



State of Wisconsin

Governor Tony Evers

Veterinary Examining Board

Dr. Robert Forbes, DVM, Chair

VETERINARY EXAMINING BOARD

The Veterinary Examining Board will hold its quarterly meeting at 9:00 a.m. via Webex. To attend the meeting join by telephone at 415-655-0001 with access code 1264467407# and meeting password 98252942# or cut and paste web address here:

<https://wisconsindeptofagriculturetradeconsumerprotection.my.webex.com/webappng/sites/wisconsindeptofagriculturetradeconsumerprotection.my/meeting/download/74e3bc797f3949c095d32d6f544e5581?siteurl=wisconsindeptofagriculturetradeconsumerprotection.my&MTID=m47b6b31ee4d13510b1b24763a380d19d>

Contact: Melissa Mace 608-279-3861
October 21, 2020

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

AGENDA

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

II. Introductions

III. Approval of the Agenda

IV. Approval of Board Meeting Minutes

- A. July 29, 2020 Full Board Meeting
- B. October 7, 2020 Credentialing Meeting

V. Public Comments

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

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

- A. Updates from Annual Meeting
- B. Joint AAVSB – VEB presentation to UW Vet School SAVMA chapter

VII. Administrative Items

- A. Strategic Planning
- B. Veterinary Professional Assistance Program (VPAP)
- C. FAQs on VEB website
- D. Public Records Training

VIII. Licensing/Exam Inquiries

A. 16 VET 032 BK

IX. Administrative Code Updates

A. VE 1-11 Approval of Scope and Discussion of Telehealth Advisory Committee

X. Legislative Update

XI. Future Meeting Dates and Times

A. Schedule 2021 Quarterly Board Meetings

XII. CONVENE TO CLOSED SESSION

CONVENE TO CLOSED SESSION to discuss the Wis. Admin. Code ch. VE 11 update on the request for proposals where bargaining reasons require a closed session (§ 19.85 (1) (e), Stats.); to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

XIII. Deliberation on Licenses and Certificates

XIV. Deliberation on Proposed Stipulations, Final Decisions and Orders

- A. 15 VET 001 JP
- B. 17 VET 023 JK
- C. 19 VET 035 KM
- D. 19 VET 074 KD
- E. 19 VET 087 CJ
- F. 19 VET 108 CK
- G. 20 VET 001 TB
- H. 20 VET 043 RR

XV. Review of Veterinary Examining Board Pending Cases Status Report

XVI. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

XIX. Ratification of Licenses and Certificates

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

XX. ADJOURNMENT

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



VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, July 29, 2020

MEMBERS PRESENT: Diane Dommer Martin, DVM; Robert Forbes, DVM; Kevin Kreier, DVM; Hunter Lang, DVM; Lyn Schuh; Arden Sherpe; Lisa Weisensel Nesson, DVM; Amanda Reese.

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

Robert Forbes, Chair, called the meeting to order at 9:02am. A quorum of seven (7) members was confirmed.

AGENDA

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

II. Introductions

- A. Amanda Reese – new appointee filling the Public Member position previously occupied by Bruce Berth.

III. Approval of the Agenda

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

IV. Approval of Board Meeting Minutes

- A. April 29th, 2020

MOTION: Kevin Kreier moved, seconded by Lyn Schuh, to approve the minutes from the April 29th, 2020 meeting. Motion carried unanimously.

V. Public Comments

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

Jorden Lamb, attorney and lobbyist for Wisconsin Veterinary Medical Association and is also an attorney for DeWitt law firm-- The Wisconsin Veterinary Medical Association is seeing more

questions on local public health orders. Does veterinary care fit into health care or business category? Working with the Department of Health Services to get guidance and clarity.

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

- A. Annual Meeting Portland, Oregon September 24-26 -- In person aspects canceled.
No delegate voting or change of officers-- all have agreed to serve for another year. No changes to practice acts either. Will go forward with educational sessions virtually. Everyone can attend, not just those who typically go to the annual meeting. Per VEB_10, interactive(live, not recorded) portions can be applied toward continuing education for non-scientific portion of required continuing education. The AAVSB is working on getting sessions Registry of Approved Continuing Education (RACE®) approved. More information to come mid-August. Melissa will email information out to Board members once more information is available.

VII. Board Guidance

A. Comments and Consideration for Adoption

1. Bull Semen Collection

No public comments.

2. Cannabis

A single public comment was received. No discussion among board members.

Cheryl Daniels brought up a recent Supreme Court decision regarding guidance documents. Since they are not law, the legislature intruding on giving guidance is not appropriate. Legal feels that they should be made public and easily accessible (for example, keeping them on the website). Working on a standardized format for them. Not finalized yet.

MOTION: Diane Dommer Martin moved, seconded by Hunter Lang, to adopt the bull semen collection guidance document as written. Discussion initiated by Arden Sherpe regarding the definition of “on the premises” stating that it doesn’t give enough decision-making flexibility for trained but uncertified technicians who work with advanced commercial reproductive technology. Motion carried with one no vote from Arden Sherpe.

MOTION: Kevin Kreier moved, seconded by Diane Dommer Martin, to adopt the Cannabis guidance document as written. Motion carried unanimously.

VIII. Licensing/Exam Inquiries

A. License numbers for 20-21 licensing year

For year to date:

6041 licensed veterinarians and veterinary technicians to date (3658 vets, 2383 technicians)

671 vets/technicians did not renew (360 vets, 311 technicians)

12 were sent out for follow-up (we only followed up on those who started renewals but did not finish them)

Processes that expedited licensing during COVID:

1. Waiver

Valid to December 31, 2020. Allowed for applicant's school to email confirmation of education or send information through AAVSB VAULT premium transfer service.

