 27; 2015 a. 55 s. 2597, 4491; Stats. 2015 s. 89.02; 2015 a. 196.

The termination of the life of an animal by injection is not the practice of veterinary medicine. 65 Atty. Gen. 231.

89.03 Rules. (1) The examining board shall promulgate rules, within the limits of the definition under s. 89.02 (6), establishing the scope of practice permitted for veterinarians and veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, certification, or temporary permit, unprofessional conduct, and disciplinary proceedings.

(2) The examining board shall promulgate rules requiring training and continuing education sufficient to assure competency of veterinarians and veterinary technicians in the practice

89.03 VETERINARY EXAMINING BOARD

Updated 13-14 Wis. Stats. 2

of veterinary medicine, except that the board may not require training or continuing education concerning the use, handling, distribution, and disposal of pesticides other than for disciplinary purposes.

History: 1987 a. 39; 1989 a. 279; 1995 a. 321; 2003 a. 103; 2009 a. 139; 2015 a. 55 s. 4492; Stats. 2015 s. 89.03.

Cross-reference: See also VE, Wis. adm. code.

89.04 Violations. The chairperson of the examining board shall institute actions for violations of this chapter by any person and for violations of ch. 450 or 961 by veterinarians. The district attorney of the county in which the offense is committed shall promptly prosecute any such violation upon being informed thereof, from any source.

History: 1985 a. 146; 1993 a. 184; 1995 a. 448; 2015 a. 55 s. 4493; Stats. 2015 s. 89.04.

89.05 Practice; penalties. (1) Except as provided under sub. (2) and s. 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.

(2) No veterinary license or temporary permit is required for the following activities or persons:

(a) Artificial insemination, or for continuing the practice of pregnancy examinations of animals when such practice was engaged in prior to February 11, 1968.

(b) Castrating male livestock, as defined in s. 95.68 (1) (d) or for dehorning or branding animals.

(c) Students at a veterinary college approved by the examining board.

(d) Certified veterinary technicians while working under the direct supervision of a veterinarian.

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

(f) Employees of an educational or research institution while engaged in teaching or research. This paragraph does not apply to employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals.

(g) Employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals only as a part of their employment and who are licensed under s. 89.06 (2m).

(h) Graduates of schools outside the United States and Canada who are enrolled in the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association while completing the required year of clinical assessment under the supervision of a veterinarian.

(3) Any person violating this section may for the first offense be fined not more than \$1,000, and for any 2nd offense within 3 years be fined not more than \$3,000.

History: 1975 c. 309; 1977 c. 418; 1979 c. 337; 1981 c. 125; 1987 a. 39; 1991 a. 306; 1995 a. 321; 2005 a. 96, 237; 2009 a. 42; 2015 a. 55 s. 4494; Stats. 2015 s. 89.05.

A license under sub. (2) (a) is not required for person to engage in artificial insemination of animals but is required for persons engaged in pregnancy examinations who were not engaged in practice prior to February 11, 1968. 78 Atty. Gen. 236.

89.06 Licensure. (1) Except as provided under ss. 89.072 and 89.073, veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pay the fee established under s. 89.063. An applicant for an initial license shall be a graduate of a veterinary college that has been approved by the examining board or have successfully completed either the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association or the program for the

assessment of veterinary education equivalence offered by the American Association of Veterinary State Boards. Persons who qualify for examination may be granted temporary permits to engage in the practice of veterinary medicine in the employment and under the supervision of a veterinarian until the results of the next examination conducted by the examining board are available. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

(2m) (a) Upon application, the examining board may issue a veterinary faculty license to an employee of a school of veterinary medicine in this state who has received the degree of doctor of veterinary medicine from a veterinary college approved by the examining board or if the examining board determines that the person possesses substantially equivalent qualifications. A person holding a veterinary faculty license may practice veterinary medicine on privately owned animals only within the scope of the person's employment at the school.

(b) Upon application, the examining board may grant a veterinary postgraduate training permit to a person undertaking intern or resident training at a school of veterinary medicine in this state. The only purpose of the veterinary postgraduate training permit is to provide opportunities in this state for the postgraduate education of persons who have received the degree of doctor of veterinary medicine or an equivalent degree but who have not yet met the requirements for licensure in this state. Issuance of a postgraduate training permit does not modify in any respect the requirements for licensure to practice veterinary medicine in this state, and a permit holder may practice veterinary medicine on privately owned animals only within the scope of the permit holder's internship or residency program. Violation of this restriction or of any applicable provision of this chapter constitutes cause for revocation of the permit.

(c) A license issued under this subsection expires upon termination of the licensee's employment at a school of veterinary medicine in this state. A postgraduate training permit expires upon termination of the permit holder's internship or residency program.

(3) A veterinary technician certification may be issued only to a person who is at least 18 years of age and has either:

(a) Successfully completed a 4-semester course of study in animal technology or its equivalent, at a technical school or college approved by the examining board, and has passed an examination, administered by the examining board, which establishes that the applicant's knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician; or

(b) Been an employee of a veterinarian for a total of 2 years and has passed an examination, administered by the examining board, which establishes that the applicant's knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician. The 2-year employment requirement of this paragraph shall include at least 50% of the applicant's time spent in practical field experience and the remainder of the applicant's time spent in laboratory work, office procedure, and technical veterinary training with a veterinarian.

History: 1971 c. 213 s. 5; 1975 c. 309; 1977 c. 29, 418; 1979 c. 34 s. 2102 (58) (b); 1981 c. 125; 1985 a. 182 s. 57; 1987 a. 39; 1991 a. 39; 1995 a. 321; 2001 a. 76; 2003 a. 103; 2009 a. 396; 2015 a. 55 s. 4495; Stats. 2015 s. 89.06; 2015 a. 179; s. 35.17 correction in (1).

Cross-reference: See also chs. VE 3, 4, 5, 6, 8, and 10, Wis. adm. code.

The examining board lacks authority to condition the renewal of licenses upon either reexamination or continuing education. 65 Atty. Gen. 35.

89.062 Renewal; continuing education. (1) **RENEWAL.** The renewal date for veterinary licenses and veterinary technician certifications is December 15 of each odd-numbered year, and the renewal fees for such licenses and certifications are determined by the department under s. 89.063.

(2) **CONTINUING EDUCATION.** (a) Except as provided in sub. (3), the examining board may not renew a veterinary license

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU"), effective May 1, 2016, is by and between the Board of Regents of the University of Wisconsin System on behalf of the University of Wisconsin-Madison ("University") and its School of Veterinary Medicine ("UW SVM") and the Wisconsin Veterinary Diagnostic Laboratory ("WVDL").

RECITALS

WHEREAS, 1999 Wisconsin Act 107 transferred the Wisconsin Veterinary Diagnostic Laboratory from the Department of Agriculture, Trade and Consumer Protection to the University of Wisconsin System, and created the Veterinary Diagnostic Laboratory board as a board attached to the University of Wisconsin System pursuant to Wisconsin Statutes section 19.03; and

WHEREAS, Wisconsin Statutes section 15.915(b) includes the Chancellor of the University of Wisconsin-Madison or his or her designee as a member of the Veterinary Diagnostic Laboratory board; and

WHEREAS, given their mutual goals and missions related to animal health, the Chancellor of the University has appointed the Dean of UW SVM as the Chancellor's designee to the WVDL Board of Directors pursuant to Wisconsin Statutes section 15.915(1)(b)2, and has assigned the organizational reporting line of WVDL to the UW SVM.

ARTICLE I

PRINCIPLES OF THE RELATIONSHIP BETWEEN WVDL AND UW SVM

Section 1.1 Responsibilities of WVDL. As an auxiliary of the University reporting to the WVDL Board of Directors, and reporting to the Chancellor through the Dean of the UW SVM, the WVDL adheres to the operating procedures of the University and, in so doing, maintains fiscal autonomy with respect to the UW SVM. WVDL is solely responsible for fulfilling its statutory responsibilities to the State and State agencies, fulfilling contracts with third parties in the public and private sectors, allocating its resources to fulfill its missions and obligations, maintaining laboratory infrastructure, ensuring regulatory compliance with respect to its activities, and balancing its annual budget. No WVDL funds, whether derived from state GPR, fee-for-service work, or third-party grants or contracts, may be transferred from WVDL to UW SVM or vice versa, except with respect to payments for services rendered or for agreed upon partnerships administered by an additional MOU. WVDL is responsible for human resources functions related to WVDL staff, and for maintaining its own administrative, information technology, and building maintenance staff.

Executed below by duly authorized representatives of the parties hereto.

WISCONSIN VETERINARY DIAGNOSTIC
LABORATORY

By: Philip N. Bochler
Philip N. Bochler, DVM, PhD
Director

Date: 4-29-2016

BOARD OF REGENTS OF THE
UNIVERSITY OF WISCONSIN SYSTEM

By: Rebecca M. Blank
Rebecca M. Blank
Chancellor

Date: 5-2-2016

UNIVERSITY OF WISCONSIN
SCHOOL OF VETERINARY MEDICINE

By: Mark D. Markel
Mark D. Markel, DVM, PhD
Dean

Date: 4/29/16

PROFESSIONAL GOAL

To be actively involved in diagnostic pathology, teaching and collaborative / independent research for the improvement of animal health; to actively participate in the conception and dissemination of new knowledge for the treatment of animal and human diseases

SKILLS SUMMARY

1. Extensive knowledge in diagnostic, comparative and investigative pathology of domestic and companion animals, laboratory animals, poultry, exotic pets and non-human primates
2. Broad knowledge on the analysis and interpretation of hematology, biochemistry and cytological samples
3. Immense teaching experience and ability to communicate / collaborate with cross-functional teams, students and scientists in academic and industry settings
4. Strong scientific background in cellular and molecular research, oncology and metabolism with emphasis on oxidative stress using in-vivo and in-vitro experimental systems
5. Self – initiating, enthusiastic and innovation driven with proven leadership qualities
6. Strong analytical, critical thinking and problem solving skills

EDUCATION

2008 - 2011	Residency, School of veterinary medicine, University of Wisconsin – Madison, USA
2003 - 2008	PhD, Toxicology Graduate Center for Toxicology, University of Kentucky – Lexington, USA
1997 – 1999	MS - Veterinary Pathology Tamil Nadu University of Veterinary and Animal Sciences (TANUVAS), Tamil Nadu, India
1991 – 1997	Bachelor of Veterinary Sciences (DVM), TANUVAS, Tamil Nadu, India

CERTIFICATION

AMERICAN COLLEGE OF VETERINARY PATHOLOGISTS

PROFESSIONAL EXPERIENCE

2014 (December) – till date

Diagnostic Pathologist, Wisconsin Veterinary Diagnostic Laboratory, Wisconsin, Madison

1. Conduct diagnostic necropsies on livestock, companion animals and poultry and write comprehensive pathology reports by interpreting results of gross, microscopic and molecular diagnostics
2. Communicate with the animal producers and field Veterinarians on the necropsy findings and suggest preventive measures
3. Answer questions on general animal management, vaccinations, treatment and prevention of diseases affecting livestock and poultry

2000 Area Manager, Indovax Private Limited, Hissar, India

1. Headed an investigative team to diagnose emerging poultry diseases and suggested preventive measures
2. Conducted sterility, safety and efficacy studies for the vaccines
3. Standardized the procedure for formalization of erythrocytes

