

Veterinary Examining Board

Dr. Philip C. Johnson, DVM, Chair

VETERINARY EXAMINING BOARD

CR 106 Board Room, 2811 Agriculture Drive, Madison, Wisconsin Contact: Matt Tompach (608) 224-5024 April 26, 2017

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

AGENDA

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

- A. Introductions
- **B.** Approval of the Agenda
- C. Approval of Board Meeting Minutes of January 25, 2017

APPEARANCE – Department of Agriculture, Trade, and Consumer Protection (DATCP) Office of the Secretary: Lauren Van Buren and Cheryl Daniels, DATCP Attorneys; Robert Van Lanen, Regulatory Specialist – Senior; Matt Tompach, Administrative Policy Advisor; Sally Ballweg, License/Permit Program Associate; Kelly Markor, Executive Staff Assistant; DATCP Division of Agricultural Resource Management: Heather Bartley, Feed Program Specialist. Introductions and Discussion.

- **D.** Public Comments Each speaker is limited to five minutes or less, depending on the number of speakers. Each speaker must fill out and submit an appearance card to the Board clerk.
 - 1. Dr. Gregg BeVier, COO of Sexing Technologies and the CEO of Fast Genetics, Atlanta, GA
 - 2. Dr. Warren Wilson, DVM, MS, Emeritus DiplACT, Wilson Veterinary Consulting, LLC

E. <u>Scope of Practice Inquiries</u>

Rendering of Veterinary Services by (veterinary technician or foreign veterinarian) non-Wisconsin-Licensed-Veterinarian Employees

F. Legislative/Administrative Rule Matters

- 1. <u>VE 1 and 7 Final Draft to amend Wis. Admin. Code § VE 1.02 (9), relating to the definition of veterinary medical surgery, and § VE 7.02(4), relating to delegation of veterinary medical acts.</u>
- 2. <u>VE 1 and 7 Report on Complementary, Alternative and Integrative Therapies Rules Advisory</u> <u>Committee Meeting of March 28, 2017</u>
- G. Administrative Item State Public Records Law Training
- H. <u>Update Federal Food and Drug Administration Veterinary Feed Directive and VEB</u> <u>Coordination (Informational)</u>

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

- 1. Annual Meeting, September 14-16, 2017, San Antonio, TX Consideration of Travel Request
- 2. <u>Call for Nominations 2017</u>

J. Board Member Reports

K. Future Meeting Dates

- **1.** Screening Committee
- **2.** Next Board Meeting July 26, 2017 (9:00 a.m.)

L. Future Agenda Items

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

M. Deliberation on Proposed Stipulations, Final Decisions and Orders

- 1. 16 VET 021 D.S.K., D.V.M.
- **2**. 16 VET 009 and 16 VET 018 R.J.P., D.V.M.
- **3**. 16 VET 036 M.A.H., D.V.M.
- **4.** 16 VET 020 M.A.W., D.V.M.
- **5.** 16 VET 003 C.E.A., D.V.M.
- **6.** 16 VET 031 H.E.D. and J.A.D., D.V.M.
- N. Review of Veterinary Examining Board Pending Cases Status Report as of April 12, 2017

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- O. Open Session Items Noticed Above not Completed in the Initial Open Session
- P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- Q. 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 January 25, 2017



Veterinary Examining Board

Dr. Philip C. Johnson, DVM, Chair

VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, January 25, 2017

- **PRESENT**: Bruce Berth, Robert Forbes, D.V.M., Philip Johnson, D.V.M., Kevin Kreier, D.V.M., Dana Reimer, C.V.T.; Lisa Weisensel Nesson, D.V.M. and Diane Dommer Martin, D.V.M. by teleconference. (Absent: Sheldon Schall)
- **STAFF:** Department of Agriculture, Trade, and Consumer Protection (DATCP): Lauren Van Buren and Cheryl Daniels, DATCP Attorneys; Matt Tompach, Administrative Policy Advisory; Sally Ballweg, License/Permit Program Associate; Kelly Markor, Executive Staff Assistant.

CALL TO ORDER

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

INTRODUCTIONS

Philip Johnson welcomed new Board member Kevin Kreier, who talked about his work with Badger Veterinary Clinic. The Board thanked outgoing member Neil Wiseley, D.V.M. for his service to the Board.

APPROVAL OF THE AGENDA

MOTION: Robert Forbes moved, seconded by Kevin Kreier, to approve the Agenda. Motion carried unanimously.

APPROVAL OF THE BOARD MEETING MINUTES OF THE OCTOBEER 26, 2016 MEETING

MOTION: Dana Reimer moved, seconded by, Kevin Kreier, to approve the minutes from the Wednesday, October 26, 2016, meeting. Motion carried unanimously.

PUBLIC COMMENTS

No comments were received.

ADMINISTRATIVE UPDATES

AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS (AAVSB) MATTERS

Bruce Berth moved, seconded by Kevin Kreier, to nominate Robert Forbes as 2017-2018 AAVSB Representative to the NBVME/ICVA. Motion carried unanimously. (In November 2016, the National Board of Veterinary Medical Examiners [NBVME] changed its name to the International Council of Veterinary Assessment [ICVA]. Currently, the AAVSB Bylaws still refer to this organization as NBVME). 4/97

GLOBE UNIVERSITY

Update from David Dies, Executive Director of the Wisconsin Educational Approval Board, on the closure of Globe University's Wisconsin campuses due to the U.S. Department of Education (DOE) ending participation of Globe in federal student aid programs.

ELECTION OF OFFICERS BOARD CHAIR

NOMINATION: Robert Forbes nominated Philip Johnson for the Office of Board Chair. Seconded by Dr. Dommer Martin.

Matt Tompach, Executive Director, called for nominations three (3) times.

Philip Johnson was elected as Chair by unanimous consent.

VICE CHAIR

NOMINATION: Bruce Berth nominated Robert Forbes for the Office of Vice Chair. Seconded by Dana Reimer.

Matt Tompach, Executive Director, called for nominations three (3) times.

Robert Forbes was elected as Vice Chair by unanimous consent.

SECRETARY

NOMINATION: Philip Johnson nominated Diane Dommer Martin for the Office of Secretary. Seconded by Kevin Kreier.

Matt Tompach, Executive Director, called for nominations three (3) times.

Diane Dommer Martin was elected as Secretary by unanimous consent.

2017 ELE	CTION RESULTS
Board Chair	Philip Johnson
Vice Chair	Robert Forbes
Secretary	Diane Dommer Martin

2017 LIAISO	N APPOINTMENTS
Education and Exams Liaison	Lisa Weisensel Nesson
	Alternate: Sheldon Schall

Continuing Education Liaison	Philip Johnson <i>Alternate:</i> Sheldon Schall
Legislative Liaison	Bruce Berth <i>Alternate:</i> Kevin Kreier
Administrative Rules Liaison	Diane Dommer Martin Alternate: Kevin Kreier
Monitoring Liaison	Lisa Weisensel Nesson <i>Alternate:</i> Kevin Kreier
Screening Panel	Sheldon Schall, Robert Forbes, Diane Dommer Martin and Dana Reimer
Credentialing Panel	Lisa Weisensel Nesson, Diane Dommer Martin and Philip Johnson

- **MOTION:** Bruce Berth moved, seconded by Kevin Kreier, to affirm the Chair's appointment of liaisons for 2017. Motion carried unanimously.
- **MOTION:** Robert Forbes moved, seconded by Bruce Berth, to remove the travel and website liaison positions. Motion carried unanimously.

DELEGATION MOTIONS

Delegated Authority – Urgent Matters

MOTION: Lisa Weisensel Nesson moved, seconded by Bruce Berth: In order to facilitate the completion of assignments between meetings, the Board delegates authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, to fill vacant appointment positions, where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Delegated Authority - Screening Panel

MOTION: Dana Reimer moved, seconded by Kevin Kreier, that the Board delegates authority to the Screening Panel to open cases for investigation or close cases inappropriate for further action. Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Bruce Berth, that the Board delegates 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.

Delegated Authority - Credentialing Committee

- **MOTION:** Kevin Kreier moved, seconded by Lisa Weisensel Nesson, that the Board delegates authority to the Credentialing Committee to address all issues related to credentialing matters, except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.
- **MOTION:** Bruce Berth moved, seconded by Lisa Weisensel Nesson, that the Board delegates authority to the Credentialing Committee to employ a "passive review" process for 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.

Delegated Authority - Document Signatures

MOTION: Robert Forbes moved, seconded by Dana Reimer, that the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

Delegated Authority - Monitoring Liaison and Department Monitor

MOTION: Kevin Kreier moved, seconded by Robert Forbes, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" document. Motion carried unanimously.

LICENSING/ EXAM INQUIRIES

- **MOTION:** Lisa Weisensel Nesson moved, seconded by Dana Reimer, to approve VTNE Eligibility for the application of Nicolette Sra, once all requirements are met. Motion carried unanimously.
- **MOTION:** Dana Reimer moved, seconded by Kevin Kreier, to approve VTNE Eligibility for the application of Marcia Motta, once all requirements are met. Motion carried unanimously.

The Board determined that when Brittany Kirschbaum finishes her educational program in New Zealand, members will consider whether to approve it for VTNE eligibility, after receiving all available information on the program.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

The Board discussed VE 1 - Final Draft to amend Wis. Admin. Code § VE 1.02 (9), relating to the definition of veterinary medical surgery, and requested an updated draft at April Meeting.

The Board affirmed that procedures to ear tag or microchipping to identify an animal do not constitute the practice of veterinary medicine. The Board also affirmed that cystocentesis and the placement of IV catheters do constitute the practice of veterinary medicine.

The Board discussed retaining sutures to prevent uterine prolapse reoccurrence, placement of sutures as part of non-surgical treatment of a displaced abomasum and implantation of embryos as part of a bovine embryo transfer procedure. The Board determined that these procedures should not be included as exemptions in VE 1. The Board affirmed that the diagnosis and treatment of uterine prolapse and displaced abomasums, along with the bovine embryo transfer procedure, are the practice of veterinary medicine and should be performed by licensed veterinarians.

SCOPE OF PRACTICE

Neil Wiseley, D.V.M., commented on the rendering of veterinary services by non-veterinarian employees on their own animals. Robert Forbes requested further discussion on this matter at a later meeting.

The Board discussed bovine embryo transfer and reaffirmed that it is considered the practice of veterinary medicine.

FUTURE MEETING DATES AND TIMES

The dates of February 22 and March 22 were set for the VEB Screening Committee.

The next date meeting for the VEB is April 26, 2017, at 9:00 am at POSOB/DATCP in Boardroom.

FUTURE AGENDA ITEMS

Philip Johnson requested clarification on the Board members' terms, the process for continuing on the Board and requirements for leaving the Board. Cheryl Daniels advised that it is a gubernatorial appointment.

The Board adjourned for lunch at 11:35 a.m.

The Board reconvened at 12:05 pm.

CLOSED SESSION MOTION

MOTION: Robert Forbes moved, seconded by Kevin Kreier, 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 $\frac{8/97}{7}$

motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Lisa Weisensel Nesson -yes; Diane Dommer Martin -yes; Dana Reimer -yes; Philip Johnson -yes; Kevin Kreier -yes; Bruce Berth -yes; Motion carried unanimously.