2. **AAVSB**

The AAVSB VAULT Premium Transfer service has streamlined verifications. While the footwork in gathering the licensee's background is the same, the service is most valuable for the fact that we do not have to print out verifications and mail them to each location requested.

IX. Administrative Code Items

A. VE 1-11 – Reorganization – Board Approval of Preliminary Public Hearing and Comment Period

Statement of scope was approved by the governor.

MOTION: Hunter Lang moved, seconded by Amanda Reese, to approve the public hearing as stated in the agenda packet. Motion carried unanimously.

X. Legislative Update

No updates.

XI. Administrative Items

A. COVID 19

Clinic had to close because several staff tested positive. Some discussion about how to handle veterinary practice during COVID. The Veterinary Examining Board itself has little to no authority over decisions made regarding the public health emergency. Looking to find more information and put it out for reference/guidance. Waiting for a response from Department of Health Services.

B. Strategic Planning 2021

The Board should start thinking what the strategic plan should look like and what duration parts of it should cover(mission/core purpose and core values). Discussion to follow at October meeting. Draft beginning of 2021 and goal is to finalize at April 2021 meeting. Looking at 3-5 year horizon. Will help keep consistency from member to member through the years. Should be no more than 2 pages or it becomes an operational plan. As a group, we should send ideas to Melissa Mace by the end of September. She will also send out a reminder email sometime mid-September.

XII. Future Meeting Dates and Times

A. October 21, 2020

COVID could impact ability to meet in person again. More to come. Planning to make it more interactive by utilizing video. We just received approval to use WebEx today.

XIII. CONVENE TO CLOSED SESSION

MOTION: Kevin Kreier moved, seconded by Amanda Reese to convene to closed session to discuss the Wis. Admin. Code Ch. VE 11 update on the request for proposals where bargaining reasons require a closed

session (§ 19.85 (1) (e), Stats.); to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). Robert Forbes read the language of the motion. The vote of each member by was ascertained by voice vote. Roll Call Vote: Robert Forbes – yes; Diane Dommer Martin – yes; Kevin Kreier – yes; Amanda Reese – yes; Hunter Lang – yes; Lisa Weisensel Nesson – yes; Arden Sherpe – yes; Lyn Schuh– yes; Motion carried unanimously.

XIV. Wis. Admin. Code Ch. VE 11 Update on the Request for Proposals (RFP)

XV. Deliberation on Licenses and Certificates

XVI. Deliberation on Proposed Stipulations, Final Decisions and Orders

- A. 17 VET 023 JK
- B. 17 VET 041 MS
- C. 19 VET 013 RK
- D. 19 VET 054 RW
- E. 19 VET 087 CJ
- F. 19 VET 108 CK
- G. 20 VET 011 JS

XVII. Review of Veterinary Examining Board Pending Cases Status Report

XVIII. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Lisa Weisensel Nesson moved, seconded by Kevin Kreier, to reconvene to open session. Motion carried unanimously. The Board reconvened at 11:41am.

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

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

MOTION: Hunter Lang moved, seconded by Lisa Weisensel Nesson, to accept the final decision and order and stipulation for 17 VET 023, 19 VET 013, 19 VET 087, 19 VET 108, and 20 VET 011. Motion carried unanimously.

MOTION: Arden Sherpe moved, seconded by Lisa Weisensel Nesson, for return of full licensure for 17 VET 041, 19 VET 013, 19 VET 054, and 20 VET 011. Motion carried unanimously.

XXI. Ratification of Licenses and Certificates

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

XXII. ADJOURNMENT

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

The meeting adjourned at 11:45am.

DRAFT



**VETERINARY EXAMINING BOARD
Credentialing Committee**

MEETING MINUTES

Wednesday, October 7th, 2020 at 3:30pm

MEMBERS PRESENT: Diane Dommer Martin, DVM; Robert Forbes, DVM; Hunter Lang, DVM

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

Robert Forbes, Chair, called the meeting to order at 3:31pm. A quorum of three (3) members was confirmed.

AGENDA

I. OPEN SESSION – CALL TO ORDER – ROLL CALL

II. CONVENE TO CLOSED SESSION CONVENE TO CLOSED SESSION to consider licensure or certification of individuals (s. 19.85 (1) (b), Wis. Stats.); to consider individual histories or disciplinary data (s. 19.85 (1) (f), Wis. Stats.); and to confer with legal counsel (s. 19.85 (1) (g), Wis. Stats.).

MOTION: Hunter Lang moved, seconded by Diane Dommer Martin, to convene to closed session to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). Robert Forbes read the language of the motion. The vote of each member by was ascertained by voice vote. Roll Call Vote: Hunter Lang – yes; Diane Dommer Martin – yes; Robert Forbes – yes; Motion carried unanimously.

III. Certified Veterinary Technician Program equivalency: pre-veterinary studies vs. 4-semester course of study in animal technology.

IV. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Hunter Lang moved, seconded by Diane Dommer Martin, to reconvene to open session. Motion carried unanimously. The Board reconvened at 3:43pm.

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

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

VII. MOTION: Hunter Lang moved, seconded by Diane Dommer Martin, to deny the certified veterinary technician application based on lack of education program equivalency. Motion carried unanimously.

VIII. ADJOURNMENT

MOTION: Hunter Lang moved, seconded by Diane Dommer Martin, to adjourn. Motion carried unanimously.

The meeting adjourned at 3:44pm.

