



State of Wisconsin
Veterinary Examining Board

Governor Tony Evers
Dr. Hunter Lang, DVM, Chair

VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, April 21, 2021

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

Lyn Schuh and Arden Sherpe joined late.

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

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

AGENDA

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

II. Introductions

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

III. Approval of the Agenda

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

IV. Approval of Board Meeting Minutes

A. January 20, 2021 Full Board Meeting

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

B. February 4, 2021 Credentialing Meeting

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

C. April 1, 2021 Credentialing Meeting

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

D. February 16, 2021 Admin Rules Meeting

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

V. Public Comments

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

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

VI. Licensing/Exam Inquiries

A. Credentialing Committee Delegation of Authority

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

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

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

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

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

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

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

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

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

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

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

D. Call for resolutions (May 5, 2021)

No resolutions were suggested.

E. Call for Topics (May 7, 2021)

No topics were suggested.

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

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

VIII. Administrative Items

A. VPAP Update

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

Four welcome webinars yearly.

Upcoming webinars:

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

Making Mental Health a Priority on May 13th, 2021

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

Welcome Webinar on June 10th, 2021

3.2% usage broken down into different areas and types.

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

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

B. Strategic Plan Approval

VISION: Setting the standard of forward thinking veterinary regulation.

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

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

GOALS:

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

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

C. I-Pad use

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

D. PREP Act COVID 19 Vaccinators

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

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

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

IX. Administrative Code Updates

A. VE 1-11 Status and Telehealth

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

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

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

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

Dr. Lang – Option 1

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

Lyn Schuh – Option 1

Arden Sherpe – absent for survey

Dr. Nesson – Option 1

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

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

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

X. Legislative Update

A. Legislative update

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

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

XI. Future Meeting Dates and Times

A. Next Full Board July 21, 2021

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

XII. CONVENE TO CLOSED SESSION

MOTION: Lisa Weisensel Nesson moved, seconded by Robert Forbes, to convene to closed session to discuss the Wis. Admin. Code Ch. VE 11 update on the request for proposals where bargaining reasons require a closed session (§ 19.85 (1) (e), Stats.); to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). Hunter Lang read the language of the motion. The vote of each member by was ascertained by voice vote. Roll Call Vote: Amanda Reese – yes; Diane Dommer Martin – yes; Robert Forbes – yes; Hunter Lang – yes; Alan Holter – yes; Lyn Schuh – yes; Arden Sherpe – yes; Lisa Weisensel Nesson – yes; Motion carried unanimously.

XIII. Deliberation on Licenses and Certificates

XIV. Deliberation on Proposed Stipulations, Final Decisions and Orders

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

XV. Review of Veterinary Examining Board Pending Cases Status Report

XVI. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

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

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

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

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

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

XIX. Ratification of Licenses and Certificates

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

XX. ADJOURNMENT

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

The meeting adjourned at 11:36am.