RECONVENE TO OPEN SESSION

- MOTION:Robert Forbes moved, seconded by Dana Reimer, to reconvene to open session.Motion carried unanimously. The Board reconvened at 12:57 pm.
- MOTION: Robert Forbes moved, seconded by Kevin Kreier, to confirm the Rules Advisory Committee Membership as Pedro Rivera, Ann Margret Morgan, Ruthanne Chun, John Swingle, Carrie Stefaniak, Teresa Raffel, Kris Eggleston, Maya Meinhold, Thereasa Wirkus, Jordan Lamb and Lance Paulson. Motion carried unanimously.
- MOTION:Dana Reimer moved, seconded by Lisa Weisensel Nesson, to close 16 TECH 002, 16VET 017, 16 VET 025, and 16 VET 033. Motion carried unanimously.
- **MOTION:** Kevin Kreier moved, seconded by Robert Forbes, to accept stipulations and accept the final decision and order for 16 VET 031, 16 VET 031, 16 VET 029, 16 VET 013, 16 VET 003, and 16 VET 032. Motion carried unanimously.
- **MOTION:** Bruce Berth moved, seconded by Lisa Weisensel Nesson, 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 Kevin Kreier, to adjourn. Motion carried unanimously.

The meeting adjourned at 1:03 pm.

Scope of Practice Inquiries

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

					l
1) Name and Title of Per	son Subr	nitting the Request	t:	2) Date When Requ	est Submitted:
Matt Tompach				February 2, 2017	
					red late if submitted after 12:00 p.m. on the deadline
				date.	
3) Name of Board, Comr	nittee, Co	ouncil, Sections:			
VEB					
4) Meeting Date:	5) Attac	hments:	6) How	should the item be tit	tled on the agenda page?
	🖂 Ye	es s			
April 26, 2017		D		lic Comments	
			Sco	pe of Practice Inquirie	es e
			F	Rendering of Veterinary	Services by non-Veterinarian Employees
		<u>.</u>			
7) Place Item in:			ice before	e the Board being	9) Name of Case Advisor(s), if required:
Open Session		scheduled?			
Closed Session					
		Yes (Fill out	Board A	ppearance Request)	
		□ No			
10) Describe the issue a	nd action	that should be ad	dressed:		
changes by the VEB Surgery). They will a veterinarians into teo They also have an isa technician is trained they perform these p performed on their en	in Wiscon also make chnicians sue to bri to safely rocedure mployer's	nsin as related to the e some comments and decrease the ing before the Boar and effectively per s under the superv s animals."	he role of about ho role of ve rd: "If a f form pro rision (dir	f veterinarians in non- w the proposed chan terinary technicians. foreign veterinarian (n cedures such as amn rect/indirect) of a licer	ublic Comments about the recent proposed -therapeutic procedures (<i>VE 1 Definition of</i> ges, in their view, add more costs, turn not licensed in the USA) or an animal health liocentesis and oocyte recovery in cattle, can nsed veterinarian (in WI) when the procedure is
Background information from the veterinarians is attached as they requested.					
11)			Authoriza	ition	
Matt Tompach					April 4, 2017
Signature of person mal	kina this	request			Date
g					
Supervisor (if required)					Date
Executive Director signa	ature (ind	icates approval to	add post	agenda deadline item	n to agenda) Date
Directions for including	supporti	ng documents:			
1. This form should be	attached	to any documents			
2. Post Agenda Deadlin					
If necessary, provide meeting.	original	documents needing	g Board (Chairperson signature	e to the Bureau Assistant prior to the start of a

AGENDA REQUEST FORM

Gregg BeVier

Gregg has over thirty-five years of experience as a business executive and is currently based near Atlanta, GA. He is the COO of Sexing Technologies and the CEO of Fast Genetics. Most recently he managed the livestock portfolio at the Bill & Melinda Gates Foundation as a Senior Program Officer. Prior to the foundation he held various positions including the President of PIC, the Sr. VP of Livestock Operations for Premium Standard Farms and the Head of the Production Animal Global Enterprise for Merial.



Dr. BeVier is originally from a suburb near

Chicago, Illinois and has traveled extensively throughout the world. He and his family have also lived in England and Spain. He has moved 14 times in the past 40 years. He enjoys helping others achieve their dreams and advocates servant leadership.

Dr. BeVier holds a BS in Agriculture Science, a MS in Animal Science, a DVM, and a MBA, all from the University of Illinois, Urbana, IL. In 2004 he received the Distinguished Alumni Award from the University of Illinois, College of Veterinary Medicine. He has been a lifetime member of the American Veterinary Medicine Association and the American Association of Swine Veterinarians.

Beyond the basics: What will the future bring and how will we get ready?

Gregg W. BeVier. DVM, MS, MBA Global Agribusiness Partners, LLC

Introduction

Welcome and good morning to everyone! Scott Dee and the program committee have done a great job of putting together an exciting program for the next two days. It is indeed a privilege for me to be here delivering the Howard Dunne Memorial Lecture. Last April I received a cryptic email from Scott that said "Give me a call sometime, I have a favor to ask of you." I called Scott and this talk was "the favor." My first reaction was that acceptance needed careful consideration, so I asked for several days to think about the project. Two things were on my mind. First, was the amount of time and effort it would take to do a good job. Second was the memory from a professorial mentor who once said "If it's in print, it's probably wrong!"

Obviously, I agreed to do the presentation but I must now admit to Scott and the program committee that they did me a favor. During the past year, I have read things I do not normally read, talked to those I usually don't and listened to groups I've never heard before. This process has stretched my own imagination, challenged my paradigms and has reinvigorated my internal gyroscope. I have come to the conclusion that the best way for this group to predict its future is to invent it.

This morning, I'll give you some ideas about trends and issues, which will clarify the "frame" for the future. I will also suggest some tools, which could help to prepare this group to invent its future.

The basics

Overview of global population and agriculture

What would you attempt to do if you knew you would not fail? This is a challenge I would like for us to consider. Would you parachute from an airplane, quit your job or take business from a competitor? My hope is that this presentation will provide insight about your future opportunities, some specific recommendations on tools to consider and the motivation to act – now. I know you will not fail!

The topic of this presentation is about prediction of and preparation for the future, but "What future" and "Whose future"? There has been a lot written on animal health, consumer trends and livestock production issues such as welfare, residues, food safety, environmental safety and genetic modification. While these topics will continue to challenge our industry, I would like to step back for a moment and reflect on "The future of global agriculture and the intrinsic veterinary partnership". Are we positioning ourselves for our future in global agriculture and food systems? My premise is that the personal investment and effort needed are equally important to the technical challenges we face.

The purpose of global agriculture is to feed the world. The world population has a growth rate of about 1.2% per year.¹ When viewed over time, the past two hundred years and the next one hundred years represent a period of exponential population growth (Figure 1).² Today, there are six times as many people alive as at the start of the industrial revolution, thirteen times more than when Columbus set sail and twenty times more than during the Roman Empire.³ There is a major demographic "fault line" between the pace of growth in developing and industrialized nations. Essentially 99% of all future population increase takes place in poor countries, while population is static or declining in the rich nations (except for the USA).⁴ The current world population is 6.4 billion and is expected to reach 9.4 billion people by 2050.5 The global maximum for planet Earth has been estimated to range between 10-14 billion people. Table 1 depicts the regions of the world contributing to this growth.⁶ India will supplant China as the most populous nation by 2050.

Another factor of population is the "shift" towards urbanization (towns of >2,000 residents). In 1970, about



Rank	Country	Pop (M)	Rank	Country	Pop (M)
	China	1304	1	India	1628
2	India	1104	2	China	1437
3 2 2 2 2 2 2 2 2	USA	296	3	USA	420
1	Indonesia	222	4	Indonesia	308
5	Brazil	184	5	Pakistan	295
6	Pakistan	162	6	Brazil	260
7	Bangledesh	144	7	Nigeria	258
В	Russia	143	8	Bangledesh	231
9	Nigeria	132	9	Rep. of Congo	183
10	Japan	128	10	Ethiopia	170

two-thirds of the world lived in rural areas. By 2030, about two-thirds will be living in urban areas. The regions of the world differ greatly in their rate of urbanization growth as depicted in Figure 2.⁷ The underdeveloped countries are urbanizing at rapid rates. The catalyst for this shift towards urban growth is economic development. In spite of economic development, more than 50% of the global population lives on less than \$2.00 per day (Figure 3). In addition, 98% of the world lives on less than \$20,000 (purchasing power parity) per year. Essentially three to four billion people do not consume much meat because they cannot afford it. As income in developing countries rises, there will be a substantial increase in the demand for commodity crops, especially for animal feed use. India and China are likely to be the key drivers for additional demand of agricultural commodities.⁷ As per capita incomes rise, people eat more (calories) and differently (more vegetable oils,

American Association Of Swine Veterinarians, 2006

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American Association Of Swine Veterinarians, 2006

meat, sugar and wheat). This reflects the preferences of consumers whose rising incomes allow them to purchase more expensive and more highly valued foods.⁷ There is a downside to urbanization. Today, 220 million people lack access to clean water, 420 million people do not have access to latrines and 20-50% of municipal waste goes uncollected in developing world cities.⁸

Natural resource supply

What about the supply of food for the growing population? Will there be enough food to supply all the people? The answer is "yes"; we have an abundance of food. The world food supplies have more than doubled in the last three decades, the quality of most diets has improved and the real cost of food has declined.⁸ The world produces enough grain alone each year to provide every human being on the planet with 3500 calories per day.9 That is enough for most of us to get fat if we could "stomach" an all grain diet. If one were to include all food (vegetables, fruits, meats, fish), each person could be provided with about 4.3 pounds of food each day (2.3 lbs. grain, beans, nuts; 1 lb. fruit and vegetables; 1 lb. meat, milk and eggs).9 If the "world farmers" could achieve the average yield of USA corn growers, a world of 10 billion people will need half of today's cropland while they eat today's American calories.⁸ If the "world farmers" could add 1.5% to their output each year, 10 billion people could eat an American-style diet (not that I suggest this) and still spare about 25% of available cropland.⁸ As a side note, the USDA estimates that between production and end use, more than 25% of the food produced in the USA goes to waste. This equates to about one pound per person per day of wasted food.¹⁰

In spite of all these facts, 800 million people in developing countries still suffer from chronic under-nutrition, hunger and food insecurity.¹¹ A study by the International Food Policy Research Institute reviewed trends in urban poverty and malnutrition in fourteen developing countries. In the majority of countries, the number of underweight children living in urban areas is rising faster than those in rural areas.¹¹ This may lead to further health problems in adulthood. More than 40% of urban residents in developing countries live in slums. In many developing countries, the urban poor spend 60% of their total expenditures on food (compared to 11% in the US). Poor people often buy more than half their meals from street food vendors, typically with high fat content and questionable food safety. Twelve million children per year die from hunger and hunger-related diseases. This is equivalent to the number of people killed instantly by a Hiroshima bomb every three days.¹¹ It should be noted that 78% of all malnourished children under 5 years of age in the developing world, live in countries with food surpluses.⁹

What about our dry land resource? Is global agriculture managing this resource properly? The Earth's mass is occupied 70% by water and 30% by dry land. Of the dry land mass, 70% is used for agriculture. At current "destruction" rates, there will be no more rain forests by 2031. The rain forests cover 7% of the planet yet contain 50% of the world's species of plants and animals. The rain forests are literally the "lungs" of the world because of their carbon dioxide consumption and oxygen production.⁹ The growth needed in livestock agriculture to meet future demand must carefully consider the environmental impacts on land utilization.