DRAFT

**Veterinary Examining Board
Agenda Request Form**

| | |
|--|---|
| 1) Meeting Date | 10-21-20 |
| 2) Requestor Name | M. Mace |
| 3) Item Title for the Agenda | AAVSB |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | No |
| 6) Is a Public Appearance Anticipated? | No |
| 7) Description of the Agenda Item | <p>Open discussion to discuss any take away from a virtual AAVSB session.</p> <p>Working with AAVSB to organize a presentation the UW Vet School SAVMA.</p> |

**Veterinary Examining Board
Agenda Request Form**

| | |
|--|--|
| 1) Meeting Date | 10-21-2020 |
| 2) Requestor Name | M. Mace |
| 3) Item Title for the Agenda | Strategic Planning |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | Vision Mission CV 10-21-20 Goal setting WI VEB Strategic Planning |
| 6) Is a Public Appearance Anticipated? | N |
| 7) Description of the Agenda Item | <p>Board members submitted their thoughts on the VEBs Vision, Mission and Core Values. At this meeting we will review the submissions and set the VEBs Vision, Mission and Core Values for the Strategic Plan.</p> <p>We will discuss what Goals and Objectives might look like and request that Board members bring their thoughts on Goals and Objectives to the Jan. meeting.</p> |

Vision:

- Setting the standard of forward thinking veterinary regulation.
- Defining and regulating the basic standard of care as legally defined and accepted by the licensed professions performed by veterinarians and veterinary technicians to prevent animal disease, treat animal diseases when they occur and maintaining the welfare of the animals within the State of Wisconsin. We are advocates for both the consumers of veterinary care and for the professionals that perform said services
- Enhancing veterinary care for professionals, consumers and animals.

Mission:

- To protect the public through a fair regulatory process that instills public confidence in our licensees while remaining agile to the constant advancement of veterinary medicine.
- The Veterinary Examining Board (VEB) defines professional standards and regulatory policies for veterinarians and veterinary technicians.
 - Create rules that define the scope of the Practice of Veterinary Medicine and Veterinary Technology for professionals to follow as established by the State of Wisconsin legislature.
 - Plan for future changes on how veterinary care can be performed either in person, through telemedicine or other artificial intelligence mechanisms by licensees.
 - Monitor non-professionals within the animal industry from performing Veterinary Medical services
 - Provide access to counseling and treatment for substance abuse and mental well-being for licensed professionals.
- To ensure the consumers and animals in Wisconsin are provided proper care by promoting professional standards, regulating licensees and enforcing the Wisconsin Veterinary Practice Act.

Core Values:

- Transparency, Honesty, Integrity, Protecting the Public
- Diversity in board members with regular appointment intervals to minimize board stagnation; Unbiased perspective when reviewing complaints against licensees; Dedication to protect animals and consumers; Compassion and help for licensees that are struggling to maintain mental well-being

- Empatheti**C**
FAir
TRansparent
ProfESSIONal

Goal Setting

Setting SMART Goals

A best practice in the business world is to write performance expectations using **SMART**. By creating **SMART** goals, supervisors have an easier time developing and motivating employees through ensuring their worker activities are in line with the overall goals and mission of the organization.

A **SMART** goal answers the question “What do I need you to do, when, why (what does it demonstrate), and to what standard?” A job duty or responsibility is not measurable. It only represents the “what” that needs to be done.

To convert a task-based work plan, such as a PD, into one that directs employee performance using **SMART**, consider the following questions as you write your core competency and performance expectations:

S-M-A-R-T

is an acronym for goals that are:

- S**pecific
- M**easurable
- A**chievable
- R**elevant
- T**ime-bound

| | Description | Questions to Ask |
|-----------------|--|--|
| Specific | <p>What exactly should be done, with or for whom?</p> <p>Specific means that the goal is concrete, detailed, focused, and well defined. The expectation gives a specific outcome, or a precise goal to be accomplished. The outcome is stated in numbers, percentages, frequency, reach, or scientific findings. These are best written using strong, action verbs, such as conduct, develop, build, plan, or execute.</p> <p>This makes your goal action orientated and focuses on what’s most important.</p> | <ul style="list-style-type: none"> • What exactly is the employee going to do, with or for whom? • What strategies will be used? • Is the goal well understood? • Is the goal described with action verbs? • Is it clear who is involved? • Is it clear where this will happen? • Is it clear what needs to happen? • Is the outcome clear? • Will this goal lead to the desired results? |

| | | |
|----------------------------|--|---|
| <p>M measurable</p> | <p>Can I measure it? If the goal is measurable, the measurement source is identified and you are able to track the actions as the employee progresses toward the goal. Measurement is the standard used for comparison. As it's so often said, if you can't measure it, you can't manage it! It's important to have measures that will encourage and motivate your employees. As you see the change occurring, you may need to develop interim measures. Measurements go a long way to help your employees know when they are performing up to your standards.</p> | <ul style="list-style-type: none"> • Is it measurable or quantifiable in terms of quality, quantity, timeliness, and teamwork? • Have you determined a metric? • Have you discussed the metric with the employee? |
| <p>Achievable</p> | <p>Can the employee accomplish the goal in the proposed timeframe, with available resources, and at his or her current level of competency? The goal may stretch your employee, but not so far that he or she becomes frustrated and loses motivation.</p> | <ul style="list-style-type: none"> • Are the goals you set achievable? • Can the employee successfully complete this goal with the skills, resources, and time available to her or him? • Are there factors beyond the employee's control that need to be considered? • Can the employee get it done in the proposed timeframe? • Does the employee understand the limitations and constraints? • Has anyone else done this successfully? |
| <p>Relevant</p> | <p>Will this goal lead to the desired results? Sometimes what's achievable may not be relevant. Relevant means the outcome or results of the work directly support the business needs of the agency or priority area. When met, relevant goals drive the team, Department, and organization forward. The goal should have a direct and obvious link to the job through important organizational goals, the work unit's goals, and/or the manager's objectives. It should be job-specific and focus on work important to the organization's success. A goal that supports or is in alignment with other goals is a relevant goal.</p> | <ul style="list-style-type: none"> • Does this seem worthwhile? • Is this the right time? • Does this match our other efforts? • Will achieving this goal contribute to the success of our other goals? • Is it applicable in our current environment? |