RESEARCH EXPERIENCE

2003 to 2008 PhD, Graduate Centre for Toxicology, University of Kentucky - Lexington

Research emphasis – Nitration and Inactivation of Manganese Superoxide Dismutase (MnSOD) in

Alzheimer's disease – A Metabolic Perspective

1. Investigated the critical role of MnSOD in altering the metabolism using a mouse model of Alzheimer's disease (APP/PS-1)
2. Developed, standardized and conducted enzymatic activity assays
3. Designed, standardized and conducted experiments on SH-SY5Y neuroblastoma cell line for assessment of cell survival, growth curve, enzymatic activities and metabolite concentrations
4. Development and standardized assays for ATP, lactate, Thio Barbuturic Acid Reactive Substances (TBARS), nitrite & nitrate
5. Standardized immuno-precipitation, immunohistochemistry, immunofluorescence and in-situ hybridization on the brain tissues harvested from the mouse model of Alzheimer's disease; carried out immuno-histochemistry for the presence of Amyloid-beta

1997 to 2000 Master of Veterinary Science (Veterinary Pathology), Tamil Nadu University of Veterinary and Animal Sciences, India

Research emphasis – Pathology of Ochratoxicosis in broilers

1. Implemented regular testing of feed and litter materials for the presence of fungal toxins
2. Developed Thin-layer Chromatography for identification of Ochratoxin – A
3. Designed and conducted in-vivo experiments to study the pathology of Ochratoxin – A in broilers

TEACHING EXPERIENCE

1. Lectured on skeletal muscle pathology (path-bio 560) to DVM students (2009 – 2010) – 140 STUDENTS
2. Teaching Assistant in systemic pathology labs (2008 – 2011) – 220 STUDENTS
3. Trained and supervised DVM students in necropsy, gross pathology descriptions, sample collection and preservation procedures (2008 – 2011) – 250 STUDENTS
4. Trained and supervised junior Anatomic Pathology residents in gross and microscopic pathology (2010 – 2014)

JOURNAL ASSOCIATIONS

1. Guest editor for Oxidative Medicine and Cellular Longevity
2. Peer reviewer – Veterinary Pathology
3. Peer reviewer – Journal of Veterinary Diagnostic Investigation
4. Peer reviewer – American Journal of Primatology
5. Peer reviewer – Journal of Medical Primatology

6. Muthuswamy A (2012). Characterization of hematopoiesis in the placenta of Common Marmosets. Primate Pathology Information Database – Virtual slide conference, National Primate Research Center, Madison, Wisconsin
7. Muthuswamy A (2011). Endoscopic biopsies of gastro-intestinal tract - histopathology and clinics: correlation and discordance. Pathology and Internal Medicine combined rounds, School of veterinary medicine, University of Wisconsin - Madison.
8. Muthuswamy A and Daret K. St. Clair (2007). Manganese Superoxide Dismutase (MnSOD) in Alzheimer's disease – A metabolic perspective. 14th Annual meeting of Society of Free Radical Biology and Medicine, November 14–18, Washington D.C.
9. Muthuswamy A et al. (2005). β -Amyloid Mediated Nitration of Manganese Superoxide Dismutase. Implication for oxidative Stress in an APP^{NLh_xNLh} X PS-1^{P264L/P264L} double knock-in mouse model of Alzheimer's disease. 12th Annual Meeting of Society of Free Radical Biology and Medicine, November 16 – 20, Texas, Houston.
10. Muthuswamy A and Balasubramaniam GA (2003). Pathology of ochratoxycosis in broilers. 43rd Annual Meeting of Society of Toxicology, Baltimore, Maryland

HONORS / AWARDS

1. Travel Award for the 61st Annual Meeting of the American College of Veterinary Pathologists, Baltimore, 2010
2. Travel Award for the 14th Annual conference of Society of Free Radical Biology and Medicine, 2007
3. Research Challenge Trust Fund fellowship, University of Kentucky, 2003–2005
4. Gold Medal for the best graduating Masters student in Veterinary Pathology, Tamil Nadu University of Veterinary and Animal Sciences (TANUVAS), 1999
5. TANUVAS Merit Scholarship for DVM and MS, 1991–1999

MEMBERSHIPS

1. American College of Veterinary Pathologists
2. Society of Toxicologic Pathology
3. Society of Toxicologic Pathology - India
4. The American Association for Veterinary Laboratory Diagnosticians
5. Society of Free Radical Biology and Medicine

Rulemaking Update – VE 1 and 7 Statement of Scope

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


AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Cheryl Daniels		2) Date When Request Submitted: 7/6/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Rulemaking Update – VE 1 and 7 Statement of Scope	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Update on the rule-making process for VE 1 and VE 7, relating to the definition of surgery and alternative therapies, respectively.			
11) Authorization			
Cheryl Daniels		7/6/16	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Matt Tompach		7/6/16	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Continuing Education Requirements for Faculty Licensees

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Lauren U. Van Buren		2) Date When Request Submitted: 07/08/2016 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date.</small>	
3) Name of Board, Committee, Council, Sections: Veterinary Examining Board			
4) Meeting Date: 07/20/2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Continuing education requirements for faculty licensees	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: See attached memo.			
11) Authorization			
		07/08/2016	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

DATE: July 8, 2016
TO: Veterinary Examining Board
FROM: DATCP, Office of Legal Counsel
SUBJECT: Continuing education requirements for faculty licensees

The Department has received a complaint against the holder of a special veterinarian faculty license. It was not clear to the enforcement staff if holders of those licenses are required to complete and report thirty hours of continuing education during the preceding two-year licensure period. The holders of these licenses are not required to renew every two years and there is no expiration date listed in the license system.

CURRENT REGULATORY SCHEME

Wis. Stat. § 89.02(7), defines “veterinarian” as “a practitioner of veterinary medicine who is duly licensed by the examining board.” Wis. Stat § 89.06(2m)(a), empowers the examining board to issue a veterinary faculty license to an employee of a school of veterinary medicine which allows that license holder to practice veterinary medicine on privately owned animals within the scope of their employment at the school. Wis. Stat. § 89.06(2m)(c), explains that this license expires upon termination of the holder’s employment at a school of veterinary medicine. Wis. Stat. §§ 89.062(1)&(2), set the veterinary license renewal date and allow renewal only if the veterinarian certifies completion of at least thirty hours of continuing education.

Taken together, these sections mean that a holder of a faculty veterinary license is a veterinarian as defined by the statute, that a veterinary license may not be renewed without continuing education but that the faculty veterinary license expires only upon the termination of their employment thus, no renewal requirement.

Wis. Admin. Code § VE 10.01, states the purpose of the rules in the chapter as governing “biennial continuing education, training and certification requirements for veterinarians.” Wis. Admin. Code § VE 10.02(1), requires a veterinarian to complete at least 30 hours of continuing education in each biennial renewal period. Wis. Admin. Code § VE 10.02(8), requires every veterinarian to maintain continuing education records for five years and authorizes the board to audit those records for the preceding biennium.

Because subsections of the rules refer to the biennial renewal period for monitoring continuing education requirements, the rules do not appear to contemplate reporting requirements for licenses that do not have a renewal period.

QUESTIONS PRESENTED

1. Does the Board want holders of faculty licenses to complete and report continuing education?
2. Should the enforcement program be currently auditing and enforcing continuing education requirements for faculty licensees?
3. Would a rule revision be helpful?

CHAPTER 89

VETERINARY EXAMINING BOARD

89.02	Definitions.	89.07	Discipline.
89.03	Rules.	89.071	Administrative warnings.
89.04	Violations.	89.0715	Assessment of costs.
89.05	Practice; penalties.	89.072	Licensees of other jurisdictions.
89.06	Licensure.	89.073	Temporary reciprocal credentials for the spouses of service members.
89.062	Renewal; continuing education.	89.075	Access to health care records.
89.063	Fees.	89.078	Background investigations.
89.065	Examinations.	89.079	Unauthorized practice.
89.068	Drugs for animal use.	89.08	Injunctive relief.

Cross-reference: See also [VE](#), Wis. adm. code.

89.02 Definitions. As used in this chapter, unless the context requires otherwise:

(1g) “Administer,” when used in reference to administering a drug to an animal, means directly applying the drug, whether by injection, ingestion, or any other means, to the body of the animal.

(1m) “Animal” means any animal except a human being.

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

(3d) “Department” means the department of agriculture, trade and consumer protection.

(3g) “Dispense” means the act of delivering a drug to a person who may lawfully possess the drug, including the compounding, packaging or labeling necessary to prepare the drug for delivery.

(3r) “Drug” has the meaning given in s. [450.01 \(10\)](#).

(4) “Examining board” means the veterinary examining board.

(4e) “Extra-label use” means use of a drug in a manner that is not in accordance with the directions for use that are contained on the label affixed to the container in which the drug is dispensed.

(4m) “Food-producing animal” means an animal that is raised to produce food for human consumption.

(4s) “Patient” means an animal that is examined or treated by a veterinarian.

(5) “Pesticide” has the meaning specified in s. [94.67 \(25\)](#).

(5m) “Pharmacist” means an individual who is licensed as a pharmacist under ch. [450](#).

(6) To “practice veterinary medicine” means 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 undertake, 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.

(6m) “Prescription” means a written, oral or electronic order from a veterinarian to a pharmacist or to another veterinarian that authorizes the pharmacist or other veterinarian to dispense a drug, or from a veterinarian to a client that authorizes the client to make extra-label use of a drug.

(7) “Veterinarian” means a practitioner of veterinary medicine who is duly licensed by the examining board.

(8) “Veterinarian–client–patient relationship” means 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.

(9) “Veterinary drug” means any of the following:

(a) A drug that is recognized as a drug for animal use in the official U.S. pharmacopoeia or the official national formulary or any supplement to either of them.

(b) A drug that is intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in an animal.

(c) A drug that is intended to affect the structure or function of the body of an animal, including medicated feed or a growth-promoting implant, but not including feed that does not contain a drug.

(d) A substance that is intended for use as a component of a drug described in par. (a), (b) or (c).

(e) A drug that is produced and intended for human use but that is prescribed by a veterinarian for animal use.

(10) “Veterinary over-the-counter drug” means a drug that is labeled for animal use, that may be dispensed without a prescription and that is not required to bear the label statement: “CAUTION: Federal law restricts this drug to use by or on the order of a licensed veterinarian.”

(11) “Veterinary prescription drug” means a drug that may not be dispensed without the prescription of a veterinarian.

(12) “Veterinary technician” means a person duly certified by the examining board to work under the direct supervision of a licensed veterinarian.

History: 1975 c. 309; 1983 a. 189; 1987 a. 39; 1989 a. 279; 1991 a. 306; 1993 a. 213; 1995 a. 321; 1997 a. 27; 2015 a. 55 s. 2597, 4491; Stats. 2015 s. 89.02; 2015 a. 196.

The termination of the life of an animal by injection is not the practice of veterinary medicine. 65 Atty. Gen. 231.

89.03 Rules. (1) The examining board shall promulgate rules, within the limits of the definition under s. [89.02 \(6\)](#), establishing the scope of practice permitted for veterinarians and veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, certification, or temporary permit, unprofessional conduct, and disciplinary proceedings.