The story of water follows the same as food: generally sufficient global supplies marred by regional shortages. If the world's water fit into a bathtub, the portion of it that could be used in a sustainable manner any given year would almost fill a teaspoon.⁸ Water scarcity will constrain agriculture primarily because high yield crops require more water.⁸ Conservation efforts can work and greater efforts could be made. Between 1980-95, the USA reduced water consumption by 10% even though population grew by 16% during this period.⁸

Poverty is the causative agent of hunger, not food supply. It has been said, "A poor person has many problems, but a hungry person has one problem." Human poverty is a direct result of government policy, which in the near term is unlikely to change enough to have a significant impact on hunger. Because of this political inertia, we must be able to triple the productivity of the world's agriculture over the next fifty years to meet the demands of a larger, more affluent and aging (Western) world population.⁸

Pork supply

Let's examine why we need to consider tripling pork supply by 2050 from current supplies. As previously mentioned, the global population is 6.4 billion today. The global pork supply for the population is 93.552 billion metric tons. If we assume that the global sow inventory is 70M sows that produce an average of 13 pigs per sow per year, then we can begin to estimate the sow productivity required to satisfy the forecasted increase in population. Table 2 represents three different

Table 2: Projected pi evels of growth in co						
Year	Population (billion)	Consistent populatio		Consistent with 2000-2005會		stent with 1/. 000-2005∦
2005	6.4	13.0 p/s/	/y	13.0 p/s/y	1	3.0 p/s/y
2015	7.2	15.7 p/s/	⁄y	16.9 p/s/y	1	4.9 p/s/y
2025	8.0	16.7 p/s/	/y	22.1 p/s/y	1	7.0 p/s/y
2050	9.4	19.6 p/s/	′y	43.1 p/s/y	2	23.8 p/s/y
	방향 영향 방송 방송 방송					

Source: Livestock and poultry world markets and trade. 2005. www.fas.usda.gov

growth scenarios for pork supply and the required pigs per sow per year (p/s/y) over the next forty-five years (assumes a constant sow base and no change in demand for pork). The first scenario is for pork supply to match or be consistent with the forecasted population growth. The result for this scenario indicates that we will need to attain a global average of 19.6 p/s/y by 2050. The second scenario utilizes an annual growth rate of 2.7% until the year 2050. This compound annual growth rate was selected because it is the same as the past five years (2000-2005). Notice that the global sow productivity would need to achieve 43.1 p/s/y by 2050 assuming no change in sow herd size or consumer demand. The third and final scenario uses a compound annual growth of 1.35%, or half of the past five-year period. By 2050, we would need to average 23.8 p/s/y globally with similar assumptions.

The total supply of pork relative to the human population is an important starting point. The next critical issue pertains to the regional location of where the pork is produced relative to the human population. As previously mentioned, we have enough food; it is just not where it needs to be at the right price. Table 3 depicts the forecasted change in the human population between 2005 and 2050 among three regions of the world. As Europe's percentage of the global population declines, will there be continued growth of pig meat production in this area? In regards to AASV membership, note that 83% of the current members (n=1266) reside in the Americas, which represent 14% of the population and 17% of the global pig meat supply. If the AASV membership growth is equivalent to the population growth, we should have 1859 members by 2050. I'll illustrate later why I believe this number is too low given the opportunity which lies ahead.

There will be an increase in public awareness regarding health and nutrition of livestock and people and that will drive important changes in the food system. People are demanding more information about the food they consume. Traceability of all the food we consume will become commonplace. Customized, multiple product channels from farm to shelf will continue to grow, especially in the developed countries. Under-developed countries have specialized needs that the food industry has not begun to address. There are three key principles, referred to as the three "A's," which identify how poor people make choices.²⁰ First is affordability. The increasing number of products sold in the simple-serve formats where people can spend pennies to purchase "one dose" of something is an example of affordability. Second is access to the product because poor people must work all day long and they cannot travel all night

Region	% Human p	opulation	% Pig me production 2		% AASV members
	2005	2050	(93.5 BM)	r) (1997)	(N=1226)
Asia	60	57	55		4
Europe	11	8	22		13
Americas	14	12	17		83
Rest of world	15	23	6		<1

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to be a consumer in a store. The third principle is availability and distribution. This factor takes into account the variability of cash flow for the poor; in other words, their desire to purchase things when they have cash and their inability to purchase without cash (e.g. no credit).

Sustainable systems that consider the environment, food safety, animal welfare and natural resources will become the "standard". The veterinarian has an opportunity to be a key participant in driving these important changes and in "writing the food prescription" for the future health and welfare of livestock and humanity. As veterinarians, do we believe it is our mandate to ensure the food prescription for mankind? I believe it is.

Agribusiness consolidation

Consolidation and globalization in agriculture will continue over the next decade. These trends will increase vertical integration along the food chain, and increase the use of "monocultures" in crop and livestock production on larger farms. The poultry industry has established the model for livestock integration and expansion. Large pork integrators have essentially used the same plan of attack.

This plan has four key pillars. The first pillar is to establish a large base of livestock supply by geographic expansion. Size will foster economies of scale, and globalization of the supply will be an important predecessor for longterm consumer distribution. Having a supply base in key markets mitigates the impact of non-tariff trade barriers and supply interruptions caused by global events. The second pillar is based upon optimization of the vertically integrated model. With a large, consistent, high quality raw material supply, the integrated model can optimize supply with demand. Long "run times" can be staged and having reduced switching costs by using consistent raw materials provides cost advantages with scale. Additionally, when compared to the nonintegrated model, by having both the live hog and processed pork within the same entity, one can achieve more consistent earnings. The consistent earning profile is highly valued by the public financial markets. The third pillar involves maximizing the value from further processing. If one reviews the balance sheet of an integrated operation, it becomes apparent that the majority of capital investment is on the livestock side of the business, not the processing side of the business. The incremental investment for processing and further processing of convenience foods is small in comparison. In addition, the further processed products yield higher levels of profitability per pound when compared to

fresh pork. It has been estimated that traditional processed pork (bacon), yields \$0.03-\$0.05/pound more in pre-tax profit than fresh pork. It has also been estimated that further processed pork (convenience foods and fully cooked products) yield \$0.08-\$0.10/pound more profit than fresh pork. Why should a non-integrated investor take all the production risk and capital risk while foregoing the price premium from further processed products? The fourth pillar takes a very long view of the global food challenge and the company seeks to initiate a similar model in other meats including beef, chicken, turkey and seafood. With this pillar complete, the integrated livestock producer becomes a food. producer capable of offering a "meat case" to the global consumer.

Consolidation in the global food industry, and the increasing market power of large food retailers (Wal-Mart) will strengthen the domestic and worldwide influence of a few marketing decisions (e.g. genetically modified organisms). Some people refer to this as "food dictatorship" where freedom of choice is denied via corporate control and dependency.¹² Many governments see food sovereignty as an issue of national security. Terrorism events help to reinforce the notion that greater oversight and control of a nation's food supply is vital to national security. I do not believe consolidation is something we should fear. We need to understand the motives and be prepared to participate actively so systems are established in a manner consistent with the food prescription we will help to write.

The Green Revolution versus the livestock revolution¹⁹

To get a better feel of the future opportunity for livestock, it is useful to compare the factors involved in the Green Revolution to those of how the livestock sector may grow. The Green Revolution occurred in developed countries (1980's) with crops (corn, beans, wheat, cotton). There were step-changes in the technology of seeds (genetic modification) and fertilizer, which drove improved crop yields and a supply-side revolution. Like most revolutions, there has been considerable adverse reaction to the Green Revolution in key markets. This negative public reaction illustrates the concept of "food dictatorship" felt by the consumer.

The story for livestock is different. Dairy and poultry producers in developed countries initially led the way for technological advancements in livestock production improvements. Fortunately, genetic modification was not the key technology utilized to foster the initial

improvements in livestock productivity. The biggest difference for the livestock revolution in the future is that it will be demand driven by the less developed nations. There will be application of known technology (not genetically modified) in sustainable systems. There are some key characteristics that will define the future of livestock production. There will be global increases in both production and consumption of livestock products. Most of the increase in both production and consumption will occur in the less-developed nations of the world. The consumption trends will be the substitution of meat and milk for grain in the diet for people. This trend will put more emphasis on grain production for livestock feed. Livestock production will become more technical, intensive, specialized and integrated. This will put more stress on the land and the environment. A rapid rate of technical change throughout the entire food chain system will be required to meet these developments in a sustainable manner. In essence, we have a global market demand that is waiting for meat to be supplied at the right place, time and quality and price. I believe this is an opportunity of a lifetime.

Livestock production: Consolidation, integration, globalization

There have been profound spatial changes in the relationship of plants, animals and humans over the millennium. Figure 4 illustrates how this relationship has become segmented horizontally over time. During the next decade, we will see continued segmentation horizontally



and vertically.¹³ This vertical alignments will be driven by consumer efforts to better understand and influence the food we eat. Certified groups of food chain participates will supply consumers with a food prescription in this matter. There will be rapid concentration of ownership and control in agriculture by transnational corporations. The three elements of growth will be horizontal integration, vertical integration and globalization.¹³ Figure 5 depicts the top ten pork producers as a percent of the national sow herd in selected countries. This figure ranges between 20-30% in general, with the noteworthy exception of Chile, where the top ten producers have 90% of the sows. The same trend exists on the processor segment. Essentially 3-5 pork processors maintain a market share of 18-95% in selected countries (Figure 6). Five USA chicken processors have about 60% market share and five USA beef processors have 90% market share. Supplier and retailer concentration is likewise occurring. The top three animal genetic suppliers for avian, bovine and porcine species have leading market shares of the global genetic market. The top three animal health companies have 50% of the global animal health market. From a retail perspective, the top fifteen food retailers have 30% market

share of the food sold at retail, a two trillion dollar global market.¹⁵

We are in the middle of a consolidation period where new connections are being established which will greatly impact our supply, cost and quality of the food we eat. This trend will continue for decades to come but "as the big get bigger" we will once again see inefficiencies because no single monolithic organization can "do it all." There will be opportunities for outsourcing of activities to specialized niche players who can add unique value. It will be up to us to invent the new value opportunities.

Livestock productivity and enterprise costs

The euphemism "It's all about cost of production" is a pervasive concept in global agriculture production and in high throughput manufacturing businesses in general. A driving economic force towards low-cost is depicted by the long-run average cost curve (Figure 7). The shape of the long-run average cost curve depicts the relationship between costs and output. On the "left side" of point Q2, progress to achieve economies of scale is illustrated. The "right side" of point Q2 depicts







diseconomies of scale. A business will try to achieve point Q2, which is a point of maximum efficiency. Where are we on the cost curve today? Another important aspect for cost and output relates to capital and labor. Capital substitution for labor (Figure 8) will continue to be the key investment priority for livestock production and the entire food



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chain in the future in order to gain improved levels of output at the right cost. Figure 9 illustrates the number of sows managed by one person among different countries. As labor costs and availability (willingness) continue to challenge our production systems, more automation will take the place of people on the farm. These investments will be required to meet the demand for meat in the future.

If one views livestock production as that of a commodity, then it is reasonable to expect an enormous effort to improve unit costs. This move has placed production agriculture into a "cost-center mode" for the entire food supply chain. In essence, the profit margins move along the chain towards the retailer while the producer accepts lower margins and "hopefully" a lower risk profile. Table 4 represents a prediction of the future %

Table	4: Perc cipant (p	entag predict	e of re tion)	etail de	ollars	by cha	in
						Reta	
2005 2030		15 10		30 10		55 80	

agricultural revenues from each part of the chain in the next twenty-five years. Note the large growth of the retail component and the decline of the production component. Our singular focus on cost has put the producer in this position. I do understand that the marketing programs for meat will not mitigate high cost operations. Perhaps if we could achieve a better balance between our costs and satisfying the needs of the consumer, we could recapture some of this lost margin in the future.