| | | |
|--------------------------|---|---|
| <p>Time-bound</p> | <p>When or how often must the employee meet a particular goal? Time-bound means setting deadlines for the achievement of the goal. Deadlines need to be both achievable and realistic. If you don't set a time you will reduce the motivation and urgency required to execute the tasks. Timeframes create the necessary urgency and prompt action. Timeframes also add measurability and provide a clear yardstick as to whether work is being done to expected standards.</p> | <ul style="list-style-type: none"> • Is the deadline realistic? • Has the deadline been communicated to the employee? • Have all factors that could impact the deadline been considered? |
|--------------------------|---|---|

Examples of SMART Goals

| <p>Poor SMART Goal</p> | <p>Good SMART Goal</p> |
|--|---|
| <p>Increase customer satisfaction this year.</p> | <p>Create a new strategy to increase customer satisfaction by 3% within the Allergy Department by August, based on the results of Q1 and Q2 customer satisfaction scores.</p> |
| <p>Create a new leadership training program.</p> | <p>Design and implement a core leadership curriculum for new and current managers and to align with the performance management process by December 31.</p> |
| <p>Answer customer's questions the first time they call in to the call center.</p> | <p>Increase the number of customer calls that are resolved on the first point of contact by 15%, maintaining a quality service level of 98%, by October 31.</p> |



WI VEB STRATEGIC PLANNING

Goals for Today

- ▶ General understanding of what a strategic plan is
- ▶ Start VEB members thinking about what the VEBs Strategic plan should look like.
- ▶ What duration should it cover
- ▶ Prepare the board to draft initiate a draft Strategic Plan, in Oct., starting in 2021.

WHY PLAN?

- ▶ Creates grounding for board leadership
- ▶ Assists in more seamless transition of board leadership
- ▶ Creates a more enjoyable experience
- ▶ Assists staff in creating greater alignment
- ▶ Creates transformative change

Successful Future Planning

- ▶ **Truly strategic** – is distinct from operational planning.
- ▶ **Responsive** – includes an assessment of environmental conditions is part of the process.
- ▶ **Focused** – includes a set of focused goals in specific areas.
- ▶ **A stretch** – includes a longer-term vision stretching the organization beyond its present position.
- ▶ **Measurable** - includes specific measurements in prioritized areas.

Process for Strategic Planning

- ▶ Long Range (10+ years)
 - ▶ Envisioned Future
 - ▶ Vision
 - ▶ Core ideology
 - ▶ Mission (Core Purpose)
 - ▶ Core Values
- ▶ Mid range (3-5 years)
 - ▶ Strategic Planning
 - ▶ Goals and Objective
 - ▶ Organizational Strategy
- ▶ Short term (annual)
 - ▶ Operational plans
 - ▶ Tactics Strategy, priority setting and planning to accomplish Strategic Goals.

Vision

- ▶ A vivid description of a Desired Future
- ▶ Challenge with a clear finish line
- ▶ Unifying focal point
- ▶ Aspirational and inspirational
- ▶ Requires significant time to complete

- ▶ EXAMPLES:
 - ▶ AAVSB: The AAVSB is the primary source for comprehensive information that strategically strengthens the veterinary regulatory community.
 - ▶ CVO: Instilling public confidence in veterinary regulation.
 - ▶ DAH: Setting the standard for Animal Health, Welfare, and Trade nation wide.
 - ▶ Washington: ... to be the trusted leader in protecting and improving the health of all the animals and the public across Washington State.

MISSION (CORE PURPOSE) AND CORE VALUES

- ▶ The core ideology clarifies what doesn't change for an organization in an environment of rapid and unpredictable change. The core ideology consists of the Core Purpose (Mission) and Core Values.

Mission (Core Purpose)

- ▶ **Mission** (Core Purpose) is a concise statement of the organization's reason for being.
 - ▶ AAVSBs: To support and advance the regulatory process for veterinary medicine.
 - ▶ CVO: Governing the practice of Veterinary Medicine
 - ▶ Washington: The mission of the Veterinary Board is to protect the public and animals' health and safety, and to promote the welfare of the state by regulating the competency and quality of healthcare providers.
 - ▶ DAH: To safeguard animal health, public health, and animal industries in Wisconsin utilizing the best available science and public policy.

Core Values

- ▶ **Core Values** are essential and enduring tenets of the organization -a small set of timeless guiding principles.
 - ▶ DASH: Stewardship, Professionalism, Initiative, Respect, Integrity, Team
 - ▶ Washington: Integrity, Respect, Fairness, Proactivity, Empathy
 - ▶ CVO: Honest, Reliable, Competent, Relevant, Independent, Inclusive, Accountable
 - ▶ AAVSB: Protection of the public, Reliability and Accuracy, Ethic and integrity, Service Excellence, Active participation and collaboration, Stewardship of resources

Goals and Objectives

- ▶ **Goals (3-5 years):** Outcomes the enterprise is committed to achieving. Reviewed annually.
- ▶ **Objectives (3-5 years):** Desired direction the enterprise needs to move in to accomplish its goals. What would constitute success in observable or measurable terms?
 - ▶ Increase... Decrease...
 - ▶ Eliminate... Maintain...
 - ▶ Enhance/Improve... Achieve...