(2) The examining board shall promulgate rules requiring training and continuing education sufficient to assure competency of veterinarians and veterinary technicians in the practice

of veterinary medicine, except that the board may not require training or continuing education concerning the use, handling, distribution, and disposal of pesticides other than for disciplinary purposes.

History: 1987 a. 39; 1989 a. 279; 1995 a. 321; 2003 a. 103; 2009 a. 139; 2015 a. 55 s. 4492; Stats. 2015 s. 89.03.

Cross-reference: See also VE, Wis. adm. code.

89.04 Violations. The chairperson of the examining board shall institute actions for violations of this chapter by any person and for violations of ch. 450 or 961 by veterinarians. The district attorney of the county in which the offense is committed shall promptly prosecute any such violation upon being informed thereof, from any source.

History: 1985 a. 146; 1993 a. 184; 1995 a. 448; 2015 a. 55 s. 4493; Stats. 2015 s. 89.04.

89.05 Practice; penalties. (1) Except as provided under sub. (2) and s. 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.

(2) No veterinary license or temporary permit is required for the following activities or persons:

(a) Artificial insemination, or for continuing the practice of pregnancy examinations of animals when such practice was engaged in prior to February 11, 1968.

(b) Castrating male livestock, as defined in s. 95.68 (1) (d) or for dehorning or branding animals.

(c) Students at a veterinary college approved by the examining board.

(d) Certified veterinary technicians while working under the direct supervision of a veterinarian.

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

(f) Employees of an educational or research institution while engaged in teaching or research. This paragraph does not apply to employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals.

(g) Employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals only as a part of their employment and who are licensed under s. 89.06 (2m).

(h) Graduates of schools outside the United States and Canada who are enrolled in the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association while completing the required year of clinical assessment under the supervision of a veterinarian.

(3) Any person violating this section may for the first offense be fined not more than \$1,000, and for any 2nd offense within 3 years be fined not more than \$3,000.

History: 1975 c. 309; 1977 c. 418; 1979 c. 337; 1981 c. 125; 1987 a. 39; 1991 a. 306; 1995 a. 321; 2005 a. 96, 237; 2009 a. 42; 2015 a. 55 s. 4494; Stats. 2015 s. 89.05.

A license under sub. (2) (a) is not required for person to engage in artificial insemination of animals but is required for persons engaged in pregnancy examinations who were not engaged in practice prior to February 11, 1968. 78 Atty. Gen. 236.

89.06 Licensure. (1) Except as provided under ss. 89.072 and 89.073, veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pay the fee established under s. 89.063. An applicant for an initial license shall be a graduate of a veterinary college that has been approved by the examining board or have successfully completed either the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association or the program for the

assessment of veterinary education equivalence offered by the American Association of Veterinary State Boards. Persons who qualify for examination may be granted temporary permits to engage in the practice of veterinary medicine in the employment and under the supervision of a veterinarian until the results of the next examination conducted by the examining board are available. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

(2m) (a) Upon application, the examining board may issue a veterinary faculty license to an employee of a school of veterinary medicine in this state who has received the degree of doctor of veterinary medicine from a veterinary college approved by the examining board or if the examining board determines that the person possesses substantially equivalent qualifications. A person holding a veterinary faculty license may practice veterinary medicine on privately owned animals only within the scope of the person's employment at the school.

(b) Upon application, the examining board may grant a veterinary postgraduate training permit to a person undertaking intern or resident training at a school of veterinary medicine in this state. The only purpose of the veterinary postgraduate training permit is to provide opportunities in this state for the postgraduate education of persons who have received the degree of doctor of veterinary medicine or an equivalent degree but who have not yet met the requirements for licensure in this state. Issuance of a postgraduate training permit does not modify in any respect the requirements for licensure to practice veterinary medicine in this state, and a permit holder may practice veterinary medicine on privately owned animals only within the scope of the permit holder's internship or residency program. Violation of this restriction or of any applicable provision of this chapter constitutes cause for revocation of the permit.

(c) A license issued under this subsection expires upon termination of the licensee's employment at a school of veterinary medicine in this state. A postgraduate training permit expires upon termination of the permit holder's internship or residency program.

(3) A veterinary technician certification may be issued only to a person who is at least 18 years of age and has either:

(a) Successfully completed a 4-semester course of study in animal technology or its equivalent, at a technical school or college approved by the examining board, and has passed an examination, administered by the examining board, which establishes that the applicant's knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician; or

(b) Been an employee of a veterinarian for a total of 2 years and has passed an examination, administered by the examining board, which establishes that the applicant's knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician. The 2-year employment requirement of this paragraph shall include at least 50 percent of the applicant's time spent in practical field experience and the remainder of the applicant's time spent in laboratory work, office procedure, and technical veterinary training with a veterinarian.

History: 1971 c. 213 s. 5; 1975 c. 309; 1977 c. 29, 418; 1979 c. 34 s. 2102 (58) (b); 1981 c. 125; 1985 a. 182 s. 57; 1987 a. 39; 1991 a. 39; 1995 a. 321; 2001 a. 76; 2003 a. 103; 2009 a. 396; 2015 a. 55 s. 4495; Stats. 2015 s. 89.06; 2015 a. 179; s. 35.17 correction in (1).

Cross-reference: See also chs. VE 3, 4, 5, 6, 8, and 10, Wis. adm. code.

The examining board lacks authority to condition the renewal of licenses upon either reexamination or continuing education. 65 Atty. Gen. 35.

89.062 Renewal; continuing education. (1) RENEWAL. The renewal date for veterinary licenses and veterinary technician certifications is December 15 of each odd-numbered year, and the renewal fees for such licenses and certifications are determined by the department under s. 89.063.

(2) CONTINUING EDUCATION. (a) Except as provided in sub. (3), the examining board may not renew a veterinary license

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unless the applicant certifies that he or she has completed, during the preceding 2-year licensure period, at least 30 hours of continuing education programs or courses approved by the examining board.

(b) Except as provided in sub. (3), the examining board may not renew a veterinary technician certification unless the applicant certifies that he or she has completed, during the preceding 2-year certification period, at least 15 hours of continuing education programs or courses approved by the examining board.

(c) If any complaint is made against a veterinarian or veterinary technician, the examining board may require the veterinarian or veterinary technician to submit proof of the continuing education programs or courses that he or she has completed during the preceding 2-year licensure or certification period.

(3) EXCEPTIONS. (a) Subsection (2) (a) and (b) does not apply to an applicant who applies to renew a license or certification that expires on the first expiration date after initial issuance of the license or certification.

(b) The examining board may waive the requirements of sub. (2) (a) or (b) if it finds that exceptional circumstances, such as prolonged illness, disability, or other similar circumstances, have prevented an applicant from meeting the requirements.

History: 2003 a. 103 ss. 2, 4; 2007 a. 20; 2015 a. 55 s. 4496; Stats. 2015 s. 89.062.

89.063 Fees. The department shall determine by rule the fees for each initial license, certification, and permit issued under ss. 89.06, 89.072, and 89.073, and, if applicable, for renewal of the license, certification, or permit, including late fees, based on the department's administrative and enforcement costs under this chapter. The department shall notify the holder of each such license, certification, or permit of any fee adjustment under this subsection that affects that license, certification, or permit holder.

History: 2015 a. 55, 179.

89.065 Examinations. (1) Examinations under this chapter shall be designed to determine whether an applicant is competent to engage in the practice of veterinary medicine and shall be administered at least once annually. Examinations shall be objective and reliable, reasonably related to the skills likely to be needed by an applicant and seek to determine the applicant's preparedness to exercise such skills.

(2) The examining board may require passage of a nationally recognized examination if the examination meets basic standards of objectivity. The examining board may administer a state written examination in elements of practice that are not covered in a national examination. The examining board may administer a practical or oral examination if such an examination tests knowledge and skills that cannot be measured or tested in a written examination.

(3) The passing score on examinations for licensure and certification shall be determined by the examining board to represent a standard of minimum competency in the profession, as established by the examining board by rule.

History: 1987 a. 39; 2015 a. 55 s. 4497; Stats. 2015 s. 89.065.

Cross-reference: See also ch. VE 2, Wis. adm. code.

89.068 Drugs for animal use. (1) **PRESCRIBING; DISPENSING.** (a) *Extra-label use on animal; prescription required.* No person may make extra-label use of a drug on an animal without a prescription or in any manner not authorized by that prescription.

(b) *Form of prescription.* A prescription shall include all of the following:

1. The name and address of the veterinarian and, if the prescription is a written order, the signature of the veterinarian.
2. The name and address of the client.
3. The species and identity of the patient for which the prescription is issued.

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4. The name, strength and quantity of the drug prescribed.
5. The date on which the prescription is issued.
6. The directions for administering the drug.
7. If the patient is a food-producing animal, the withdrawal time for the veterinary drug.

8. If the prescription authorizes extra-label use, the manner in which the client may use the drug.

9. Any cautionary statements required by law.

(c) *Prescribing, dispensing and administering requirements for veterinarian.* A veterinarian may not do any of the following:

1. Prescribe for or dispense to a client a veterinary prescription drug or a drug for extra-label use without personally examining the patient unless a veterinary-client-patient relationship exists between the veterinarian, client and patient and the veterinarian determines that the client has sufficient knowledge to administer the drug properly.

2. Prescribe or dispense a veterinary prescription drug to a client unless the veterinarian indicates in the appropriate records described under sub. (3), within 72 hours after the prescription is issued or the drug is dispensed, that the prescription has been issued or that the drug has been dispensed.

3. Prescribe a drug to a client for extra-label use on a patient unless all of the following apply:

a. A veterinary-client-patient relationship exists between the veterinarian, client and patient and the veterinarian has made a careful medical diagnosis of the condition of the patient within the context of that veterinarian-client-patient relationship.

b. The veterinarian determines that there is no drug that is marketed specifically to treat the patient's diagnosed condition, or determines that all of the drugs that are marketed for that purpose are clinically ineffective.

c. The veterinarian recommends procedures for the client to follow to ensure that the identity of the patient will be maintained.

d. If the patient is a food-producing animal, the veterinarian prescribes a sufficient time period for drug withdrawal before the food from the patient may be marketed.

4. Transmit a prescription electronically unless the client approves the transmission and the prescription is transmitted to a pharmacist or veterinarian designated by the client.

(2) **LABELING.** A veterinarian or pharmacist may not dispense a drug that has been prepared, mixed, formulated or packaged by the veterinarian or pharmacist unless the veterinarian or pharmacist affixes to the container in which the drug is dispensed a label containing all of the information specified in sub. (1) (b), except the address of the client. A veterinarian or pharmacist may not dispense a veterinary prescription drug that has been prepackaged by its manufacturer for dispensing unless the veterinarian or pharmacist affixes to the container in which the drug is dispensed a label containing all of the information specified in sub. (1) (b), except the address of the client. A veterinarian or pharmacist may dispense a veterinary over-the-counter drug without affixing any information to the container in which the drug is dispensed if a label that has been affixed to the container by its manufacturer provides adequate information for its use.