The pervasive, low-cost attitude regarding production has inspired all of us to find ways to increase biological productivity metrics. Since all costs are variable in the long run, each \$0.01 of cost should be challenged. The poultry firms have made a science of this practice (Table 5). Improved nutrition, housing, genetics, health and management have been the key tools we have utilized (Figure 10). The poultry industry has done an exceptional job of mastering the use of these tools. Table 6 illustrates impressive gains in broiler performance over the past 80 years. Table 7 represents the difference in the number of pigs weaned per sow per year between the top 10% and the bottom 10% of farms on the PigCHAMP database in the USA. The difference is

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Live costs \$0.00/pound	Eviscerated costs \$0.00/pound	Cost item
0.0391		Chick
0.1251		Feed grain
0.0106		Milling and delivery
0.0482		Grower payment
0.0026		Med/vacc/ condem
0.0133		Transport & DOA
0.0024	Contraction of the	Supervision
0.0001		Other
0,2414		Total production cost
	0.3322	Meat cost (72% yld)
	0.2100	Processing
	-0.0154	Offal credit
	0.5268	Dressed meat
	0.0182	Selling expenses
	0.0297	Freight
	0.5747	Wholesale
Served of the State of Land Academic Conference on Conferenc		Operating costs
	0.0154	Administration
	0.0070	Interest
	0.5971	Total wholesale cost per pound

Figure 10: The balance of key parameters
Factors impacting performance

Finvironment
Genetics
Management
Health

about six pigs per sow per year. If the bottom 10% of the farms could produce at the top 10% rate, we could increase the national supply of pigs by over 3.5%. If bottom 10% of the farms could produce at the mean, we could increase the national supply of pigs by 1.8%. We should focus on operational excellence because there is a chasm between the performance of the average producer and that of the top 10%. This is where the real opportunities exist for the next decade in global production agriculture. To initiate operational excellence will require an unprecedented focus at the "point of production" on livestock health, not disease.

The nature of health

The health and well being of livestock can be an emotive topic to discuss. This is largely due to the contrast that is made when comparing health to disease and sickness. Table 8 describes some of the vocabulary I have heard through years as people wrestle with these two concepts. The swine industry has gone to great lengths to learn how to live with diseases compared to the poultry industry. There are reasons for the approach taken by the swine industry, however once these reasons become acceptable, a line is crossed which is difficult to erase.

There are many variables in agriculture that can be "controlled" or locked-in. Grain can be forward purchased, utility services can be priced with non-interruption guarantees, breeding stock and packer agreements are multi-year in scope. Weather and disease outbreaks are two variables, that cannot be controlled and do dramatically impact our food systems. Foot-and-mouth disease, BSE, Blue Tongue and Avian Influenza are but a few disease examples of recent history. Weather forecasters have gone to great lengths to model weather patterns and forecast the future. They are not always right and we do not always listen to their input (Hurricane Katrina). We must improve our ability to predict when "conditions are favorable" to cause an interruption in health status. Once outbreaks occur, we need better models and intervention protocols (vaccines) to diminish the economic impact of the disease. We also need to provide advice on long-term solutions for disease elimination. The poultry industry has an arsenal of effective vaccines, mostly delivered in-ovo, so when the chick is hatched it never needs to be touched and it is protected during the growth phase. This industry has also utilized premise depopulation as an effective method to discon-

tinue the disease cycle and return to high levels of health. Is it too radical to believe that someday we could have piglets immunized at parturition against all pathogens they may encounter? That someday we could find a cost effective way to depopulate, on a regional basis to

1	Table	6:US	SA br	oiler	perfo	rmar	nce		
	Year	Mkt	aue	Mkt	Wt	F.	C.R.	Mor	.
	1641	(da		(11				(%)	*******
	1925	972297/ABR	12	2.	Service of the	NU STREET, SA	.70	18	
144	1950 1975	ANTERSTEELE	70 56	3. 3.	J8 76		.00 .10	8 5	61
8	2005		44	5.	25	1	.90	4	

Source: National Chicken Council, Washington, DC

 Table 7:
 The difference between the top 10%

 and the bottom 10% of Pigs Weaned/Sow/Year
 (USA).

	∆ Pigs Weaned/S/Y
	Year Top 10% minus bottom 10%
	1998 7.9
	2002 6.4 2003 6.6
	2004 5.8
-	2005* 6.1

* Q1 and Q2 avg.

Source: Benchmarking data, www.PigCHAMP.com

 Table 8: Words that often describe health and disease.

Health	Disease or "Dis-ease"
Нарру	Sad
Passive	Active
Yin	Yang Black/white
Grey Desirable	Undesirable
Life	Death
Profit	Loss
Welfare friendly Safe	Welfare unfriendly Unsafe
Complex	Simple
Unclear	Clear
Consistency	Variations
Steady-state Win	Erratic
Expectation	Lawsuit
	이야 한 것 같은 것 같은 것 같은 것 같은 것을 만들었다. 같은 것 같은

stop the spread of disease? The health status of livestock is our Achilles' heal, not our future profit center. Diagnosis and treatment are rearview mirror actions. Prevention is the name of the game. I have personally taken "the slippery slope" of accepting some level of disease in my professional career. I'm trying to learn from it because it came at a high cost of tuition.

Beyond the basics for livestock veterinarians

Supply and demand

Over the past twenty years in the USA there have been some major changes in the veterinary workforce. Over 80% of veterinary schools have female students and over 80% of graduates elect to enter companion animal practice upon graduation. Numerous reports have forecasted a shortage of food animal practitioners in the near future. The supply of food animal veterinarians will only begin to increase when new career opportunities in this area develop. How will these opportunities develop? It is up to us to invent these opportunities. We have some key tools at our disposal.

Personal development

Innovation is a key tool we can utilize. Innovation occurs by change and transformation. It involves new methods, creativity, ingenuity, and a dose of inspiration. As mentioned previously, technology and capital are required to drive future livestock supplies. The investment in personal development is just as important. When applied correctly, it can transform the way we work and the way people see our work. Let me suggest that further competencies for swine veterinarians are needed in business, finance, economics, supply chain, marketing, sales, leadership, general management, strategy, business development, human resources and training. At least 10% of the members of this organization should embark on further training in some of these specific areas over the next twelve months. Are 126 of you prepared to take this challenge?

New model

In order to craft a new value curve with a better understanding of business, we should first challenge the basic business model swine veterinarians utilize and ask four key questions.¹⁷ First, "Which of the factors of our service does the industry take for granted that we could eliminate?" Income from the sales of drugs might be an example. The next question to ask is "Which factors of

Eliminate	Raise
 Income from 	 Daily/hourly rates
sales of drugs	 Level of production
	management involvement
	Leadership skills
Reduce	Create
View as only a	Global perspective
technical person	Food chain
Any technician	understanding
type activity	Position as a
	business person

our service could be lowered well below the industry's standard?" An example of this might be to decrease the client's perception of a DVM as a "doctor" or "technician". The third question to consider is "Which factors of our service could be elevated above the norm for the industry?" An example might be to charge more per hour or day, to reposition yourself as a business person with technical training, to align your compensation with farm performance or to engage in a higher level of production management including animal welfare, food safety and consumer preferences. The final question relates to thinking about "What new services could be created that have not been offered previously?" An example might be expanding your global network, an improved understanding of the food chain including poultry, or offer new services that ensure the food prescription such as food safety, animal welfare and verification (Table 9).

There are three characteristics of a good strategy for the new business model. First is focus. The new focus should be towards the consumer and the alignment of all activities along the pork chain towards fulfilling unmet consumer needs. I believe one of these will pertain to the food prescription. The second characteristic is divergence. Divergence refers to looking across all possible alternatives, not benchmarking among competitors or other swine veterinarians. Our ability to infiltrate all aspects of the pork chain would be an example of divergence. If done correctly, new ways to differentiate will become apparent. Finally, every good strategy has a simple tag line. Should ours be "We value swine health" (producer focus) or "we are part of your food (pork) prescription" (consumer focus)?

To begin our new strategy, let us consider a way to reconstruct our market boundaries. The market has defined veterinarians as health professionals. It is the key area of focus, training and competency. Next, let us review the value chain and select several components to review where we could redefine our market space and develop new employment opportunities (Fig. 11).

As we begin the analysis, it is important to distinguish sows in the general market from those that reside in a "technified" environment. The technified environment is one in which professional management decisions are made and technology adoption is generally high. My subjective assumption is that 50% of the global sow inventory resides in technified systems. In the near term (10 years), I believe we should make a concerted effort to document the robust model that a technified system offers which could then be applied to less technified geographies.



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Market boundaries expanded

The animal genetics market for swine in "technified" environments is estimated to exceed \$1B globally. If each employee accounts for \$250,000 of revenue, then about 4,000 employees will be required for the swine genetics sector. Assume that 20% of these jobs are middle to senior management (800 positions). If we could transform 5% of the current management positions into those with veterinarians, this would add another 40 veterinarians to the swine genetics companies globally.

Next, let's review the animal health industry using similar analysis. The swine animal health market is about \$2B globally. If each employee generates about \$500,000 of revenue, then 4,000 employees will be required for swine animal health. Assume that 20% of these positions are middle to senior management (800 positions). If we could transform 5% of the current management positions into those with veterinarians, this would add another 40 veterinarians to the swine animal health sector.

Finally, lets review the largest sector of swine production. If we assume that there are 70 M sows globally and that 50% reside in "technified" environments, then there are 35M sows that we can consider a target market. If we assume a ratio of 150:1 (sow:labor), then there are about 233,000 labor jobs. If this number were grossed up by 20% to include middle management and functional areas, there would be a need for 290,000 total jobs. This amounts to 58,000 management positions. If we could transform 5% of these positions into those with veterinarians, then we could add another 2,900 veterinarians to the swine production management sector.

I believe the 5% displacement could happen within the next ten years if 126 leaders within this group take the initiative over the next twelve months. The industry is in a global growth phase and opportunities will become available. I do not believe it is the task of the veterinary colleges or the AVMA to invent these careers. These organizations will respond to the market needs with appropriate training once the careers are established. The jobs above represent at least an additional 3000 positions at \$130,000 per year (benefits included). Note that I have excluded nutrition, environment, processing and retail opportunities in the calculations. These figures represent an additional \$390M of annual salary base for veterinarians. In summary, we need to expand our vision of our role within the pork chain. By doing so, new careers will be created, our influence will

be stronger, and the future of the pork prescription will be ours.

Measurement

I believe the single biggest barrier to career progress we face is our inability to measure our contribution. A review of the six-sigma principles will help us assess our approach.¹⁸ The first principle requires defining the customer. For the AASV membership let's assume that the customer is a pork producing entity. The second principle reviews the customer requirements for today and in the future. Table 10 below is an example of what customers value or have concerns about.

The third question pertains to how the work is currently being done by AASV members. Is the work largely comprised of on farm visits and recommendations? Is it largely diagnostic and prescription? Are there clear financial milestones with which to align veterinary activities? The fourth question asks what are the benefits in making the improvements. From the analysis above, new job creation of a salary base of \$390M is a great benefit for the profession. The fifth question asks, "What is the future role of the AASV member?" I've suggested that it should include participation in writing the food prescription. The final question asks how will we get from point A to point B. The answer lies in our preparation in the areas I have previously suggested (business skills) and then using this preparation to "invent" a new role.