Mega Issues

- ▶ Discussion on these help set your strategic Goals/Objectives
 - ▶ Examples:
 - ▶ Telemedicine
 - ▶ Cannabis
 - ▶ Veterinary Shortage

Veterinary Examining Board Agenda Request Form

| | |
|--|--|
| 1) Meeting Date | 10-21-20 |
| 2) Requestor Name | M. Mace |
| 3) Item Title for the Agenda | Veterinary Professional Assistance Program |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | VPAP Implementation Plan 2020 EAP Employee Seminar Catalog Sample Annual Utilization Report Member Card_vpap Various Draft Flyers for VMPs |
| 6) Is a Public Appearance Anticipated? | N |
| 7) Description of the Agenda Item | <p>Provide comments on</p> <p>Quick look at the Website for the VPAP http://humana.com/eap – Username: VPAP Password: EAP</p> <p>Seeking input on:</p> <p>Implementation Plan (VPAP Implementation Plan)</p> <p>Introductory letter that will be sent to all credential holders Member Card; Hard copy (mail) or digital (e-mail): Member Card_vpap</p> <p>Flyers that will be sent Quarterly thru out the year:</p> <ul style="list-style-type: none"> WorkLife Services Holiday Legal/Financial services <p>Initial Poster for distribution</p> |

[VPAP_logoMock1.wmf](#)



[VPAP_logoMock2.wmf](#)



Veterinary Professional ASSISTANCE PROGRAM

VPAP_logoMock3.wmf



**Veterinarian Professional
ASSISTANCE PROGRAM**



Life made easier...

The Veterinary Professional Assistance Program (VPAP) and Work-Life Services from Humana is here for You and Your Household Members

The Wisconsin Veterinary Examining Board is thrilled to announce an exciting new program: VPAP and Work-Life Services, effective November 1, 2020. We know that everyone needs help with life's challenges and daily demands from time to time. That's why we offer a wide range of services to meet your diverse needs at home and at work and to help you cope with and manage life events.

We are partnering with Humana to provide you and your household members with confidential benefits, at no cost to you.

Services for you:

Members can call the VPAP and Work-Life program to receive guidance and assistance with family issues, finding child and adult care, workplace concerns, legal and financial issues, stress, health and wellness, and any other issues that concern them. The program offers personal, confidential guidance, coaching and counseling for all Veterinary Professionals and their household members.

Services include:

- Flexible options that include counseling sessions in-person and/or over the telephone
- Access to professionals who can assist with issues across disciplines, collaborating to address your concerns and help to solve your personal and work issues efficiently
- Access to Life Coaches who can help you reach your own personal goals
- Customized referrals and educational materials with verification of availability and vacancy
- Mobile App that includes discounted offerings like MyLife, meditation app
- Dedicated website offering expert articles, assessments, resource finders, interactive tools, checklists, podcasts, and webinars

Services are **confidential** and available to you and your household members 24 hours a day, seven days a week.

Telephonic Access: 1-866-440-6556

Online Access – <http://humana.com/eap> – Username: VPAP Password: EAP

The Wisconsin Veterinary Examining Board assumes all costs for this program for you and your household members. If additional assistance is necessary, referrals will take into account your preferences, medical plan, and financial circumstances.

Your or your household members' use of this program is **confidential**, even to the Veterinary Examining Board (VEB), so you do not need to be concerned that utilizing this service will impact your credential. The VEB will have no knowledge of individual utilization.



We can help carry the load

Don't carry life's burdens by yourself. Whether you're looking for support and guidance for relationship issues, financial and legal issues, or other personal concerns, our knowledgeable and friendly professionals can help.

This program is convenient, confidential, and provided at no cost to you and members of your household. We're here 24 hours a day, seven days a week, so call anytime.

1-866-440-6556 (TTY: 711)

Or visit us at [Humana.com/eap](https://www.humana.com/eap)

Username: **VPAP**

Password: **EAP**

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Services provided by Humana EAP and Work-Life Services.
Personal information about participants and members of their households remains confidential according to all applicable state and federal laws, unless disclosure is required by such laws.

GCHHRFBEN 0614

The Veterinary Professional Assistance and Work-Life Services Program (VPAP)

Humana understands that job satisfaction and higher productivity are best achieved when our members' personal needs are being met, and when your work and personal lives are in balance. That's why we offer you the Assistance and Work-Life Services Program – to help you meet your unique personal needs and life events.

What is VPAP?

Our Assistance and Work-Life Services offers immediate support and referral to the most appropriate resource to help you and members of your household manage everyday life issues. Our professionals are available to assist you with:

- Everyday needs and life events
- Weight control
- Emotional issues
- Relationship concerns
- Family relationships
- Coping with a serious illness
- Sleeping difficulties
- Loss of a loved one
- Eating disorders
- Workplace concerns
- Smoking cessation

What is Work-Life?

Work-Life offers extensive assistance, information, and support to help you achieve a better balance between work, life, and family to help make your life easier. You can access information and self-search locators to find resources and providers that can help you with:

- Convenience services
- Housing options
- Childcare
- Financing college
- Home ownership
- Caregiving from a distance
- Moving and relocation
- Finding colleges and universities
- Services and education for children with special needs
- Adoption, pregnancy and infertility
- Adjusting to retirement
- Locating services and care for older adults
- Pet care
- Finding schools
- Tutors and test prep
- Recreational activities
- Consumer education
- Child development

LIFE MADE EASIER.