(3) **PRESCRIPTION RECORDS.** A veterinarian shall maintain complete records of each veterinary prescription drug that the veterinarian receives, prescribes, dispenses or administers, and of each prescription issued by the veterinarian that authorizes extra-label use. Records of each veterinary prescription drug shall include the name of each veterinary prescription drug that is received, the name and address of the person from whom the drug is received and the date and quantity received, the name and address of the person to whom the drug is dispensed and the date and quantity dispensed and, if the veterinarian prescribes or administers the drug, the information specified in sub. (1) (b).

Records of each prescription authorizing extra-label use shall include the information specified in sub. (1) (b). A veterinarian shall maintain records of each veterinary prescription drug under this subsection for not less than 3 years after the date on which the veterinarian prescribes, dispenses or administers the drug or extra-label use.

(4) ENFORCEMENT. (a) *Inspections.* Except as provided in par. (b), if the examining board has reason to believe that a person is violating or has violated this section, the examining board, the attorney general or the district attorney of the proper county may do any of the following:

1. Inspect the premises on which the person possesses, prescribes, dispenses, labels or administers veterinary drugs.

2. Inspect pertinent records, equipment, materials, containers or facilities that are relevant to determining whether the person is violating or has violated this section.

3. Collect relevant samples of veterinary drugs.

(b) *Records exempt from inspection.* The examining board, attorney general or district attorney may not inspect a person's financial, pricing, personnel or sales records under this subsection, other than the records described under sub. (3).

History: 1991 a. 306; 1997 a. 27; 2015 a. 55 s. 4498; Stats. 2015 s. 89.068.

89.07 Discipline. (1) In this section, “unprofessional conduct” includes, but is not limited to:

(a) Making any materially false statement or giving any materially false information in connection with an application for a license or for renewal or reinstatement of a license or in making a report to the examining board.

(b) Violating this chapter or any federal or state statute or rule that substantially relates to the practice of veterinary medicine.

(c) Practicing veterinary medicine while the person's ability to practice is impaired by alcohol or other drugs or physical or mental disability or disease.

(d) Engaging in false, misleading or deceptive advertising.

(e) Making a substantial misrepresentation in the course of practice which is relied upon by a client.

(f) Engaging in conduct in the practice of veterinary medicine which evidences a lack of knowledge or ability to apply professional principles or skills.

(fm) Handling, distributing, using or disposing of pesticides in violation of ss. 94.67 to 94.71 or the rules promulgated under ss. 94.67 to 94.71.

(g) Obtaining or attempting to obtain compensation by fraud or deceit.

(h) Violating any order of the examining board.

(2) Subject to subch. II of ch. 111, the examining board may, by order, reprimand any person holding a license, certificate, or permit under this chapter or deny, revoke, suspend, limit, or any combination thereof, the person's license, certification, or permit if the person has:

(a) Engaged in unprofessional conduct.

(b) Been adjudicated mentally incompetent by a court.

(c) Been found guilty of an offense the circumstances of which substantially relate to the practice of veterinary medicine.

(3) In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license, certification, or permit under sub. (2), the examining board may assess against the applicant for or the holder of the license, certification, or permit a forfeiture of not more than \$5,000 for each violation of s. 89.068.

History: 1987 a. 39; 1989 a. 279; 1991 a. 306; 2015 a. 55 s. 4499; Stats. 2015 s. 89.07.

Cross-reference: See also ch. VE 7 and 9, Wis. adm. code.

89.071 Administrative warnings. (1) If the examining board determines during an investigation of a complaint against a person holding a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 that there is evidence that the creden-

tial holder committed misconduct, the examining board may close the investigation by issuing an administrative warning to the credential holder if the examining board determines that no further disciplinary action is warranted, the complaint involves a first occurrence of a minor violation, and the issuance of an administrative warning adequately protects the public.

(2) A credential holder may obtain review of an administrative warning through a personal appearance before the examining board.

(3) (a) An administrative warning does not constitute an adjudication of guilt or the imposition of discipline and, except as provided in par. (b), may not be used as evidence that the credential holder is guilty of the alleged misconduct.

(b) If the examining board receives a subsequent complaint of misconduct by a credential holder against whom the examining board issued an administrative warning, the examining board may reopen the matter that gave rise to the administrative warning and commence disciplinary proceedings against the credential holder, and the administrative warning may be used as evidence in a subsequent disciplinary proceeding that the credential holder had actual notice that the misconduct that was the basis for the administrative warning was contrary to law.

(4) The record that an administrative warning was issued shall be a public record. The contents of the administrative warning shall be private and confidential.

History: 2015 a. 179.

89.0715 Assessment of costs. (1) In this section, “costs of the proceeding” means all of the following:

(a) Compensation and reasonable expenses of hearing examiners and prosecuting attorneys for the department and examining board.

(b) A reasonable disbursement for the service of process or other papers.

(c) Amounts actually paid out for certified copies of records in any public office and for postage, telephoning, adverse examinations and depositions, copies, expert witness fees, and witness fees and expenses.

(d) Compensation and reasonable expenses of experts and investigators.

(e) Compensation and reasonable expenses of a reporter for recording and transcribing testimony.

(2) In any disciplinary proceeding against a holder of a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 in which the examining board orders suspension, limitation, or revocation of the credential or reprimands the credential holder, the examining board may, in addition to imposing discipline, assess all or part of the costs of the proceeding against the credential holder. Costs assessed under this subsection are payable to the department. Interest shall accrue on costs assessed under this subsection at a rate of 12 percent per year beginning on the date that payment of the costs are due as ordered by the examining board. Upon the request of the department, the department of justice may commence an action to recover costs assessed under this subsection and any accrued interest.

(3) In addition to any other discipline imposed, if the examining board assesses costs of the proceeding to a credential holder under sub. (2), the examining board may not restore, renew, or otherwise issue any credential to the holder until the holder has made payment to the department under sub. (2) in the full amount assessed, together with all accrued interest.

History: 2015 a. 179.

89.072 Licensees of other jurisdictions. (1) Upon application and payment of the fee established under s. 89.063, the examining board may issue a license to practice veterinary medicine to any person licensed to practice veterinary medicine in another state or territory of the United States or in another country if the applicant is not currently under investigation and has never been disciplined by the licensing authority in the other

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state, territory or country, has not been found guilty of a crime the circumstances of which are substantially related to the practice of veterinary medicine, is not currently 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 and has never been found liable for damages for acts committed in the course of practice which evidenced a lack of ability or fitness to practice.

(2) Upon application and payment of the fee established under s. 89.063, the examining board may issue a temporary consulting permit to practice veterinary medicine in this state for up to 60 days per year to any nonresident licensed to practice veterinary medicine in another state or territory of the United States or in another country.

History: 1987 a. 39; 2015 a. 55 s. 4500; Stats. 2015 s. 89.072.

89.073 Temporary reciprocal credentials for the spouses of service members.

(1) In this section, “service member” means a member of the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

(2) The examining board shall grant a temporary license, certification, or permit specified under s. 89.06 to an individual who the examining board determines meets all of the following requirements:

(a) The individual applies for a temporary credential under this section on a form prescribed by the examining board.

(b) The individual is the spouse of a service member and the spouse and service member temporarily reside in this state as a result of the service member’s service in the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

(c) The individual holds a credential that was granted by a governmental authority in a jurisdiction outside this state that qualifies the individual to perform the acts authorized under the appropriate credential specified under s. 89.06.

(d) The individual pays the fee established under s. 89.063.

(e) The individual meets all other requirements established by the examining board by rule.

(3) A temporary credential granted under this section expires 180 days after the date the examining board issues it unless, upon application by the holder of the credential, the examining board extends the credential.

History: 2015 a. 179.

89.075 Access to health care records. The owner of any animal patient of a veterinarian, or any other person who submits to the veterinarian a statement of written informed consent signed by the owner, may, upon request to the veterinarian:

(1) Receive a copy of the animal patient’s health care records upon payment of reasonable costs.

(2) Have the animal patient’s X-rays referred to another veterinarian of the owner’s choice upon payment of reasonable costs.

History: 1987 a. 39; 2015 a. 55 s. 4501; Stats. 2015 s. 89.075.

89.078 Background investigations. (1) The examining board may conduct an investigation to determine whether an

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applicant for a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 satisfies any of the eligibility requirements specified for the license, certification, or permit, including, subject to ss. 111.321, 111.322, and 111.335, whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection, the examining board may require an applicant to provide any information that is necessary for the investigation.

(2) A person holding a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 who is convicted of a felony or misdemeanor anywhere shall send a notice of the conviction by 1st class mail to the examining board within 48 hours after the entry of the judgment of conviction. The examining board shall by rule determine what information and documentation the person holding the credential shall include with the written notice.

(3) The examining board may investigate whether an applicant for or holder of a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 has been charged with or convicted of a crime.

History: 2015 a. 55, 179.

89.079 Unauthorized practice. (1) The department may conduct investigations, hold hearings, and make findings as to whether a person has engaged in a practice or used a title without a credential required under this chapter.

(2) If, after holding a public hearing, the department determines that a person has engaged in a practice or used a title without a required credential, the department may issue a special order enjoining the person from continuing the practice or use of the title.

(3) In lieu of holding a public hearing, if the department has reason to believe that a person has engaged in a practice or used a title without a required credential, the department may petition the circuit court for a temporary restraining order or an injunction as provided in ch. 813.

(4) (a) Any person who violates a special order issued under sub. (2) may be required to forfeit not more than \$10,000 for each offense. Each day of continued violation constitutes a separate offense. The attorney general or any district attorney may commence an action in the name of the state to recover a forfeiture under this paragraph.

(b) Any person who violates a temporary restraining order or an injunction issued by a court upon a petition under sub. (3) may be fined not less than \$25 nor more than \$5,000 or imprisoned for not more than one year in the county jail or both.

History: 2015 a. 55.

89.08 Injunctive relief. If it appears upon complaint to the examining board by any person, or if it is known to the examining board, that any person is practicing veterinary medicine without a license, the examining board, the attorney general or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring an action in the name and on behalf of the state against the person to enjoin the person from such practice.

History: 1987 a. 39; 2015 a. 55 s. 4502; Stats. 2015 s. 89.08.

Chapter VE 10

CONTINUING VETERINARY EDUCATION FOR VETERINARIANS
AND VETERINARY TECHNICIANS

VE 10.01 Authority and purpose.
VE 10.02 Continuing education.

VE 10.03 Continuing education programs and courses.

VE 10.01 Authority and purpose. The rules in this chapter are adopted by the veterinary examining board pursuant to the authority delegated by ss. 15.08 (5), 89.03 (1), 89.03 (2), 89.07 (1) (fm), and 227.11 (2), Stats., and shall govern the biennial continuing education, training and certification requirements for veterinarians and veterinary technicians.

History: Cr. Register, February, 1992, No. 434, eff. 3-1-92; am. Register, December, 1998, No. 516, eff. 1-1-99; CR 04-125: am. Register August 2005 No. 596, eff. 9-1-05; correction made under s. 13.92 (4) (b) 7., Stats., Register October 2015 No. 718.

VE 10.02 Continuing education. (1) (a) Except as provided in subs. (3) and (4), a veterinarian shall complete at least 30 hours of continuing education pertinent to veterinary medicine in each biennial renewal period. The 30 hours of continuing education shall include all of the following:

2. At least 25 hours of continuing education that relates to scientific topics pertinent to veterinary medicine.

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

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

(2) (a) Except as provided in subs. (3) and (4), a veterinary technician shall complete at least 15 hours of continuing education pertinent to veterinary medicine or veterinary technology in each biennial renewal period. The 15 hours of continuing education shall include all of the following:

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

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

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

Note: A list of approved program providers is contained in s. VE 10.03 (4).

