



**VETERINARY EXAMINING BOARD**

**MEETING MINUTES**

**Wednesday, April 26, 2017**

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

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

**CALL TO ORDER**

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

**APPROVAL OF THE AGENDA**

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

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

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

**PUBLIC COMMENTS**

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

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

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

**SCOPE OF PRACTICE INQUIRIES**

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

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

#### **LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

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

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

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

#### **RULES ADVISORY COMMITTEE**

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

#### **ADMINISTRATIVE ITEM – STATE PUBLIC RECORDS LAW TRAINING**

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

#### **AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS (AAVSB) MATTERS**

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

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

#### **BOARD MEMBER REPORTS**

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

#### **FUTURE MEETING DATES**

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

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

#### **FUTURE AGENDA ITEMS**

There were no future agenda items requested.

#### **CLOSED SESSION MOTION**

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

#### **RECONVENE TO OPEN SESSION**

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

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

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

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

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

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

#### **ADJOURNMENT**

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

The meeting adjourned at 1:09 pm.