FOR FREE, CONFIDENTIAL ASSISTANCE,

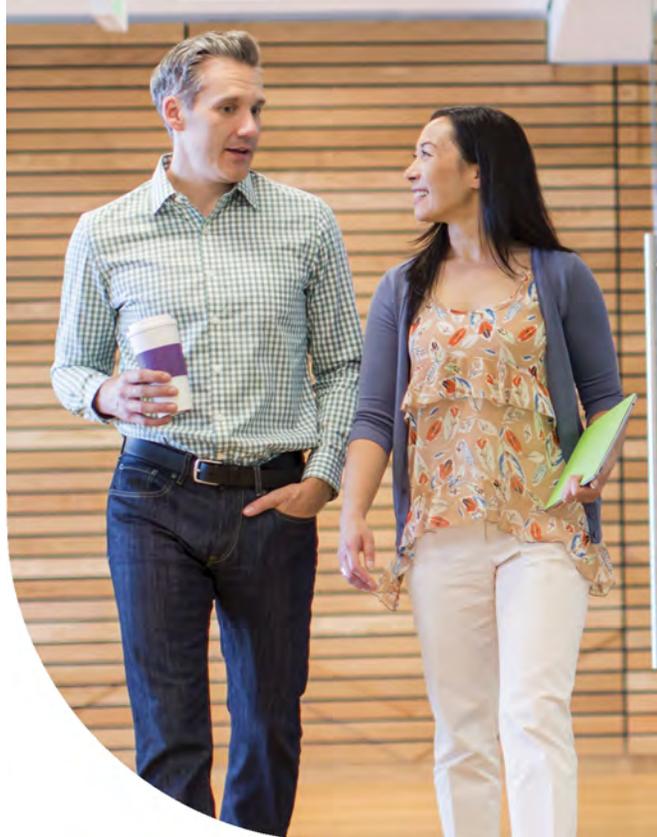
Call: 866-440-6556 (TTY: 711)

Sign in: [Humana.com/EAP](https://www.humana.com/EAP)

EAP APP OR WEB LOGIN:

Username: VPAP

Password: EAP



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DOWNLOAD OUR APP



What is the Legal and Financial Program?

As part of these services, you also have access to a free 30-minute consultation with a local attorney or financial counselor on issues such as real estate, retirement planning, divorce and separation, budgeting/debt reconstruction, and trusts and estates. Further legal and tax preparation services are discounted 25 percent.*

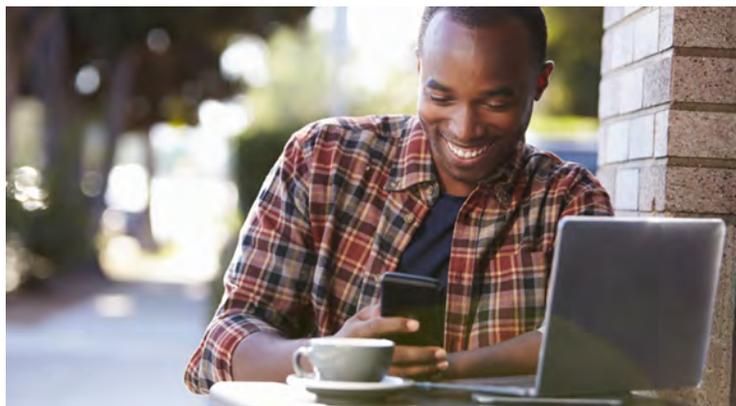
You can also take advantage of Identity Theft Services including a 60-minute consultation and a free kit to help you restore your identity if you are a victim of identity theft.

What if I'm just looking for information?

You can access many useful articles, tip sheets, and checklists by calling or signing in to the website. Many helpful topics are available, including relationships, communication, life in the workplace, and emotional well-being.

What else does the website offer?

It includes dozens of locators that allow you to search for health and wellness information, childcare providers, adoption services, schools and colleges, daily living needs, older adult care, and much more. The site also offers calculators that can help you with everything from mortgage payment calculations to how much to save for your children's college education.



These non-insurance services are provided by Humana EAP and Work-Life Services.

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Who can use these services?

All members and household members.

Are these services confidential?

Yes. These services are confidential according to law.

Who pays for these services?

The Wisconsin Veterinary Examining Board pays all costs when you and members of your household use the program. If additional assistance or services are needed, you will receive referrals that consider your preferences, medical plan, and financial circumstances.

How do I access these services?

These Services are—convenient, confidential, and provided at no cost to you and members of your household. We're here 24 hours, seven days a week, so call anytime.

LIFE MADE EASIER.

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Sign in: [Humana.com/EAP](https://www.humana.com/EAP)

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- You may file a complaint, also known as a grievance:
Discrimination Grievances, P.O. Box 14618, Lexington, KY 40512-4618
If you need help filing a grievance, call or if you use a **TTY**, call **711**.
- You can also file a civil rights complaint with the **U.S. Department of Health and Human Services**, Office for Civil Rights electronically through their Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or at **U.S. Department of Health and Human Services**, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, DC 20201, **1-800-368-1019, 800-537-7697 (TDD)**. Complaint forms are available at <https://www.hhs.gov/ocr/office/file/index.html>.
- **California residents:** You may also call California Department of Insurance toll-free hotline number: **1-800-927-HELP (4357)**, to file a grievance.

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Tiếng Việt (Vietnamese): Xin gọi số điện thoại trên đây để nhận được các dịch vụ hỗ trợ ngôn ngữ miễn phí.