(3) Subsections (1) and (2) do not apply to an applicant who applies to renew a license or certificate that expires on the first expiration date after initial issuance of the license or certificate.

(4) The board may waive the requirements under subs. (1) and (2) if it finds that exceptional circumstances, such as prolonged illness, disability, or other similar circumstances, have prevented an applicant from meeting the requirements.

(5) Continuing education hours shall be completed during the preceding 2-year licensure or certification period.

(6) To obtain credit for completion of continuing education hours, a licensee or certificate holder shall, at the time of each renewal, sign a statement certifying that he or she has completed, during the preceding 2-year licensure or certification period, the continuing education programs required under sub. (1) or (2), as appropriate.

(7) A veterinarian or veterinary technician who fails to complete the continuing education requirements by the renewal date

shall not practice as a veterinarian or veterinary technician, as appropriate, until his or her license or certificate is renewed.

(8) For auditing purposes, every veterinarian and veterinary technician shall maintain records of continuing education hours for at least 5 years from the date the certification statement required under sub. (6) is signed. The board may audit for compliance by requiring a veterinarian or veterinary technician to submit evidence of compliance to the board for the biennium immediately preceding the biennium in which the audit is performed. Documentation of completion of continuing education hours shall include one of the following:

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

(b) Complete references from journal articles read.

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

(d) A copy of a published work authored or co-authored by the licensee or certificate holder.

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

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

History: Cr. Register, February, 1992, No. 434, eff. 3-1-92.; am. Register, December, 1998, No. 516, eff. 1-1-99; CR 04-125: r. and recr. Register August 2005 No. 596, eff. 9-1-05; CR 12-052: r. (1) (a) 1., (2) (a) 1. Register September 2013 No. 693, eff. 10-1-13.

VE 10.03 Continuing education programs and courses. (1) CRITERIA FOR PROGRAM AND COURSE APPROVAL. To be approved, a continuing education program or course shall meet the following criteria:

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

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

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

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

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

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

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

(e) Authorship or co-authorship of a published work, such as review articles, abstracts, presentations, proceedings, book chap-

ters, and web-based continuing education materials shall be approved for 5 hours each.

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

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

(h) Up to 15 hours per biennium for veterinarians and up to 8 hours per biennium for veterinary technicians shall be granted for a combination of continuing education hours completed under pars. (e) to (g), provided the continuing education is published or presented under the auspices of a provider approved under sub. (4).

(j) On-line, video, audio, correspondence courses, or other interactive distance learning courses pertinent to veterinary medicine or veterinary technology, or to employment as a veterinarian or veterinary technician, as appropriate.

(4) APPROVED PROGRAM PROVIDERS. Subject to compliance with the requirements set forth in subs. (1) to (3), the board shall approve attendance at and completion of one or more continuing education programs approved by any one of the following

approved program providers as fulfilling the continuing education hours required under this chapter:

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

(b) A federal or state agency.

(c) An accredited college or university.

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

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

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

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

History: Cr. Register, February, 1992, No. 434, eff. 3-1-92; am. Register, December, 1998, No 516, eff. 1-1-99; CR 04-125: r. and recr. Register August 2005 No. 596, eff. 9-1-05; CR 07-051: cr. (4) (g) Register October 2008 No. 634, eff. 11-1-08; CR 15-062: r. (3) (b), (i) Register March 2016 No. 723, eff. 4-1-16.

Esther Maia

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Matt Tompach		2) Date When Request Submitted: 7/6/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Licensing/Exam Inquiries - Esther Maia	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Esther Maia contacted Board staff for approval to take the VTNE on the basis of a non-accredited Brazilian veterinary medicine (not vet tech) educational program. Esther also has extensive work experience, but it is uncertain whether it complies with the on-the-job training provision for vet tech licensure. At the request of staff, Dr. Nesson, exam & education liaison, reviewed this case and agreed that Board review would be appropriate in this case.			
11) Authorization			
Matt Tompach		7/6/16	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Matt Tompach		7/6/16	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

of veterinary medicine, except that the board may not require training or continuing education concerning the use, handling, distribution, and disposal of pesticides other than for disciplinary purposes.

History: 1987 a. 39; 1989 a. 279; 1995 a. 321; 2003 a. 103; 2009 a. 139; 2015 a. 55 s. 4492; Stats. 2015 s. 89.03.

Cross-reference: See also VE, Wis. adm. code.

89.04 Violations. The chairperson of the examining board shall institute actions for violations of this chapter by any person and for violations of ch. 450 or 961 by veterinarians. The district attorney of the county in which the offense is committed shall promptly prosecute any such violation upon being informed thereof, from any source.

History: 1985 a. 146; 1993 a. 184; 1995 a. 448; 2015 a. 55 s. 4493; Stats. 2015 s. 89.04.

89.05 Practice; penalties. (1) Except as provided under sub. (2) and s. 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.

(2) No veterinary license or temporary permit is required for the following activities or persons:

(a) Artificial insemination, or for continuing the practice of pregnancy examinations of animals when such practice was engaged in prior to February 11, 1968.

(b) Castrating male livestock, as defined in s. 95.68 (1) (d) or for dehorning or branding animals.

(c) Students at a veterinary college approved by the examining board.

(d) Certified veterinary technicians while working under the direct supervision of a veterinarian.

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

(f) Employees of an educational or research institution while engaged in teaching or research. This paragraph does not apply to employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals.

(g) Employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals only as a part of their employment and who are licensed under s. 89.06 (2m).

(h) Graduates of schools outside the United States and Canada who are enrolled in the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association while completing the required year of clinical assessment under the supervision of a veterinarian.

(3) Any person violating this section may for the first offense be fined not more than \$1,000, and for any 2nd offense within 3 years be fined not more than \$3,000.

History: 1975 c. 309; 1977 c. 418; 1979 c. 337; 1981 c. 125; 1987 a. 39; 1991 a. 306; 1995 a. 321; 2005 a. 96, 237; 2009 a. 42; 2015 a. 55 s. 4494; Stats. 2015 s. 89.05.

A license under sub. (2) (a) is not required for person to engage in artificial insemination of animals but is required for persons engaged in pregnancy examinations who were not engaged in practice prior to February 11, 1968. 78 Atty. Gen. 236.

89.06 Licensure. (1) Except as provided under ss. 89.072 and 89.073, veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pay the fee established under s. 89.063. An applicant for an initial license shall be a graduate of a veterinary college that has been approved by the examining board or have successfully completed either the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association or the program for the

assessment of veterinary education equivalence offered by the American Association of Veterinary State Boards. Persons who qualify for examination may be granted temporary permits to engage in the practice of veterinary medicine in the employment and under the supervision of a veterinarian until the results of the next examination conducted by the examining board are available. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

(2m) (a) Upon application, the examining board may issue a veterinary faculty license to an employee of a school of veterinary medicine in this state who has received the degree of doctor of veterinary medicine from a veterinary college approved by the examining board or if the examining board determines that the person possesses substantially equivalent qualifications. A person holding a veterinary faculty license may practice veterinary medicine on privately owned animals only within the scope of the person's employment at the school.

(b) Upon application, the examining board may grant a veterinary postgraduate training permit to a person undertaking intern or resident training at a school of veterinary medicine in this state. The only purpose of the veterinary postgraduate training permit is to provide opportunities in this state for the postgraduate education of persons who have received the degree of doctor of veterinary medicine or an equivalent degree but who have not yet met the requirements for licensure in this state. Issuance of a postgraduate training permit does not modify in any respect the requirements for licensure to practice veterinary medicine in this state, and a permit holder may practice veterinary medicine on privately owned animals only within the scope of the permit holder's internship or residency program. Violation of this restriction or of any applicable provision of this chapter constitutes cause for revocation of the permit.

(c) A license issued under this subsection expires upon termination of the licensee's employment at a school of veterinary medicine in this state. A postgraduate training permit expires upon termination of the permit holder's internship or residency program.

(3) A veterinary technician certification may be issued only to a person who is at least 18 years of age and has either:

(a) Successfully completed a 4-semester course of study in animal technology or its equivalent, at a technical school or college approved by the examining board, and has passed an examination, administered by the examining board, which establishes that the applicant's knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician; or

(b) Been an employee of a veterinarian for a total of 2 years and has passed an examination, administered by the examining board, which establishes that the applicant's knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician. The 2-year employment requirement of this paragraph shall include at least 50 percent of the applicant's time spent in practical field experience and the remainder of the applicant's time spent in laboratory work, office procedure, and technical veterinary training with a veterinarian.

History: 1971 c. 213 s. 5; 1975 c. 309; 1977 c. 29, 418; 1979 c. 34 s. 2102 (58) (b); 1981 c. 125; 1985 a. 182 s. 57; 1987 a. 39; 1991 a. 39; 1995 a. 321; 2001 a. 76; 2003 a. 103; 2009 a. 396; 2015 a. 55 s. 4495; Stats. 2015 s. 89.06; 2015 a. 179; s. 35.17 correction in (1).

Cross-reference: See also chs. VE 3, 4, 5, 6, 8, and 10, Wis. adm. code.

The examining board lacks authority to condition the renewal of licenses upon either reexamination or continuing education. 65 Atty. Gen. 35.

89.062 Renewal; continuing education. (1) RENEWAL. The renewal date for veterinary licenses and veterinary technician certifications is December 15 of each odd-numbered year, and the renewal fees for such licenses and certifications are determined by the department under s. 89.063.

(2) CONTINUING EDUCATION. (a) Except as provided in sub. (3), the examining board may not renew a veterinary license

Chapter VE 1

AUTHORITY AND DEFINITIONS

VE 1.01 Authority.

VE 1.02 Definitions.

VE 1.01 Authority. Rules in chs. VE 1 to 9 are adopted under authority of ss. 15.08 (5) (b), 89.03, and 227.11 (2) (a), Stats.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; correction made under s. 13.92 (4) (b) 7., Stats., Register October 2015 No. 718.

VE 1.02 Definitions. As used in chs. VE 1 to 10:

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

(1e) “Approved veterinary college” means a veterinary college which is AVMA accredited or approved and which is approved by the board at its annual review of veterinary colleges.

(1m) “AVMA” means the American veterinary medical association.

(2) “Board” means the veterinary examining board.

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

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

(3m) “Complementary, alternative, and integrative therapies” includes a heterogeneous group of preventive, diagnostic, and therapeutic philosophies and practices. These therapies include:

(a) Veterinary acupuncture, acupressure, and acupressure.

(b) Veterinary homeopathy.

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

(d) Veterinary nutraceutical therapy.

(e) Veterinary phytotherapy.

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

(5) “Direct supervision” means immediate availability to continually coordinate, direct and inspect personally the practice of another.

(6) “License” means a document issued to a person by the board, after the person has met the requirements of ss. 89.06 (1), 89.06 (2m) (a), or 89.072, Stats., signifying that the person has met the statutory requirements to practice veterinary medicine in this state.

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

(9) “Surgery” means any procedure in which the skin or tissue of the patient is penetrated, pierced or severed for therapeutic purposes, except for activities identified in s. 89.05 (2). Surgery does not include giving injections or simple dental extractions that require minor manipulation and minimal elevation.