For those familiar with the implementation of the sixsigma process, the next step is to use DMAIC. DMAIC

	(403		
Firm siz	115 115 115	head ma	>500
Air quality regulations	43%	23%	65%
Water quality regulations	43%	25%	39%
Restrictions on antibiotic use	40%	11%	35%
Civil suit against production units	34%	23%	74%
Animal rights issues	45%	31%	61%
Packer concentration	54%	18%	4%
Vertical integration	50%	14%	4%
Over-supply of hogs	58%	87%	100%
Adoption of COOL	20%	11%	9%

is an acronym for define, measure, analyze, improve, and control. The first step for DMAIC is to define the problem. For the purposes of this presentation, let's define the problem as "our inability to measure our contribution to the pork chain customer". The next step is to measure the problem. This involves finding ways to quantify the issue and to look for "root causes". For example, through customer feedback, a key way people assess the contribution of veterinarians is via the vet and medicine cost line on the income statement. Another might be livestock mortality reports. Step three requires the use of analysis on root causes to ensure that bias and beliefs do not cloud judgment. Step four is about finding a solution or improvement to the problem. Some AASV members have told me they believe we need to do a better job of communicating the services we provide. Others have said that we should stick with diagnostics and medicine. My view is that if we value swine health, we should create a "general health index" for all of our client operations against which we could measure progress. The fifth and final step is control. This involves monitoring of our new process, responding to problems as they arise and helping to sell the long-term goals to others. I really believe that if we do not find a way to measure our pork chain contribution, we will not progress very far. Simply put, if you don't keep score, you can't win.

My specific recommendation is that we develop a standardized health index system that focuses on our contribution to the food prescription and health of livestock. Today, the primary metric that producers have, which relates to veterinary contributions, is the "vet and medicine" line item on the income statement and the % mortality statistic on production reports. Are drugs and death loss concepts we want attributed to our future? I believe the collective wisdom of the AASV could develop this metric using qualitative and quantitative parameters using epidemiologic and statistical principles. Of course, it would not be perfect and there would be a lot of debate about its accuracy but it would help this group focus on a simple message and would provide a basis for discussions with clients across the pork chain. It would also convey our simple intent and focus on writing the food prescription for the future.

Concluding remarks

We have seen that poverty causes hunger, not the ability to produce food. More food will be needed over the next 45 years to meet the needs of forecasted population growth. Some believe this could be three times the

supply available today. Veterinarians could have a key role in advancing and ensuring the food supply and the food prescription for mankind. We should learn from the Green Revolution and step up to the meat supply challenge for under-developed countries. There are two key ways to reinforce our future. First is innovation via role expansion fostered by education and experience. We could more than triple the size of this organization in ten years and add \$390M of veterinary income if we acted today. The food chain needs us but I often wonder if we as a group envision this huge responsibility and opportunity. The 50% of the people in the world who make less than \$2 per day will eat more meat in the future if it is available at the right price. It is our challenge to help meet this need.

Our second way is via better measurement. If we value pig health and the food prescription, let's be prepared to measure it and demonstrate its value and our contribution. We must find some methods and take the initiative to measure our contribution. Being a consultant without clear measurement is unacceptable. Six-sigma principles could provide us the much need process to assess our profession and our customers. I do not believe that we should be viewed as an income statement line item cost or as the % mortality statistic on production record reports.

So we are beyond the basics now. It is time to stretch your thinking and take an adventurous look into the future world of prescription food and satisfying human hunger on a global basis. Over three billion consumers in under-developed countries represent a key driver for meat demand. Technology will certainly play a role in improving output but this should not be our only focus. The tools of personal innovation and measurement are waiting to be picked up and utilized. The ball is in our hands now. What would you attempt to do if you knew you would not fail? Are you prepared to invent your future?

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

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

1) Name and Title of Per	son Submitting the Reques	t: 2) Date When Requ	est Submitted:		
Cheryl Daniels		April 5, 2017 Items will be consider date.	Items will be considered late if submitted after 12:00 p.m. on the deadline		
3) Name of Board, Committee, Council, Sections:					
VEB					
4) Meeting Date: 5) Attachments: 6) How should the item be titled on the agenda page?			tled on the agenda page?		
April 26, 2017	⊠ Yes □ No	to the definition of veterina	VE 1 and 7 - Final Draft to amend Wis. Admin. Code § VE 1.02 (9), relating to the definition of veterinary medical surgery, and § VE 7.02(4), relating to delegation of veterinary medical acts.		
7) Place Item in: Open Session Closed Session	scheduled?	before the Board being Board Appearance Request)	9) Name of Case Advisor(s), if required:		
	🖂 No				
10) Describe the issue a	nd action that should be ad	dressed:			
of Practice and Unprofe	ssional Conduct for Veterin	arians).	uthority and Definitions) and VE 7 (Standards		
11)		Authorization			
Cheryl Daniels			April 5, 2017		
Signature of person mal	king 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: This form should be attached to any documents submitted to the agenda. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 					

AGENDA REQUEST FORM



State of Wisconsin

Veterinary Examining Board

Dr. Philip C. Johnson, DVM, Chair

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

PRESENTED BY: Cheryl Furstace Daniels

REQUESTED ACTION:

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

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

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

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

- <u>Placement of arterial catheters.</u>
- <u>Suturing of tubes and catheters.</u>
- Fine needle aspirate of a mass.

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

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

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

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

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

SUMMARY:

Background

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

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

Rule Content

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

Analysis and Supporting Documents Used to Determine Effect on Small Business

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

Effect on Small Business

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

Environmental Impact

This rule will have no environmental impact.

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

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

Comparison with Rules in Adjacent States

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

Public Hearing

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

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

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

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

Written comments were received by the following persons:

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

Next Steps

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

PROPOSED ORDER OF THE WISCONSIN VETERINARY EXAMINING BOARD ADOPTING RULES

1 The Wisconsin veterinary examining board hereby proposes the following rule *to amend* VE 1.02

2 (9) and to create VE 7.02(4); relating to the definition of veterinary medical surgery and the

3 delegation of veterinary medical acts, and affecting small business.

Analysis Prepared by the Veterinary Examining Board

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

Statutes Interpreted

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

Statutory Authority

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

Explanation of Statutory Authority

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

Related Statutes and Rules

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

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

Plain Language Analysis

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

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

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

Comparison with Rules in Adjacent States

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

Summary of Factual Data and Analytical Methodologies

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

Analysis and Supporting Documents Used to Determine Effect on Small Business

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

Effect on Small Business

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

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

VEB Contact

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

Where and When Comments May Be Submitted

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

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

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

1	4. Euthanasia by injection.
2	(b) Activities considered the practice of veterinary medicine, but may be delegated to
3	certified veterinary technicians, as specified in s. VE 7.02(4),
4	1. Simple dental extractions that require minor manipulation and minimal elevation.
5	2. Administration of injections, including local and general anesthesia.
6	3. Sample collection via a cystocentesis procedure.
7	4. Placement of IV and arterial catheters.
8	5. Suturing of tubes and catheters.
9	6. Fine needle aspirate of a mass.
10	SECTION 2. VE 7.02(4) (d)-(g) are created to read:
11	(d) Sample collection via a cystocentesis procedure.
12	(e) Placement of IV and arterial catheters.
13	(f) Suturing of tubes and catheters.
14	(g) Fine needle aspirate of a mass.
15	SECTION 3. EFFECTIVE DATE AND INITIAL APPLICABILITY. This rule takes effect on
16	the first day of the month following publication in the Wisconsin administrative register, as
17	provided under s. 227.22(2)(intro.).

Dated this ______ day of ______, 2017.

VETERINARY EXAMINING BOARD

Ву_____

Member of the Board

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis ☐ Original				
2. Administrative Rule Chapter, Title and Number VE 1, Authority and Definitions and VE 7, Standards of Practice and Unprofessional Conduct for Veterinarians				
3. Subject Amending definition of surgery and exemptions				
4. Fund Sources Affected ☐ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEG-S	5. Chapter 20, Stats. Appropriations Affected			
6. Fiscal Effect of Implementing the Rule ⊠ No Fiscal Effect □ Increase Existing Revenues □ Indeterminate □ Decrease Existing Revenues	 Increase Costs Could Absorb Within Agency's Budget Decrease Cost 			
Local Government Units Publ	cific Businesses/Sectors lic Utility Rate Payers Il Businesses (if checked, complete Attachment A)			
8. Would Implementation and Compliance Costs Be Greater Than S	\$20 million?			
9. Policy Problem Addressed by the Rule The Veterinary Examining Board ("VEB") administers ch. 89, Stats., as well as the administrative rules in VE 1-10, Wis. Adm. Code. Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the VEB, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. In addition, with changes to the definition of surgery, s. VE 7.02(4), Wis. Adm. Code, requires additions to veterinary medical acts that may be delegated by a veterinarian to a certified veterinary technician				
 Summary of the businesses, business sectors, associations remay be affected by the proposed rule that were contacted for contract proposed rule change is anticipated to affect all licensed 	omments.			
effect on small business, as many veterinarian practices that businesses.	č			
11. Identify the local governmental units that participated in the dev Local governmental units are not impacted by this rule and d				
12. Summary of Rule's Economic and Fiscal Impact on Specific Bud Governmental Units and the State's Economy as a Whole (Incl Incurred)The proposed rule makes minor changes to current rules and	lude Implementation and Compliance Costs Expected to be			
13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery and additional veterinary medical acts that may be delegated by a veterinarian to a certified veterinary technician. This will ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.				
14. Long Range Implications of Implementing the Rule To the extent that the proposed rule will clarify what is included in	the practice of veterinary medicine, this may have a positive			

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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

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

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota) None of the surrounding states of Illinois, Indiana, Iowa, Michigan or Minnesota, have their own definition of surgery for the purpose of practicing veterinary medicine. Illinois does include animal reproductive services in the definition of the practice of veterinary medicine. Iowa does include cosmetic surgery in the practice of the veterinary medicine definition-

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

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

17. Contact Name	18. Contact Phone Number
Cheryl Furstace Daniels, VEB Legal Counsel	(608) 224-5026

This document can be made available in alternate formats to individuals with disabilities upon request.

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

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

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

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

Less Stringent Compliance or Reporting Requirements

Less Stringent Schedules or Deadlines for Compliance or Reporting

Consolidation or Simplification of Reporting Requirements

Establishment of performance standards in lieu of Design or Operational Standards

Exemption of Small Businesses from some or all requirements

Other, describe:

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

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form) □ Yes □ No

Wisconsin Veterinary Examining Board

Regulatory Flexibility Analysis

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

Rule Summary

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

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

Small Businesses Affected

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

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

Reporting, Bookkeeping and other Procedures

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

Professional Skills Required

The proposed rule does not require any new professional skills.

Accommodation for Small Business

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

Conclusion

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

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

Dated this _____ day of _____, 2017.