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Tagalog (Tagalog – Filipino): Tawagan ang numero sa itaas upang makatanggap ng mga serbisyo ng tulong sa wika nang walang bayad.

Русский (Russian): Позвоните по номеру, указанному выше, чтобы получить бесплатные услуги перевода.

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فارسی (Farsi)

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العربية (Arabic)

الرجاء الاتصال بالرقم المبين أعلاه للحصول على خدمات مجانية للمساعدة بلغتك.

The Veterinary Professional Assistance and Work-Life Services Program (VPAP)

A network of services, including short-term counseling and referrals to local resources, to help you and members of your household cope with everyday issues.

VPAP and Work-Life Services – convenient, confidential and provided at no additional cost to you and your household members. We're here 24 hours, seven days a week, so call anytime – our professionals can help you with:

Relationship issues

- Primary relationship
- Loneliness
- Intimacy issues
- Dealing with conflict
- Physical and/or emotional distress

Adult care

- Finding services and care
- Housing options
- Care-giving issues
- Helping from a distance
- Adjusting to retirement

Childcare

- Adoption, pregnancy, and fertility
- Childcare and back-up care
- Infant and toddler options
- Special-needs care
- Summer care services

Emotional well-being

- Depression
- Stress and anxiety
- Addictions
- Eating and weight-related issues
- Grief and loss

Workplace challenges

- Working successfully with others
- Communicating with your boss
- Career development
- Avoiding burnout
- Dealing with stress

Parenting

- Discipline techniques
- Talking to your teen
- Developmental milestones
- Children with special needs
- Dealing with stress

Manager resources

- Helping employees
- Organizational changes
- Managing diversity
- Leadership skills
- Effective communication

Everyday issues

- Consumer education
- Moving and relocation
- Home ownership
- Recreational activities
- Pet care

Legal and financial concerns*

- Retirement planning
- Budget and credit management
- Resolving legal issues
- Coping with financial issues
- Avoiding fraud and identity theft services

Community resources

- Housing
- Programs for adults and children
- Transportation
- Support groups
- Emergency resources

Education

- K-12
- Colleges and universities
- Financing
- GED and vocational
- Tutors and test prep

Health and wellness

- Stress reduction
- Exercise and preventive health
- Nutrition
- Mind/body balance
- Women's, men's and children's health

LIFE MADE EASIER.

FOR FREE, CONFIDENTIAL ASSISTANCE,

Call: 866-440-6556 (TTY: 711)

Sign in: Humana.com/EAP

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The holidays are here!

The Veterinary Professional Assistance and Work-Life Services Program (VPAP) can help you enjoy the season

The holiday season is just around the corner. Are you too busy with errands and preparations to participate in the festivities?

Work-Life specialists can assist you in finding the perfect gift, a great party venue, and resources to help you and your family keep preparations – and stress – under control. Call or sign in for resources on:

- Budget-conscious shopping and holiday planning
- Tips for enjoying healthier festivities
- Maintaining a healthy, balanced diet
- Going green for the holidays
- Safe travels
- Setting expectations
- Managing family relationships

You also have access to free, confidential assistance 24 hours a day, seven days a week. These professionals can help you if you're feeling depressed, overwhelmed, or stressed.



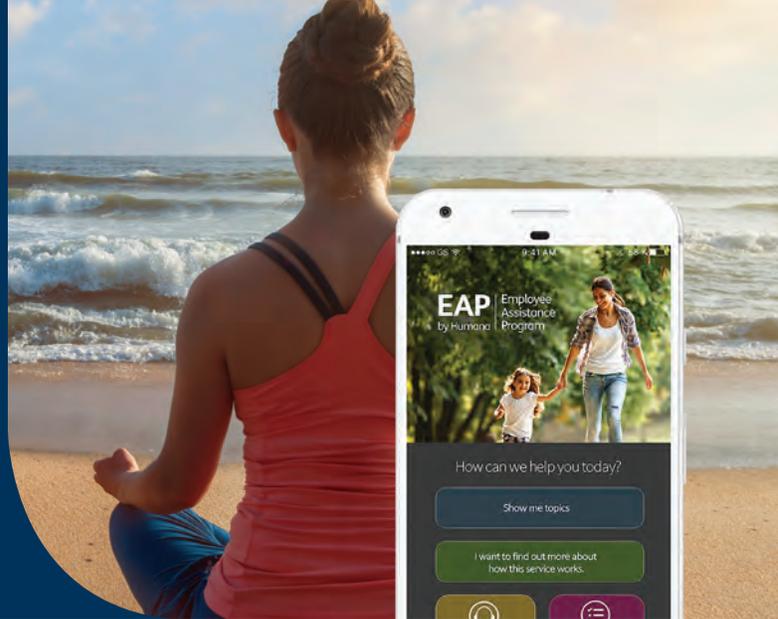
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Say hello to our new app

Enjoy on-the-go access to all your VPAP resources.



With the EAP by Humana app, you can connect quickly and easily to all your EAP resources, tools, and our new Connection Hub. Download the EAP app from the App Store or Google Play and you'll have instant access to EAP whenever you need it, wherever you are.

Connect with a Professional

- Interact with a mental health expert when it's convenient for you, from your smartphone or tablet.

Find local resources

- Get the help you or your household members need, in your community or close to work.

Explore well-being topics

- Find helpful information on career and work, family and relationships, health and well-being any time you need it, anywhere you are.

Use the Connection Hub

- Connect with three new well-being experiences — Talkspace, Stop, Breathe and Think, or the Five Minute Journal – wherever you are and when you're ready.



by Humana

It's never been easier to make the most of your program!