(10) “Unlicensed assistant” means a person not holding a license, permit or certificate issued by the board.

(11) “Veterinarian–client–patient relationship” has the meaning set forth at s. 89.02 (8), Stats.

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

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

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. (6), cr. (10m), Register, May, 1994, No. 461, eff. 6-1-94; cr. (1m) and (11m), am. (2), r. and recr. (11), Register, December, 1998, No. 516, eff. 1-1-99; CR 04-125: am. (intro.) Register August 2005 No. 596, eff. 9-1-05; CR 07-051: renum. (1) to be (1e), cr. (1) Register October 2008 No. 634, eff. 11-1-08; correction in (4) made under s. 13.92 (4) (b) 6., Stats., Register February 2012 No. 674; CR 12-051: am. (7), r. (8) Register September 2013 No. 693, eff. 10-1-13; CR 13-031: am. (3), cr. (3m), r. (9), renum. (10) to (9) and am., renum. (10m), (11m), (12) to (10), (12), (13) Register April 2014 No. 700, eff. 5-1-14; correction in numbering in (3m) made under s. 13.92 (4) (b) 1., Stats., Register April 2014 No. 700; correction in (4) made under s. 13.92 (4) (b) 6., Stats., and correction in (6), (9), (11), (12) made under s. 13.92 (4) (b) 7., Stats., Register October 2015 No. 718.

Chapter VE 8

CERTIFICATION FOR VETERINARY TECHNICIANS

VE 8.01 Definitions.
VE 8.02 Qualifications for certification.

VE 8.04 Certification.

VE 8.01 Definitions. As used in this chapter:

(1) “Board approved technical school or college” means a technical school or college which the board approves at its annual review of technical schools or colleges.

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

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

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. (2), Register, December, 1998, No. 516, eff. 1-1-99; correction in (2) made under s. 13.92 (4) (b) 7., Stats., Register August 2015 No. 716.

VE 8.02 Qualifications for certification. The board may issue a certificate to practice as a veterinary technician to an applicant who does all of the following:

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

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

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

(3) Pays the fees required under s. 440.05 (1), Stats.

(4) Has passed an examination consisting of a national written examination and the examination on state laws and rules shall be

submitted directly to the board by the department’s office of examinations or the interstate reporting services.

(5) Has successfully completed an examination on state laws and rules related to the practice of veterinary technology.

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

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

(8) All supporting documents shall be provided in English.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. Register, December, 1998, No. 516, eff. 1-1-99; CR 14-064: r and recr. Register August 2015 No. 716, eff. 9-1-15; correction in (2) made under s. 13.92 (4) (b) 7., Stats., Register August 2015 No. 716.

VE 8.04 Certification. The board shall review its records to determine eligibility of the applicant. Within 30 business days of determining an applicant is eligible for certification, the board shall issue a certificate to the applicant.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89.

Tompach, Matthew C - DATCP

From: Tompach, Matthew C - DATCP
Sent: Monday, May 23, 2016 2:49 PM
To: 'Inesson@irongateequine.com'
Subject: FW: VTNE eligibility in WI for foreigners & credential to work
Attachments: Diplomas & Transcripts translation.pdf; Transcript p1.pdf; Transcript p2.pdf; Transcript p3.pdf; Diploma.pdf; National Exam Certificate.pdf; Resume EFM.PDF

Dr. Nesson

Please see the emails and attachments from Esther Maia, which I'm forwarding to you in your capacity as Education and Exams Liaison, as a sort of "sounding board."

- She graduated from a non-accredited veterinary medicine program in Brazil. She is working on her foreign certification to take the NAVLE, which she estimates will take two years.
- In the meantime, she would like to work as a vet tech and take the VTNE on the basis of her veterinary education in Brazil.
- Unlike veterinary medicine programs, there is no foreign equivalency certification process for vet tech programs.
- You'll see she has extensive work experience at a genetics company, but it appears to be more corporate than animal practice experience. I'm not sure it would meet the two-year work experience threshold that Wisconsin allows to take the VTNE.
- The Board has the authority to accredit veterinary medicine and veterinary technician programs.
- Upon review of these materials, in your opinion would it make sense to take this case to the Board and ask members to approve the Brazilian program that Esther completed, so that she is eligible to take the VTNE?

Thank you for your guidance in this matter. If you have any questions or would like to discuss this situation further with Cheryl Daniels and I, please let me know.

Matt Tompach
Executive Director
Wisconsin Veterinary Examining Board
608/224-5024

From: Esther Maia [mailto:tequismaia@icloud.com]
Sent: Thursday, May 19, 2016 10:51 PM
To: Tompach, Matthew C - DATCP <Matthew.Tompach@wisconsin.gov>
Subject: Re: VTNE eligibility in WI for foreigners & credential to work

Dear Mr. Tompach,

hope all is well. Thank you for your response.

I graduated in Veterinary Medicine in Brazil, on January of 2004, and I have been working with biotechnology of animal reproduction since then, at a company called Sexing Technologies/ST Gen (www.sexingtechnologies.com).

During my sabbatical, this past year, I've decided to "practice" Veterinary Medicine again and left ST.

My plan is to complete the ECFVG (Education Commission for Foreign Veterinary Graduates) certification program in order to obtain my Veterinary license in the US but it will take at least 2 years.

I am really "rusty" and I need to get my "feet wet" again on the clinical/practical field. As a Vet Technician, I would be able to combine my academic knowledge with hands on experience, study and support myself during this "transitional" period.

To make a long story short, I am trying to find out if I am eligible (or not) to take the VTNE, so I can work as a Vet Tech until I am ready to obtain a US Veterinary license. If I take the VTNE it will be "easier" to find a job as a Vet tech and follow my path towards the Veterinarian license.

I have attached some documents (diploma & transcript) and translation for your verification.

Thank you very much for your help & cooperation. It is highly appreciated !

Sincerely,

Esther

From: Esther Maia [<mailto:tequismaia@icloud.com>]
Sent: Monday, May 16, 2016 5:12 PM
To: DATCP VEB <datcpveb@wisconsin.gov>
Subject: Re: VTNE eligibility in WI for foreigners & credential to work

Thank you very much for your prompt response and help.

My eligibility to take the VTNE depends on whether WI accepts (or not) my foreign diploma and/or transcripts, and without it I cannot apply for a Vet Tech license.

Would you know if there has ever been a "similar case" in WI ? Would you know if the WI Veterinary Examining Board would consider a foreign diploma for eligibility ? I do not know if it makes any difference but my school is listed on the AVMA Veterinary Colleges of the World eligible for the ECFVG certification program.

Once again, thank you for your help and cooperation in this matter.

Have a wonderful week.

Sincerely,

Esther

-----Original Message-----

From: Esther Maia [<mailto:tequismaia@icloud.com>]

Sent: Sunday, May 15, 2016 5:48 PM

To: DATCP VEB <datcpveb@wisconsin.gov>

Cc: tecafmaia@gmail.com

Subject: VTNE eligibility in WI for foreigners & credential to work

Dear Sir/Madam,

Hope all is well.

I have a foreign Veterinary Medicine degree, from a Federal University in Brazil and I would like to know if I am eligible to take the VTNE and possibly obtain a license to work as a Veterinary technician in WI.

What documents would be required (original diploma and transcripts for example) to verify my eligibility ?

Also, how long does it take to be eligible to take the test and obtain a license with "on the job training" in WI ?

Thank you very much in advance for your help in this matter.

Sincerely,

Esther Maia

Sent from my iPhone

Documents

1. Diploma



Federal University of Lavras

“The Dean of the Federal University of Lavras,
through the exercise of his prerogatives and in light of completion of the Veterinary Medicine
Program

on January 30th of 2004, confers the title of
Veterinarian (Doctor of Veterinary Medicine) to
Esther Furuichi Maia,

daughter of Haroldo Lucindo Maia and Alice Furuichi Maia,
born on September 2nd of 1977 in the state of Sao Paulo

and hereby grants this Diploma to the use of all corresponding rights and prerogatives”

Lavras, January 30th ,2004

2. National Certification Exam



Federal Public Service
Federal Council of Veterinary Medicine

National Certification Exam
Certificate

The Federal Council of Veterinary Medicine confers this Certificate to the Doctor of Veterinary Medicine Esther Furuichi Maia in light of approval on the National Certification Exam, accomplished on January 18th of 2004

Brasilia, Federal District, February 4th of 2004

Documents signed by the President and General Secretary of the Federal Veterinary Council

3. Transcript

Page 1

**Federal University of Lavras
Official Transcript**

Identification

Name, Parents Name, ID#, High School, etc.

Results

Mandatory Subjects (Disciplines)

Year	Term	Discipline Code	Discipline Name	Credit Hours	Credits	Grade
1997	2	BIO 102	Ecology	30	2	96
1997	2	QUI 101	Chemistry	30	2	69
1997	2	VET 150	IT applied to Veterinary Medicine	45	2	79
1998	1	CEX 102	Fundamentals of Mathematics	30	2	82
1998	1	EFD 101	Sports I	30	1	94
1998	1	QUI 102	Analytical Chemistry	60	3	81
1998	1	QUI 103	Organic Chemistry	45	3	60
1999	1	EAS 103	Scientific Initiation	30	2	90
1999	1	EFD 102	Sports II	30	1	95
1999	1	VET 101	Cytology/Histology/Embryology General	90	4	82
1999	1	VET 141	Veterinary Anatomy I	150	6	91
1999	2	CEX 117	Statistics	75	4	69
1999	2	QUI 104	Biochemistry	75	4	74
1999	2	VET 142	Veterinary Anatomy II	150	6	73

1999	2	VET 143	Veterinary Histology	135	6	94
2000	1	CEX 124	Experimental Biostatistics	75	4	64
2000	1	VET 108	Veterinary Physiology I	90	5	74
2000	1	VET 115	Imunology	75	4	88
2000	1	VET 116	Veterinary Parasitology	90	5	79
2000	1	VET 144	Animal Metabolism	60	3	74
2000	2	BIO 107	General Microbiology	60	3	63
2000	2	BIO 110	Genetics	75	4	72

Page 2

2000	2	VET 109	Veterinary Physiology II	75	4	83
2000	2	VET 111	Veterinary Pharmacology I	60	3	81
2000	2	VET 117	Veterinary Pathology	105	5	74
2000	2	ZOO 101	Introduction to Animal Science	30	2	95
2001	1	EAS 104	Rural Sociology	60	4	88
2001	1	VET 112	Veterinary Pharmacology II	60	3	88
2001	1	VET 114	Veterinary Microbiology	75	4	81
2001	1	VET 118	Veterinary Special Pathology	120	6	80
2001	1	VET 133	Epidemiology	60	3	90
2001	1	VET 134	Sanitation	45	2	81
2001	2	EAS 106	Rural Economy	60	4	62
2001	2	VET 119	Semiology	90	4	77
2001	2	VET 130	Diseases I	75	4	88
2001	2	VET 135	Veterinary Clinical Pathology	75	4	65
2001	2	VET 136	Veterinary Diagnostics & Imaging	60	3	81
2001	2	ZOO 110	Food Processes	60	3	79