STATE OF WISCONSIN VETERINARY EXAMINING BOARD

By_

Cheryl Furstace Daniels VEB Legal Counsel





April 7, 2017

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

VIA EMAIL: cheryl.daniels@wisconsin.gov

Dear Ms. Daniels:

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

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

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

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



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

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

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

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

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



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

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

Sincerely,

Areffh. Bolier

Dr. Gregg BeVier, COO Sexing Technologies

CC:

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

2. VE 1 and 7 - Report on Complementary, Alternative and Integrative Therapies Rules Advisory Committee Meeting of March 28, 2017

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

1) Name and Title of Per	son Submitting the Request	t: 2) Date When Requ	est Submitted:		
Cheryl Daniels		April 4, 2017			
		Items will be conside date.	red late if submitted after 12:00 p.m. on the deadline		
3) Name of Board, Comr	nittee, Council, Sections:				
VEB					
4) Meeting Date:	5) Attachments:	6) How should the item be tit	tied on the agenda page?		
April 26, 2017	□ No	Report on Rules Advisory	Committee Meeting of March 28, 2017		
7) Place Item in:	8) Is an appearan	ice before the Board being	9) Name of Case Advisor(s), if required:		
Open Session	scheduled?	-			
Closed Session	☐ Yes (Fill out	Board Appearance Request)			
	⊠ No				
10) Describe the issue a	nd action that should be ad	dressed:			
			risory Committee, appointed by the Board at any rules promulgated thereunder.		
the January 25, 2017 me	eting to review the current s	scope statement on ve 7 and a	any rules promulgated thereunder.		
11)		Authorization			
11)	,	Rumonzation			
Cheryl Daniels			April 4, 2017		
Signature of person mal	king this request		Date		
Supervisor (if required)			Date		
Executive Director signation	ature (indicates approval to	add post agenda deadline iten	n to agenda) Date		
	supporting documents:				
 This form should be attached to any documents submitted to the agenda. 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.					

AGENDA REQUEST FORM





Veterinary Examining Board

Dr. Philip C. Johnson, DVM, Chair

VETERINARY EXAMINING BOARD – VE 1 AND 7 RULES ADVISORY COMMITTEE

MEETING MINUTES

Tuesday, March 28, 2017

- **PRESENT**: Bruce Berth, Ruthanne Chun, D.V.M., Ann-Margret Morgan, D.V.M., Pedro Rivera, D.V.M., Carrie Stefaniak, D.V.M., Kris Eggleston, C.V.T., Teresa Raffel, C.V.T., Maya Meinhold, D.C., Jamie Mabeus, D.C., Jordan Lamb, Lance Paulson, RPh MS, John Swingle, D.V.M. (on phone).
- **STAFF:** Department of Agriculture, Trade, and Consumer Protection (DATCP): Cheryl Daniels, DATCP Attorneys Matt Tompach, Administrative Policy Advisory; Kelly Markor, Executive Staff Assistant.

CALL TO ORDER

Cheryl Daniels called the meeting to order at 10:02 AM. A quorum of eleven (12) members was confirmed.

PRELIMINARY MATTERS

MEMBER AND STAFF INTRODUCTIONS

Introductions and background information was given by each Rules Advisory Committee Member and DATCP Staff member present.

MOTION: Dr. Rivera moved, seconded by Dr. Chun, to approve the Agenda. Motion carried unanimously.

ADMINISTRATIVE ISSUES

Kelly Markor discussed travel reimbursement and the appropriate forms needed.

OPEN MEETINGS AND PUBLIC RECORDS

Cheryl Daniels presented the Wisconsin Open Meeting Law Summary and Wisconsin Public Records Law Basics to the committee.

ADMINISTRATIVE RULES PROCESS

Cheryl Daniels presented on the Wisconsin Administrative Rules process along with March and April deadlines.

DISCUSSION OF RULE AMENDMENTS

Cheryl Daniels discussed the American Veterinary Medical Association (AVMA) summary of states' veterinary complementary, alternative, and integrative medicine (CAIM) rules.

The RAC discussed which other licenses and practices might be involved in the therapeutic care of animals. The list included rehabilitative therapy, laser therapy, light therapy, shock therapy, Reiki and other forms of energy work, acupuncture, aquapuncture, botanical therapy, moxabustion, homeopathy, nutraceuticals, oil therapy, aromatherapy, and osteopathy.

The RAC made a preliminary decision that, for veterinary delegation for CAIM treatment, the veterinarian should only make a referral to a person that already is licensed for the specific CAIM treatment that is provided. In Wisconsin, these would be chiropractors, by some the specific calment and the specific calment that a specific calment that is provided. In Wisconsin, these would be chiropractors of the specific calment can be chiropractors of the specific calment

acupuncturists. In addition, however, the RAC also believes that the veterinarian should only refer treatment to the licensed person who is additionally certified to treat veterinary patients and not just human patients.

The RAC decided to look at chiropractic care for animals and particularly the regulations in Minnesota. In Minnesota, a form is filled out by the veterinarian referring them to the licensed chiropractor for care. There is also a registry of chiropractors licensed to practice on animals. There is no such thing in Wisconsin. Cheryl Daniels and Jordan Lamb both discussed the level of regulatory control that the veterinarians have over the chiropractic board and that while the VEB cannot regulate the chiropractor licensing process; the VEB can control the referral process to the chiropractor from a veterinarian. The Veterinary Examining Board can only operate within the practice of veterinary medicine.

NEXT MEETING

ADJOURNMENT

The meeting adjourned at 1:20 pm.

Administrative Item – State Public Records Law Training

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

	rson Submitting the Reque	st:	2) Date When Reque	est Submitted:		
1) Name and Title of Person Submitting the Request: 2) Date When Request Submitted:						
Cheryl Daniels			April 4, 2017			
•				red late if submitted after 12:00 p.m. on the deadline		
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3) Name of Board, Com	mittee, Council, Sections:					
VEB						
4) Meeting Date:	5) Attachments:	6) How sh	ould the item he tit	led on the agenda page?		
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		Admin	Administrative Item – State Public Records Law Training			
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7) Place Item in:	8) Is an appeara	nce before t	he Board being	9) Name of Case Advisor(s), if required:		
Open Session	scheduled?		J			
Closed Session						
	🗌 Yes (<u>Fill ot</u>	it Board App	earance Request)			
	🖂 No					
10) Describe the issue a	and action that should be a	ddressed:				
VEB counsel will preser	nt state open records traini	ng to the Boa	ard members.			
On March 11, 2016 the		Ouden #400	no officeration of the states	antenna of transmission in state accomment		
				ortance of transparency in state government. the public's access to the records of their		
				each state agency to provide public records		
				cils, and commissions attached to the agency.		
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	king this request	Authorizatio	on	April 4, 2017 Date		
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AGENDA REQUEST FORM



Wisconsin Public Records Law Basics for State Employees

Presented by Wisconsin Department of Administration

Public Records (Sunshine) Laws

"Open records and open meetings laws ... are first and foremost a powerful tool for everyday people to keep track of what their government is up to The right of the people to monitor the people's business is one of the core principles of democracy."

-Wisconsin Supreme Court

Every record is presumed available to the public.

Denial is limited to exceptional cases.

Your Public Records Responsibilities

- 1. Recognize when you have a public record.
- 2. Understand what is **not** a public record.
- 3. Understand how to properly retain public records.
- 4. Recognize a public records request and handle the request appropriately.
- 5. Know where to go for help.



Public Records Responsibility 1

Recognize when you have a public record.

Why is this important?

- Public records are property of the state .
- The law requires us to keep public records and make them available to the public.



What Is a Public Record?

Anything paper or electronic with information about government business, with a few exceptions

Public records can be paper or electronic.

Examples of electronic public records:

- Emails
- Videos
- Audio files
- Database content
- Instant messages



Record Location

The location of the record does not matter!

Emails, text messages, or files about government business on your personal device are public records. You must keep them and turn them over upon request.



Public Records Responsibility 2

Understand what is not a public record.



What Is Not a Public Record?

The definition of *public record* does **not** include:

- Duplicate copies of materials. The original must be somewhere else *in your agency*. If not, the duplicate is a record and you must keep it.
- Materials that are purely personal property and have no relation to state business.
- Reference materials.
 - Phone books
 - Dictionaries
 - Vendor catalogs
- Notices or invitations that were not solicited, such as spam, junk mail, and most listservs.

What Is Not a Public Record?, Continued

The definition of *public record* does **not** include:

- Notes. Personal notes are not records if you use them only to refresh your memory and do not share them with others.
- Drafts or working papers without substantive comments, rough notes, or calculations. You must retain some drafts. Check with your legal counsel if you are unsure.

Public Records Responsibility 3

When you have a public record, understand how to properly retain it.

- If it **is** a public record, follow your agency's record retention schedule.
- Check with your agency's records officer(s) or records coordinator(s) to learn:
 - How long to keep records.
 - Where to send records when time expires.
- Before you get rid of a record, make sure there are no pending records requests, audits, or lawsuits that require you to hold on to it.



Key points to remember:

- Don't delete emails or any other records unless you know that you don't need to keep them.
- Organize hard copy documents so you know where to find them if a member of the public requests them.
- Know how long you are required to keep your records and what to do with them when that time is up.

Key Points, Continued

- Keep all your emails in a place where someone can search them when requests come in.
- Manage your own emails. Don't rely on disaster recovery backup systems. If you run out of storage in your mailbox, ask your agency's help desk for assistance with .pst files or similar solutions.
- Text messages on your personal cell phone are public records if they pertain to government business.
- Emails in your personal email are public records if they pertain to government business.

Public Records Responsibility 4

Recognize a public records request and handle the request appropriately.

A public records request:

- Is any request for government records.
- Does not require magic words or precise format.
- Can be submitted by email, by letter, by phone, in person, or by any other method.
- Can be written or verbal.
- Does not need to identify the requestor or the purpose of the request.

Public Record Request or Not?

Yes: "All emails to or from Jane Smith in August 2016 regarding the ABC construction project"

No: "Why did the state initiate the ABC construction project and when is the project expected to be complete?"



Records Custodian Responsibilities

- 1. Locate all records in the agency.
- 2. Review and remove information that is confidential under the law.
- 3. Provide the requester with regular status updates.
- 4. Respond as soon as practicable and without delay!



Public Records Responsibility 5

You're not in this alone! Know where to go for help.

Resources:

- Records custodian
- Records officer and records coordinators
- Agency legal counsel
- Agency public records notice
- Agency policies or manuals
- <u>The Wisconsin Department of Justice's</u> <u>Wisconsin Public Records Law Compliance</u> <u>Guide</u>

Assessment Introduction



Question 1: Multiple Answer

Which of the following meet the definition of a public record?

- a. Personal notes that you take in a meeting and do not share with anyone else
- b. Junk mail brochure inviting you to a seminar
- c. Email from your supervisor asking a question regarding a particular project you are working on together
- d. The dictionary you keep on your desk

Question 2: Multiple Choice

If you have a public record, how long do you need to keep it?

- a. Until you run out of room in your officeb. As long as required by the applicable retention schedule
- c. Forever
- d. Six years

Question 3: Multiple Choice

How soon does your agency have to respond to a public records request?

- a. Within five days
- b. Immediately
- c. Once a staff member can get to it after completing all of her or his other responsibilities
- d. As soon as practicable and without delay
Question 4: Yes or No

Must a person who wishes to submit a public records request put the request in writing?

a. Yes b. No



Question 5: True or False

Text messages and emails on your personal devices that discuss government business are public records.

a. True b. False



Results



Congratulations!

This completes the Wisconsin Public Records Law Basics for State Employees module.



H. Update – Federal Food and Drug Administration Veterinary Feed Directive and VEB Coordination (Informational)

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

1) Name and Title of Person Submitting the Request: 2) Date When Request Submitted:					
2) Date when request oublinitied.					
Dr. Johnson, Sheldon Schall				January 25, 2017	
					red late if submitted after 12:00 p.m. on the deadline
				date.	
3) Name of Board, Comr	nittee, Co	ouncil, Sections:			
VEB					
4) Meeting Date:	5) Attachments: 6) How			should the item be tit	led on the agenda page?
.,	Yes				
April 26, 2017					Drug Administration Veterinary Feed
	_		Direct	tive and VEB Coordin	ation (Informational)
7) Place Item in:		8) Is an appearan	ce before	e the Board being	9) Name of Case Advisor(s), if required:
Open Session		scheduled?		-	
Closed Session					
_		Yes (Fill out	Board Ap	opearance Request)	
		🖂 No			
10) Describe the issue a	nd actior	n that should be ade	dressed:		
		0			
				ision of Agricultural F veen the VEB and Fee	Resource Management, will update the Board
on FDA S veterinary	reeu Dire	ective and coordina		veen the ved and ree	eu Program.
11)			Authoriza	tion	
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Matt Tompach					April 4, 2017
Signature of person making this request					Date
	ang ano i	icquest			Butt
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.					