2002	1	EAS 111	Rural Administration	60	3	71
2002	1	VET 120	Veterinary Clinic I	75	4	75
2002	1	VET 124	Anesthesiology & Surgery Techniques	60	3	84
2002	1	VET 131	Diseases II	75	4	77
2002	1	VET 145	Reproduction Physiopathology & Semen Technology	75	4	78
2002	1	ZOO 126	Livestock	75	4	84
2002	2	ALI 104	Dairy/Milk Products Technology	60	3	92
2002	2	ALI 105	Meat & Fish Technology	60	3	70
2002	2	VET 121	Veterinary Clinic II	75	4	79
2002	2	VET 146	Veterinary Surgery I	90	4	70
2002	2	VET 147	Diseases III	75	4	93
2002	2	VET 148	Reproduction Physiopathology & Artificial Insemination	75	4	78
2002	2	ZOO 123	Swine & Poultry Husbandry	75	4	95
2003	1	ALI 111	Dairy/Milk Products Inspection	60	3	100
2003	1	ALI 112	Meat & Fish Inspection	60	3	100
2003	1	EAS 129	Rural Extension	60	3	100
2003	1	VET 123	Veterinary Surgery II	90	4	96
2003	1	VET 127	Veterinary Obstetrics	60	3	100
2003	1	VET 137	Veterinary Deontology/Law	45	2	100
2003	1	VET 139	Veterinary Toxicology	60	3	100
2003	1	VET 149	Veterinary Clinic III	75	4	100
2003	2	VET 140	Supervised Internship	480	18	100
			Subtotal	4560	225	

Optional Subjects (Disciplines)

Year	Term	Discipline Code	Discipline Name	Credit Hours	Credits	Grade
1997	2	BIO 103	Vegetal Cytology	45	2	72
1997	2	CEX 122	Technical Drawing I	60	3	82
1997	2	CSO 101	Soil Science	45	2	81
1997	2	EAS 101	Brazilian Studies I	15	1	100
1997	2	FIT 101	Agriculture	60	3	92
1998	1	BIO 104	Anatomy & Vegetal Histology	60	3	85
1998	1	BIO 105	Zoology	45	2	58
1998	1	CEX 114	Physics I	45	3	78
1998	1	CEX 115	Physics II	60	3	60
1998	1	EAS 165	Introduction to University Studies	30	2	95
			Subtotal	465	24	
			TOTAL	4560	225	

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Graduation	DATE	Title: Doctor of Veterinary Medicine
	01/30/2004	
Diploma Issuance	DATE	
	01/30/2004	

Observations

Grades: Higher or equal to 50 is "APPROVED"

Starting on the 1st semester of 2003 higher or equal to 60 is approved according to the Resolution CEPE number 038 from 05/29/2003.

Optional disciplines - credit hours & credits have NOT BEEN considered on TOTAL

Esther Maia

PO Box 12248 • College Station, TX 77842 • 979-900-0519 • tecafmaia@gmail.com

Global Operations Professional

Blends academic training in Veterinary Medicine with hands-on professional experience in training, coordinating and managing complex operations and multicultural staff in a fast-paced environment. Exceptionally organized and disciplined, possess well-developed interpersonal skills and the ability to motivate and coordinate staff in a supportive and cooperative team environment. Major strengths include strategic planning, result-oriented, strong leadership and communication skills with focus on accomplishing the company goals.

Professional Experience

Director of Global Quality Assurance

Sexing Technologies USA – April 2014 to June 2015

- Responsible for Quality Assurance and Staff Training for all Sorting Semen Laboratories - 19 facilities
- Development of Standard Operating Procedures Manuals and Training Material
- Development and implementation of quality processes, policies and procedures
- Publication of Quality Assurance documentation and report
- Developed, coordinated and performed a Training Program for Laboratory Managers, Assistant Managers & Supervisors – hosted & trained 28 staff members during 6 consecutive weeks

Regional Manager of Wisconsin Facilities

Sexing Technologies USA – March 2008 to April 2014

- Coordinated and managed 4 sorting production facilities in Wisconsin - all aspects of the business - Sorting Semen Production & staff management - 65 employees
- Assigned to open 3 of the 4 facilities in Wisconsin - supervised structural remodeling to accommodate equipment and requirements; ordered & organized all needed supplies; recruited, interviewed & trained personnel and started the operation
- Responsible for Quality Control of final product (Optical microscope, Computer Assisted Sperm Analyzer, NucleoCounter®)

Manager of ST Wisconsin

Sexing Technologies USA – March 2007 to March 2008

- Administered all aspects of daily production of a Sorting Semen Laboratory: schedules, supplies, staff, Quality Control, equipment maintenance, reports, trouble shooting

Assistant Manager of ST Wisconsin

Sexing Technologies USA – October 2006 to March 2007

- Assisted facility Manager with daily production of Sorted Semen & staff supervision

Laboratory Technician

Sexing Technologies Brazil – March 2005 to October 2006

- Evaluation of semen prior to sorting (determining concentration of ejaculates, percent abnormal sperm, and visual motility estimation), preparation of samples for sorting; processing (addition of extenders for cryopreservation) and freezing straws
- Operation & trouble shooting the Sorters (flow cytometers)
- Media preparation for semen preservation & sorting

Special Projects

Implementation of Standard Operating Procedures at XY Inc. licensees

Denmark, Canada & the UK - January to July 2014

- Instructed, trained and implemented new media, protocols & procedures at different Sorting Semen Laboratories from XY Inc. licensees

Ireland Project

Sexing Technologies & TEAGASC (Agriculture and Food Development Authority)

Ireland - April 2013 to July 2013

- Special Project in a joint venture with TEAGASC Institute - production of 55,000 straws of bovine sorted sperm cells, using different amounts of cells/straw and different preservation methods of the sperm cells (frozen & not frozen).
- Orchestrated the entire project: assembly & disassembly of an entire temporary Sorting Semen Laboratory (equipment & supplies); recruited and managed staff members from several ST locations around the world (15 technicians from USA, Canada, New Zealand, Holland, France & Italy) and Customer services and support (daily reports, bull semen quality information, tours, tank delivery, among others)

ST Germany

Sexing Technologies & GGI (German Genetics International GmbH)

September to December of 2012

- Started, organized, trained staff and managed the Sorting Semen Laboratory in Germany

Education

Universidade Federal de Lavras, Lavras/MG – Brazil

Veterinary Medicine – graduated January 2004

TiHo Hannover – University of Veterinary Medicine, Hannover, Germany

Internship – August to November of 2003

Additional Skills

- **Portuguese** - mother language
- **English** – fluent
- **German** – Intermediate
- **Spanish** – Intermediate
- **Voluntary work with children** – therapeutic riding & regular jumping lessons and competitions while attending University.

Informed Consent Video for Spay/Neuter Procedures

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Cheryl Daniels		2) Date When Request Submitted: 7/6/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: VEB			
4) Meeting Date: 7/20/16	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Informed Consent Video for Spay/Neuter Procedures	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Review email from clinic inquiring whether an on-line video with a follow-up "quiz" would satisfy the requirements of the informed consent law as it is stated.			
11) Authorization			
Cheryl Daniels		7/6/16	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Matt Tompach		7/6/16	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Tompach, Matthew C - DATCP

Subject: FW: Question about informed consent

From: Brooke Groskopf [<mailto:bsgrosko@gmail.com>]
Sent: Saturday, June 18, 2016 7:08 PM
To: Bellay, Yvonne M - DATCP <Yvonne.Bellay@wisconsin.gov>
Subject: Question about informed consent

Hello Dr. Bellay,

I am a 2011 UW grad. I believe we met on the WVMA animal welfare committee when I was a vet student.

I recently took a position as medical director of the Spay Me! Clinic in Madison, WI. This is my first veterinary position in Wisconsin, so I am just getting introduced to "informed consent." I was told that you educate veterinarians about the informed consent laws.

The Spay Me! Clinic is primarily a high quality, high volume spay/neuter clinic. We average 50 or more S/N surgeries per day. When animals are dropped off at our facility in the morning, it is not too time consuming to talk to everybody about the procedure their animals will be undergoing as we can talk to them in small groups. However, when we transport owned animals from other parts of the state, we are finding it extremely time-consuming to connect with each pet owner individually on the telephone. We have been brainstorming ways to make this process more efficient and we are wondering whether an on-line video with a follow-up "quiz" would satisfy the requirements of the law as it is stated.

We would film a video of one of our doctors going over our S/N procedure, including anesthetic risks, and ask owners to prove they have watched it by doing an on-line quiz and printing out a certificate. The quiz would include a question about whether the individual would like a follow-up call from a veterinarian to answer questions. I am imagining something similar to online CE. Of course, for any other wellness visits or non-routine surgeries we would continue to have individual conversations with owners informing them of all the options.

We would greatly appreciate your input on our idea.

Thank you,

Brooke

Brooke Groskopf, DVM, CVA

vided, be available at all times for consultation either in person or within 15 minutes of contact by telephone, by video conference or by electronic communication device.

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

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

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

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

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; r. and recr., Register, May, 1994, No. 461, eff. 6-1-94; am. (1) (intro.), (3) (intro.), (a) to (c), (4) (intro.), (a) and (b), (5) (a) and (b), (6) (a) to (c), (7) and (8), Register, December, 1998, No. 516, eff. 1-1-99; CR 13-031: am. (3) (a), r. (3) (d), am. (4) (c), (8) (c) Register April 2014 No. 700, eff. 5-1-14; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register October 2015 No. 718.

VE 7.03 Records. (1) 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.

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

- (a) Date.
- (b) Client name.
- (c) Patient identification.
- (d) History.
- (e) Physical examination findings.
- (f) Treatment — medical, surgical.

(g) Drugs prescribed, dispensed or administered, including strength or concentration, route of administration, dosing schedule, number dispensed and number of refills allowed.

- (h) Provisional diagnosis.
- (i) Final diagnosis.
- (j) Consultation, if any.
- (k) Clinical laboratory reports.
- (L) Radiographic reports.
- (m) Necropsy findings.
- (n) Identification of the veterinarian providing the care.
- (o) Complaint.
- (p) Present illness.
- (q) Vaccinations administered.

(3) The client record for food and fiber patients shall contain at least the following information which apply:

- (a) Date.
- (b) Client name.
- (c) Type of call.
- (d) Treatment and drugs used including amounts of drugs administered and method of administration.
- (e) Drugs dispensed including dosing schedule and number dispensed.
- (f) Meat or milk withholdings.
- (g) Individual or herd diagnosis.

(h) Clinical laboratory reports.

(i) Identification of the veterinarian providing the care.

(4) The client record for equine patients shall contain at least the following information which applies:

- (a) Date.
- (b) Client name.
- (c) Patient identification.
- (d) History.
- (e) Physical examination findings.
- (f) Treatment—medical, surgical.
- (g) Treatment and drugs used including amount of drugs administered and method of administration.
- (h) Drugs dispensed including dosing schedule and number dispensed.
- (i) Diagnosis.
- (j) Clinical laboratory reports.
- (k) Radiographic reports.
- (L) Necropsy findings.
- (m) Identification of the veterinarian providing the care.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. (1), (2) (intro.), Register, September, 1994, No. 465, eff. 10-1-94; am. (2) (a) to (o) and (3) (a) to (i); Register, December, 1998, No. 516, eff. 1-1-99; CR 13-031: am. (1), r. and recr. (2) (a) to (p), cr. (2) (q), r. and recr. (3) (a) to (i), r. (3) (j), cr. (4) Register April 2014 No. 700, eff. 5-1-14.