AGENDA REQUEST FORM

American Association of Veterinary State Boards (AAVSB) Matters

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

1) Name and Title of Person Submitting the Request: 2) Date When Request Submitted:					
Matt Tompach			April 4, 2017 Items will be considered late if submitted after 12:00 p.m. on the deadline date.		
3) Name of Board, Comr	nittee, Counci	il, Sections:			
VEB					
4) Meeting Date:	5) Attachments:		6) How should the item be titled on the agenda page?		
April 26, 2017	i⊠ Yes I No		American Association of Veterinary State Boards (AAVSB) Matters		
			Annual Meeting, September 14-16, 2017, San Antonio, TX – Consideration of Travel Request		
7) Place Item in: ⊠ Open Session	8) Is an appearan scheduled?		ce before the Board being	9) Name of Case Advisor(s), if required:	
Closed Session]Yes (<u>Fill out</u> 】No	Board Appearance Request)		
10) Describe the issue a		_	dressed:		
Board will consider authorizing two members to attend the American Association of Veterinary State Boards (AAVSB) Annual Meeting on September 14-16, 2017, San Antonio, TX, and to direct DATCP staff to prepare the travel request. AAVSB's Delegate Funding program will again cover travel costs for one voting Delegate and one Alternate Delegate per Member Board.					
11)		ŀ	Authorization		
Matt Tompach				April 4, 2017	
Signature of person making this request Date					
Supervisor (if required)				Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date					
 Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 					

AGENDA REQUEST FORM

Tompach, Matthew C - DATCP

From: Sent: To: Subject: Lainie Franklin <efranklin@aavsb.org> Tuesday, February 28, 2017 11:58 AM Tompach, Matthew C - DATCP From AAVSB: Clear Your September Now!



NETWORKING EVENT ANNOUNCED

This year's Annual Meeting Networking Event will be at <u>Battle For Texas: The</u> <u>Experience</u>, which is a new attraction that features a number of Alamo artifacts and multi-media re-enactments of one of the world's most famous battles. Join fellow veterinary regulators on the evening of Thursday September 14 for fantastic food and great company, all under the roof of one of San Antonio's hottest new venues!

STAY CONNECTED FOR UPDATES

Stay connected with the AAVSB on <u>Facebook</u> and <u>Twitter</u> for the latest updates regarding the Annual Meeting, including registration and agenda information.

WHAT PAST ATTENDEES SAID

"The AAVSB continues to develop a great conference with truly dedicated people. Keep up the good work and I will see you in Texas!"

"I think this opportunity was wonderful and eye opening. I really appreciate the chance to experience this type of gathering and dispersion of knowledge."

American Association of Veterinary State Boards | 1-877-698-8482 | <u>aavsb@aavsb.org</u> | 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 Forward this email | Update Profile | About our service provider Sent by <u>efranklin@aavsb.org</u> in collaboration with



Try it free today

Call for Nominations 2017

State of Wisconsin Department of Agriculture, Trade and Consumer Protection

1) Name and Title of Person Submitting the Request: 2) Date When Request Submitted:					
Dr. Forbes		April 4, 2017 Items will be consider date.	Items will be considered late if submitted after 12:00 p.m. on the deadline		
3) Name of Board, Comr	nittee, Council, Sections:				
VEB					
4) Meeting Date:	5) Attachments: 6) How should the item be titled on the agenda page?				
April 26, 2017	⊠ Yes □ No	American Association o	American Association of Veterinary State Boards (AAVSB) Matters		
		Call for Nominations 2	Call for Nominations 2017 - Update		
7) Place Item in:		ce before the Board being	9) Name of Case Advisor(s), if required:		
 ☑ Open Session □ Closed Session 	scheduled?				
	☐ Yes (<u>Fill out</u> ⊠ No	Board Appearance Request)			
10) Describe the issue a	nd action that should be ad	dressed:			
At the January 25, 2017 meeting, Board members unanimously approved the nomination of Dr. Forbes as 2017-2018 AAVSB Representative to the International Council of Veterinary Assessment (ICVA), previously known as the National Board of Veterinary Medical Examiners (NBVME). Status and nomination process update.					
11) Authorization					
Matt Tompach April 4, 2017					
Signature of person making this request Date					
Supervisor (if required)			Date		
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date					
 Directions for including supporting documents: This form should be attached to any documents submitted to the agenda. Post Agenda Deadline items must be authorized by a Supervisor and the Executive Director. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 					

AGENDA REQUEST FORM



MEMORANDUM

- **To:** AAVSB[®] Member Board Executive Directors for distribution to Board Members
- From: Dr. Mark Logan, AAVSB Nominating Committee Chair

Date: December 28, 2016

Subject: Call for Nominations for Upcoming Open Positions – Due May 18, 2017

Each year, the Nominating Committee of the AAVSB sends out a "Call for Nominations" to provide Member Boards information on the open elected positions and to request nominations. The Nominating Committee is charged with preparing a ballot of candidates for all elected positions to be filled, and this process is vital to the AAVSB's ability to carry out its mission.

For 2016-2017, the members of the Nominating Committee include Dr. Kimberly Riker-Brown from Ohio who was elected at the 2016 Annual Meeting for a two-year term and Ms. Victoria Whitmore from Arizona who was appointed by the AAVSB President Dr. Frank Walker for a one-year term in accordance with the AAVSB Bylaws. I was elected to the Committee at the 2015 Annual Meeting and was named Committee Chair by Dr. Walker.

To understand the tasks of the Nominating Committee, its Roles and Responsibilities document is enclosed for you and your Board's review. Recent changes to the Committee's role led to the opportunity for multiple candidates on the ballot for the open positions. We look forward to multiple nominees this year too.

The Committee asks that you also distribute the additional enclosed information to your Board Members and encourage them to consider nominating candidates for the leadership positions within the AAVSB. We have included information to assist you and your Board with the nomination process as described in the steps below.

Review Information on Open Elected Positions

Information is included on open positions, roles and responsibilities and time commitments for the Board of Directors, the Nominating Committee, and the Representative to the NBVME/ICVA. Also included is the current *Opportunities with the AAVSB* booklet.

Complete the 2017-2018 Nominating Form and Submit Nomination Packet

The Nominating Form is to be used to nominate a candidate for an open position. It is part of the required documentation when submitting a nomination to the AAVSB. A complete nomination packet must include:

- \Box A completed Nominating Form,
- □ A brief biography (see Requested Biographical Information page), and

 \Box A statement from the nominator indicating the rationale for the nomination.

Prior to submitting a nomination packet, the Committee asks you to confirm that the candidate is willing to accept a nomination. Please send nomination packets to the AAVSB office to the attention of the Nominating Committee. Packets must be received in the office by May 18, 2017.

The 2017 AAVSB Annual Meeting is being held **September 14-16, 2017 in San Antonio, Texas**. The Delegates will vote on the candidates during the Annual Meeting.

Should you have any questions or need additional information, please contact Ms. Daphne Tabbytite, staff contact for the Nominating Committee, at <u>dtabbytite@aavsb.org</u> or 1-877-698-8482 ext. 223.



General Information on Roles and Responsibilities

OVERVIEW

The overall role of the Nominating Committee is to review nominations and prepare a ballot of candidates from AAVSB Member Boards for elected positions.

BYLAWS SPECIFICATIONS (Article X, Section 1)

The AAVSB Bylaws prescribe the role, number of members, method of appointment, composition and terms of office of the Nominating Committee which are described below.

Role

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

Number of Members: Three members.

Method of Appointment and Composition

Two of the three Committee members are elected at the Annual Delegate Assembly. Prior to nomination, the elected members to the Committee must have attended at least one Delegate Assembly meeting. At the time of nomination and election, candidates for the Committee must be a Delegate or Alternate Delegate, a member of a Member Board, a current Associate Member, or a chairperson of an Association committee. The President shall appoint the third member of the Committee and name the chair of the Committee.

Terms of Office

The term of the elected members are two (2) years. The President shall appoint a third member of the Committee whose term will be one (1) year. Nominating Committee members may not serve consecutive terms, but are eligible for reelection consistent with this section. The President shall name the chair of the Committee. In the event of a vacancy, the President in consultation with the Board of Directors shall appoint the Nominating Committee member until the next Annual Delegate Assembly at which time an election shall be held to fulfill the unexpired term.

RESPONSIBILITES

- Support the AAVSB's mission and be responsible for submitting a ballot of candidates for each elected position to the Member Boards in accordance with the Bylaws.
- Adhere to the Timeline as described below.

• Adhere to the confidentiality and code of conduct policies as well as all other applicable association policies to include the AAVSB's technology protocols.

TIMELINE

- President appoints the third member of the Nominating Committee and names a Chair within 45 days following the previous annual delegate assembly.
- Nominating Committee meets via conference call and finalizes the **Call for Nominations** and information regarding the elected positions for the upcoming year within 90 days following the previous Annual Delegate Assembly and delivers final documents to the Association office. Upon receipt of the information from the Nominating Committee, the Association office forwards the information to all Member Boards.
- Per the Bylaws, the deadline to accept written nominations from the Member Boards is 120 days prior to the upcoming Annual Delegate Assembly.
- Nominating Committee meets via conference call within 30 days after the cutoff date to review nominations and possibly distribute a **questionnaire to the nominees**.
- Nominating Committee meets via conference call to discuss interviews and develop the ballot of candidates no later than 60 days prior to the Annual Delegate Assembly.
- The ballot of candidates is presented to the Board of Directors and to the AAVSB office no later than 45 days prior to the Annual Delegate Assembly.
- Per the Bylaws, the AAVSB office submits the **ballot and additional information** on nominees to the Member Boards at least thirty (30) days prior to the Annual Delegate Assembly.

CALL FOR NOMINATIONS

The Committee submits a Call for Nominations to the Member Boards to include the nomination form and information on the elected positions on the Board of Directors, the Nominating Committee and the NBVME Representatives. The nominating form should include the nominee's name, position being sought with AAVSB, licensure Board Category (i.e. Board Member, Board Administrator), licensee (i.e. Veterinarian or Veterinary Technician) and length of service on/for licensure board. The form should also include information on the nominating Member Board.

NOMINEE QUESTIONNAIRE

The Committee may wish to send questionnaires to the nominees in order to provide additional information to the Member Boards on the candidates. Possible questions to ask the nominees include the following.

- Why seeking a position with the AAVSB
- Qualifications for serving in a national position with the AAVSB
- Long-range goals for the AAVSB
- Ability to fulfill the time commitment based on information provided on meetings
- Previous activities with the AAVSB
- Leadership roles served in the past three years

BALLOT AND OTHER INFORMATION

The Committee submits a ballot to the Member Boards. Along with the ballot, the Nominating Committee may choose to provide a copy of the nomination forms, the CV, and the answers to a questionnaire, if available, to the Member Boards.



American Association of Veterinary State Boards

Information on Board of Directors Elected Positions for 2017-2018

Current 2016-2017 AAVSB® Board of Directors

Immediate Past President:	John Lawrence, DVM from Minnesota
President:	Frank Walker, DVM from North Dakota
President-Elect:	Mark Olson, DVM from Kansas
Treasurer:	Michael Gotchey, DVM from Colorado
Director:	Vito DelVento, DVM from District of Columbia
Director:	Kim Gemeinhardt, DVM from North Carolina
Director:	Leslie Knachel, Executive Director from Virginia
Director:	Larry McTague, DVM from Oklahoma
Director:	Roger Redman, DVM from Ohio
Director:	Chris Runde, DVM from Maryland

Upcoming 2017-2018 AAVSB Board of Directors

Immediate Past President:	Frank Walker, DVM		
President:	Mark Olson, DVM		
President-Elect:	OPEN	(3-year commitment)	
Treasurer:	OPEN	_ (2-year commitment)	
	(Dr. Michael Gotchey is currently completing eligible for nomination to a full term.)	an appointed term as Treasurer and is	
Director:	OPEN	(2-year term)	
	(Dr. Kim Gemeinhardt is currently serving the second year of a first 2-year term and is eligible for nomination to a second term.)		
Director:	OPEN	(2-year term)	
	(Leslie Knachel is currently serving the secon nomination to a second term.)	nd year of a first 2-year term and is eligible for	
Director:	OPEN	(2-year term)	
	(Dr. Chris Runde is eligible to be nominated t	to an Officer position.)	
Director:	Vito DelVento, DVM		
	(Dr. DelVento is currently serving the first year	ar of a first 2-year term)	
Director:	Larry McTague, DVM		
	(Dr. McTague is currently serving the first years)	ar of a first 2-year term)	
Director:	Roger Redman, DVM		
	(Dr. Runde is currently serving the first year of	of a second 2-year term)	

James T. Penrod, CAE, FASLA, as Executive Director serves as Secretary and as an ex-officio non-voting member of the Board of Directors.

AAVSB – Information on the AAVSB Board of Directors Page 2

Overview

The AAVSB Board of Directors is a body of elected Directors which govern the Association and provide the strategic plan for the future of the Association.

Bylaws Specifications (Article VII)

The AAVSB Bylaws prescribe the authority, composition, and election of the Board of Directors which are described below.

Authority

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

Composition

There shall be ten (10) members of the Board of Directors including four (4) Officers and six (6) Directors at Large. The Officers shall be identified as President, President-Elect, Immediate Past President and Treasurer. The Officers and Directors at Large are collectively referred to as the Board of Directors. The Officers may, at times be collectively referred to as the Executive Committee. Notwithstanding any other provisions of these Bylaws, the Board of Directors shall be comprised of at least six Licensed Veterinarians and one Affiliate Member. The Executive Director shall serve as Secretary and as an ex-officio non-voting member of the Board of Directors.

Qualifications

a. Officers

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

b. Directors at Large

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

With the exception of the Affiliate Member, if a Director ceases to meet eligibility criteria stated above, such Board of Director member shall, after completion of the current term, be eligible to serve one additional term on the Board of Directors. In the event the Affiliate Member ceases to meet eligibility criteria, there shall be an immediate vacancy filled pursuant to these Bylaws.

Elections

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

Terms of Office

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

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

Responsibilities

- Governs and sets the course for the AAVSB's future.
- Ensures the overall strength and health of the AAVSB.
- Hires, supports and develops the chief executive to lead and manage the AAVSB into the future.
- Ensures the availability of adequate resources and the long term financial stability of the AAVSB.
- Develops, supports and maintains focus on the strategic objectives and priorities.
- Is committed to the mission and goals of the AAVSB.
- Approves annual budgets, audit, and Form 990, and assesses the performance of the chief executive.
- Stays informed and supportive of the governing documents of the organization, e.g. Articles of Incorporation, Bylaws, policies, strategic plan, and budget.
- Attends Board of Director meetings, planning meetings, and assigned committee and/or task force meetings.
- Prepares for all meetings and seeks opportunities to expand knowledge about the organization.

AAVSB – Information on the AAVSB Board of Directors Page 4

- Understands the current budget, financial statements, strategic plan, policies, Board of Directors agenda and materials.
- Accepts the legal duties of loyalty and care while serving as a director and complies with applicable laws, regulations, bylaws, policies and code of conduct.
- Assesses the value of the AAVSB's programs and services.
- Understands that all power rests with the full Board of Directors, not individual directors.
- Performs the functions and work of the Board of Directors to the best of one's ability, regularly selfevaluates personal performance on the Board of Directors and determines needs for improvement, and resigns from the Board of Directors when no longer able to support the mission or devote the necessary time.
- Shares wisdom and insights to help the Board of Directors make good decisions and policy.

Expected Time Commitment – Approximately 150 hours per year

- Prepares for and participates in monthly conference calls with 1 hour of preparation and 1.5 hours of
 participation per call.
- Meets in January each year for 2 days of meetings with 2 hours of preparation time plus travel time.
- Meets in June each year for 2 days of meetings with 2 hours of preparation time plus travel time.
- Meets at and attends the Annual Meeting in September for 4 days of meetings with 2 hours of
 preparation time plus travel time.
- Frequent opportunities to attend AVMA meetings, ICVA Board meetings, or special assignments which take approximately 2 days each.
- Additional time may be required if assigned as a liaison to a committee; the amount of additional time is dependent on the specific committee.
- Additional time is required of the Officers of the Board of Directors.



Current 2016-2017 Nominating Committee

Mark Logan, VMD from New Jersey (elected position) Kimberly Riker-Brown, DVM from Ohio (elected position) Victoria Whitmore from Arizona (appointed position)

Upcoming 2017-2018 Nominating Committee

Each year the President of AAVSB shall appoint a third member of the Committee. Currently, Ms. Whitmore is serving in this position.

<u>____OPEN_____(2-year term)</u> (Dr. Mark Logan is not eligible for nomination as is currently completing the second year of a 2-year term)

Kimberly Riker-Brown, DVM (Dr. Riker Brown is currently serving first year of 2-year term)

Overview

The overall role of the Nominating Committee is to review nominations and slate candidates from AAVSB Member Boards for elected positions.

Bylaws Specifications (Article X, Section 1 and Article IX, Section 3)

The AAVSB Bylaws prescribe the role, number of members, method of appointment, composition and terms of office of the Nominating Committee which are described below.

Role

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

Number of Members: Three members.

Elections and Qualifications

Two of the three Committee members are elected at the Annual Delegate Assembly by a plurality of votes, either from nominations submitted by the Nominating Committee or by nominations from the floor. Prior to nomination, the elected members to the Committee must have attended at least one Delegate Assembly meeting. At the time of nomination and election, candidates for the Committee must be a Delegate or Alternate Delegate, a member of a Member Board, a current Associate Member, or a chairperson of an Association committee. The President shall appoint the third member of the Committee and name the chair of the Committee.

Terms of Office

The terms of the elected members are two (2) years. The President shall appoint a third member of the Committee whose term will be one (1) year. Nominating Committee members may not serve consecutive terms, but are eligible for reelection consistent with this Article X, Section 1. The President shall name the chair of the Committee. In the event of a vacancy, the President in consultation with the Board of Directors shall appoint the Nominating Committee member until the next Annual Delegate Assembly at which time an election shall be held to fulfill the unexpired term.

Responsibilities

- Prepares a call for nominations for the Member Boards which includes a nomination form and information on open positions.
- Receives nominations from Member Boards for open positions 120 days prior to the upcoming Annual Delegate Assembly.
- Reviews nominations received and possibly distribute a questionnaire to nominees.
- Develops a ballot of candidates for mailing to Member Boards 30 days prior to Annual Delegate Assembly.

Expected Time Commitment – Approximately 12 hours per year

- Participates in 4 conference calls with 1 hour for preparation time and 1 hour for participation per call.
- Meets in September at Annual Meeting for 1 hour meeting plus travel time.
- Additional time is required of the Committee Chair.



American Association of Veterinary State Boards

Information on Representatives to the NBVME/ICVA Elected Positions for 2017-2018

In November 2016, the National Board of Veterinary Medical Examiners (NBVME) changed its name to the International Council of Veterinary Assessment. Currently, the AAVSB Bylaws refers to this organization as NBVME.

Current 2016-2017 AAVSB Representatives to the NBVME/ICVA

Jon Betts, DVM from Oregon (Licensed Veterinarian)

Kathy Bowler from California (Public Member)

Jay Hedrick, DVM from Kansas (Licensed Veterinarian)

Bruce Louderback, DVM from Colorado (Licensed Veterinarian)

Upcoming 2017-2018 AAVSB Representatives to the NBVME/ICVA

__OPEN_

_ (Licensed Veterinarian position; 3-year term)

(Dr. Jay Hedrick is not eligible for nomination as is currently serving the third year of third 3-year term)

Jon Betts, DVM

(Dr. Betts is currently serving the second year of second 3-year term)

Kathy Bowler (*Ms. Bowler is currently serving the second year of first 3-year term*)

Bruce Louderback, DVM (Dr. Louderback is currently serving the first year of a second 3-year term)

Bylaws Specifications (Article IX)

The AAVSB Bylaws prescribe the composition, duties, election, qualifications and terms as described below.

Composition

There shall be a minimum of four AAVSB representatives to the National Board of Veterinary Medical Examiners (NBVME).

Duties

The Representatives shall attend all meetings of the NBVME and shall report to the AAVSB Board of Directors following each NBVME or subcommittee meeting. The Representatives shall present the consensus opinions of the Association at such meetings and shall not vote in conflict with the AAVSB Bylaws.

Election

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

Qualifications

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

Terms

Representatives can be eligible for three 3-year terms.

Expectations

The AAVSB anticipates additional information from ICVA on the representative roles and will provide that information when available.



American Association of Veterinary State Boards

Nominating Form for 2017-2018

Please return one nomination packet for each candidate being nominated. The nomination packet should include the following: \Box the completed nominating form, \Box completed biographical information, and \Box a statement from the nominator indicating the rationale for the nomination.

Please note: All nomination documents will be distributed to the AAVSB Member Boards.

2017-2018 Open Positions

Indicate the position for the nominated candidate.

□ President-Elect (1 position; three year commitment)

- □ Treasurer (1 position; two year commitment)
- Director (3 positions; two year terms)
- □ Nominating Committee Member (1 position; two year term)

□ NBVME/ICVA Representative – Licensed Veterinarian (1 position; three year term)

Nominated Candidate Information

Name:		State or Province:		
□ Board Member	Term began:	Current term expires:		
(Provide explanation	Eligible for re-appoi 1 on separate page if co	intment: Yes / No andidate's term has expired, but is still serving on Board)		
Board Administrator		□ Current AAVSB Board of Director		
□ AAVSB Associate Member		□ AAVSB Committee Chairperson		
Phone Numbers and	e-mail, if available:			
Work:		Cell or Home:		
E-mail:				
Nominated By				
Member Board Nam	e:			
Contact Name:				
Contact Phone # and	Email:			
		rn by May 18, 2017		
Send Nomination P AAVSB	acket to:			
Attention: Nominati	0			
380 West 22nd Stree Kansas City, MO 64	,	931-1604 or as an email attachment to dtabbytite@aavsb.c		



American Association of Veterinary State Boards

Requested Biographical Information

The following biographical information should be provided for each nominee. The information should not exceed two pages.

- Candidate's Name
- Position Nominated
- Member Board Experience and Roles Served
- Experience with the AAVSB and Roles Served
- Other Affiliations
- Work History
- Education
- Leadership Positions Held