VE 7.04 Change of name and address. Every veterinarian shall notify the board of a change of name or address within 30 days. Failure of notification may result in the loss of license and may result in a forfeiture under s. 440.11 (3), Stats.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89.

VE 7.05 Display of license. Each veterinarian shall display a current license in a manner conspicuous to the public view, and shall at all times have evidence of licensure available for inspection when practicing at a remote location.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89.

VE 7.055 Renewal of license. A license expires if not renewed by January 1 of even-numbered years. A licensee who allows the license to expire may apply to the board for renewal of the license as follows:

(1) If the licensee applies for renewal of the license less than 5 years after its expiration, the license shall be renewed upon payment of the renewal fee and fulfillment of the 30 hours of continuing education required under ch. VE 10.

(2) If the licensee applies for renewal of the license 5 or more years after its expiration, in addition to requiring the licensee to pay the renewal fees required under s. 440.08, Stats., and to fulfill the continuing education hours required under ch. VE 10, the board shall inquire as to whether the applicant is competent to practice as a veterinarian in this state and shall impose any reasonable conditions on reinstatement of the license, including reexamination, as the board deems appropriate. An applicant under this subsection is presumed to be competent to practice as a veterinarian in this state if at the time of application for renewal the applicant holds a full unexpired license issued by a similar licensing board of another state or territory of the United States or of a foreign country or province whose standards, in the opinion of the board, are equivalent to or higher than the requirements for licensure in this state. Notwithstanding any presumption of competency under this subsection, the board shall require each applicant under this subsection to pass the examination specified under s. VE 3.02 (4).

History: Cr. Register, January, 1994, No. 457, eff. 2-1-94; CR 04-125: am. Register August 2005 No. 596, eff. 9-1-05.

VE 7.06 Unprofessional conduct. Unprofessional conduct by a veterinarian is prohibited. Unprofessional conduct includes:

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

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

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

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

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

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

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

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

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

(10) Selling veterinary prescription drugs without establishing and maintaining a veterinary-patient-client relationship.

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

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

(13) Allowing a veterinary student to treat a patient without the veterinarian giving direct supervision.

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

(15) Failure to maintain records as required by s. VE 7.03.

(16) Refusal, upon request, to cooperate in a timely manner with the board's investigation of complaints lodged against the veterinarian. Persons taking longer than 30 days to provide

requested information shall have the burden of demonstrating that they have acted in a "timely manner."

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

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

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

(20) Practicing under an expired license.

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

(22) Falsely certifying to the board under s. VE 10.02 (6) that the veterinarian:

(a) Has completed the 30 hours of continuing education required under s. VE 10.02 (1).

(b) Is exempt under s. VE 10.02 (3) from having to complete the 30 hours of continuing education required under s. VE 10.02 (1).

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

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

(25) Advertising a specialty or claiming to be a specialist when not a diplomate of a veterinary specialty organization recognized by the American Veterinary Medical Association American Board of Veterinary Specialties (AVMA ABVS) or by a foreign veterinary specialty organization which, in the opinion of the board, is equivalent to an AVMA ABVS recognized veterinary specialty organization.

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

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; cr. (21), Register, September, 1990, No. 417, eff. 10-1-90; cr. (22), Register, February, 1992, No. 434, eff. 3-1-92; am. (6), Register, October, 1993, No. 454, eff. 11-1-93; am. (10), Register, December, 1998, No. 516, eff. 1-1-99; correction in (8) and (9) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1998, No. 516; CR 01-061: am. (14), Register November 2001 No. 551, eff. 12-1-01; CR 04-125: renum. (22) to be (22) (intro.) and am., cr. (22) (a) to (e) Register August 2005 No. 596, eff. 9-1-05; CR 07-051: cr. (23) Register October 2008 No. 634, eff. 11-1-08; CR 12-052: am. (22) (intro.), r. (22) (c) to (e) Register September 2013 No. 693, eff. 10-1-13; CR 13-031: cr. (24) to (26) Register April 2014 No. 700, eff. 5-1-14; correction in (21), (24) made under s. 13.92 (4) (b) 7., Stats., Register October 2015 No. 718.


VE 7.07 Board action. The board may reprimand the licensee or deny, suspend, limit or revoke the veterinary license of any person to practice veterinary medicine who engages in any of the acts prohibited by s. VE 7.06.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89.

Update: Unlicensed Practice Cases

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Lauren U. Van Buren		2) Date When Request Submitted: 07/08/2016	
		Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: Veterinary Examining Board			
4) Meeting Date: 07/20/2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Update re: Unlicensed Practice Cases	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Department closed two unlicensed practice cases. One with a warning letter and one with a Special Order; those materials are attached.			
11) Authorization			
		07/08/2016	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

July 1, 2016

Amy Carlson
331 Highway 63 S
Shell Lake, WI 54871

Via U.S. Mail

RE: WARNING NOTICE
Unlicensed Practice of Veterinary Medicine; 15 UNL 001

Dear Ms. Carlson:

Thank you for your May 28, 2016, email regarding the over-the-counter product that you provided to Robin Boyle's dog for the purpose of calming the dog for grooming. Wisconsin law defines the practice of veterinary medicine as follows: "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 undertake, 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(6). Although the product provided to Ms. Boyle's dog was an over-the-counter remedy, it was offered for the purpose of treating the dog's anxiety. The treatment of the animal's condition for compensation, even if compensation was only received or expected for the grooming service, is the practice of veterinary medicine.

The Department has discretion to "[d]ispose of minor violations of the laws under its supervision without prosecution by issuing written notice or warning whenever it appears that the public interest will be adequately protected." Wis. Stat. § 93.06(10). Because the product was an over-the-counter remedy and you have been cooperative with the Department's investigation, it appears that this is a minor violation and the public interest will be adequately protected through the issuance of this warning notice. This warning notice serves as a warning that any future violations may be met with more strict enforcement measures as outlined in Wis. Stat. ch. 89. If you have any questions, please do not hesitate to contact me directly at (608) 224-4740.

A person adversely affected by a department action may request a contested case hearing on that action. A request for a contested case hearing shall be filed with the secretary and shall comply with Wis. Admin. Code § ATCP 1.06(2).

Very truly yours,

Lauren U. Van Buren
Attorney

Agriculture generates \$88 billion for Wisconsin

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STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

IN THE MATTER OF:	:	
	:	DOCKET NO. 16 UNL 001
	:	
ANGELA L. PETERS,	:	STIPULATED SPECIAL ORDER
RESPONDENT.	:	
	:	

The parties in this matter agree to the terms and conditions of the Stipulation, incorporated herein, as the final disposition of this matter.

Accordingly, the Wisconsin Department of Agriculture, Trade and Consumer Protection (“the Department”) makes the following Findings of Fact, Conclusions of Law and Order.

PARTIES

1. The Department is an agency of the State of Wisconsin and is authorized to enforce Wis. Stat. § 89.079.
2. Angela L. Peters (“Respondent”) is a Wisconsin resident.
3. The Respondent is engaged in business as a registered nurse in Mount Pleasant, Wisconsin.

FINDINGS OF FACT

4. On March 11, 2016, the Department received a report that Respondent was administering rabies vaccinations to dogs.
5. The Department investigated the report and found that Respondent was selling and administering rabies vaccinations to dogs and also issuing certificates of rabies vaccination.

CONCLUSIONS OF LAW

6. Wis. Stat. § 89.078(2) prohibits a person from engaging in the practice of veterinary medicine without the required credential.
7. By the conduct described in the Findings of Fact, Respondent engaged in the practice of veterinary medicine.

8. The Department has jurisdiction in this matter pursuant to Wis. Stat. § 89.079(1).

9. The Department is authorized to enter into the Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

10. The Stipulation is accepted.

11. Respondent is enjoined from engaging in the practice of veterinary medicine.

12. If the Respondent fails to comply with paragraph 12 of this Stipulated Special Order, the attorney general or any district attorney may commence an action on behalf of the state against Respondent to recover a forfeiture of not more than \$10,000 for each offense. Each day of a continued violation constitutes a separate offense.

13. This Order is effective on the date of its signing.

FOR THE WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION:

by: Ben Brancel
Ben Brancel
Secretary

5-27-16
Date

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

IN THE MATTER OF:	:	
	:	DOCKET NO. 16 UNL 001
	:	
ANGELA L. PETERS,	:	STIPULATION
RESPONDENT.	:	
	:	

Angela L. Peters (“Respondent”) and the Wisconsin Department of Agriculture, Trade and Consumer Protection (“the Department”) stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Department. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

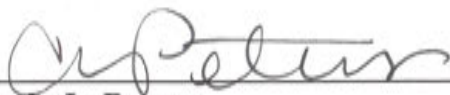
- The right to a hearing on the allegations against Respondent;
- The right to confront and cross-examine the witnesses against Respondent;
- The right to call witnesses on Respondent’s behalf and to compel their attendance by subpoena;
- The right to testify on Respondent’s own behalf;
- The right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- The right to petition for rehearing; and
- All other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent’s right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the entry of the Stipulated Special Order, incorporated herein. The parties to the Stipulation consent to the entry of the

Stipulated Special Order, without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Stipulated Special Order.


5. Respondent is informed that this Stipulation and the Stipulated Special Order is a public record and will be available to the public.



Angela L. Peters

5-16-16
Date

FOR THE WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION:

By: 


Sandy Chalmers
Assistant Deputy Secretary

5/27/2016
Date

Scope of Practice Question – AI and Pregnancy Diagnosis

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Lauren U. Van Buren		2) Date When Request Submitted: 07/08/2016	
		Items will be considered late if submitted after 12:00 p.m. on the deadline date.	
3) Name of Board, Committee, Council, Sections: Veterinary Examining Board			
4) Meeting Date: 07/20/2016	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Scope of Practice Question – AI and pregnancy diagnosis	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: See attached question from Department veterinarian.			
11) Authorization  <hr style="border: 1px solid black;"/> <div style="display: flex; justify-content: space-between;">Signature of person making this request07/08/2016</div> <hr style="border: 1px solid black;"/> <div style="display: flex; justify-content: space-between;">Supervisor (if required)Date</div> <hr style="border: 1px solid black;"/> <div style="display: flex; justify-content: space-between;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)Date</div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Veterinary Examining Board
 2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911
 Phone: (608) 224-4353

COMPLAINT FORM

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

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

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

Complaint filed by (First, Middle, Last): Ellen Hooker	
Address: 710 Berlin St	
City, State, Zip: Waupaca WI	
County:	Phone # with area code:
Email address: ellen.hooker@wisconsin.gov	
Is the animal deceased? <input type="checkbox"/> No <input type="checkbox"/> Yes Date of Death _____	

People and/or Entities the complaint is against: general question and interpretation of 89.05 see below #6.	
Address:	
City, State, Zip	
County:	Phone # with area code:
Email address:	

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

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

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

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

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

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

Question regarding interpretation of 89.05 (2) (a). Can the practice of AI and pregnancy diagnosis including ultrasound be conducted by a lay person for any livestock species such as cattle, equine, ovine, caprine?

Signature

5-5-16

Date