Download the EAP by Humana app from the App Store or Google Play:

- EAP app username: **VPAP**
- EAP app password: **EAP**

LIFE MADE EASIER. FOR FREE, CONFIDENTIAL EAP ASSISTANCE,

Call: **1-866-440-6556** TTY: 711

Sign In: **www.humana.com/eap**

Username: **VPAP**

Password: **EAP**

Discrimination is Against the Law

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English: ATTENTION: If you do not speak English, language assistance services, free of charge, are available to you. Call 1-866-454-5383 (TTY: 711).

Español (Spanish): ATENCIÓN: Si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-866-454-5383 (TTY: 711).

繁體中文 (Chinese): 注意：如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 1-866-454-5383 (TTY: 711)。

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Need legal help?
Need financial services help?

Want to buy a home?
Planning for your future?

Call 866-440-6556 (TTY: 711)
to access your Legal/Financial benefits or,
to search the Legal/Financial library for
articles, calculators, and fillable online legal
forms, including wills, living wills, powers of
attorney, contracts, and many more sign on
to humana.com/eap.
Username: VPAP
Password: EAP

Free 30-minute phone consultations and discounted fees
Call for free and confidential 30-minute consultations with
attorneys or financial counselors, with a 25 percent discount
on further legal and tax preparation services.

Your Legal/Financial services can help with issues such as:

- Dealing with debt
- Budget management
- Financial planning
- Tax information
- Landlord-tenant concerns
- Family law
- Mediation
- Trusts and estates
- Identity theft and fraud
- Elder law
- Criminal law
- Immigration matters

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The Veterinary Professional Assistance and Work-Life Services Program (VPAP)

Life made easier

VPAP and Work-Life Services—helping you and your household members manage everyday life issues that can affect you at home and at work. Call the toll-free number anytime to talk with an experienced professional who can help you find solutions. Humana pays all service costs. This program offers:



- Assistance and counseling in person or by telephone
- Free 30-minute consultations with attorneys and financial counselors
- Website with articles, discounts, podcasts, webinars, assessments, live chats, and databases to help you find local resources
- Access to LifeCoach, a holistic program designed to meet your needs and help you achieve personal and professional goals. Connect with your coach by phone or email

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VPAP and Work-Life Services

Confidential help with your personal, work-related, and emotional concerns.

Sign in at: Humana.com/EAP

EAP APP OR WEB LOGIN:

Username: VPAP

Password: EAP

24 hours a day, seven days a week.



DOWNLOAD OUR APP



VPAP and Work-Life Services

Find everyday resources like:

- Retirement planning
- Dealing with difficult members
- Conflict
- Career development
- Communicating with your boss
- Resolving legal problems
- Care for children with special needs
- Relationship issues
- Separation/divorce
- Childcare
- Parenting/discipline
- Quitting smoking
- Stress and anxiety
- Time management
- Adoption
- Losing weight
- Grief and loss
- Financial concerns
- Depression
- Addictions
- Finding schools
- Paying for school
- Older adult care
- Nutrition

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GCHJAAWEN 0419

Free and confidential 866-440-6556

VPAP and Work-Life Services—provided for all eligible members and household members. Personal information remains confidential according to all applicable state and federal laws.

Access is easy! 24 hours a day, seven days a week.

**Veterinary Examining Board
Agenda Request Form**

| | |
|--|---|
| 1) Meeting Date | 10-21-20 |
| 2) Requestor Name | M. Mace |
| 3) Item Title for the Agenda | VEB FAQ online |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | |
| 6) Is a Public Appearance Anticipated? | N |
| 7) Description of the Agenda Item | <p>FYI we have created and posted a VEB FAQ for credential holders, it is on the VEB website: https://datcp.wi.gov/Documents2/VeterinaryExaminingBoardFAQ.pdf</p> <p>We are working on a FAQ on complaints.</p> |

**Veterinary Examining Board
Agenda Request Form**

| | |
|--|--|
| 1) Meeting Date | 10-21-20 |
| 2) Requestor Name | M. Mace |
| 3) Item Title for the Agenda | Public Records Training - Reminder |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | Y DOT LearnCenter - Set Up and Login |
| 6) Is a Public Appearance Anticipated? | N |
| 7) Description of the Agenda Item | <p>All members of Boards and Councils attached to the department must complete the mandatory 2020 Public Records Training before the end of the calendar year.</p> <p>(Email sent previously this is to serve as a reminder)</p> |

Using the DOT LearnCenter as a State of WI Agency Board, Commission or Council Member

To facilitate your Wisconsin Public Records training, we have opened some space on the Department of Transportation's learning management system, called DOT LearnCenter. This document will give you the instructions for creating an ID on this system, and then using that ID to log in. Another document will follow after you have registered to show you how to find and start the training itself.

Welcome to the DOT LearnCenter login process! This guide will walk you through the steps to get your account set up. We'll also walk through how to log into the DOT LearnCenter after your account is established.

This packet contains 2 parts:

- **Initial set up of your new account** - follow the blue steps in this packet (Steps 1A through 1L, pages 2 - 7) on your first visit to the link below. **Do this only once.**
- **Accessing this account after it's been set up** – follow the green steps in this packet (Steps 2A – 2B, page 8) on every visit after the first visit to the site.

Questions??

If you have questions about using the DOT LearnCenter to register for training, launch and complete training, view or print your transcript, or print a completion certificate for a course, please contact the DOT Training Team at the LearnCenter Help Desk by emailing learncenter@dot.wi.gov . We'll be happy to help!

The First Time You Visit This Link - Setting Up Your Account:

Use this link to create your account

(this is the *only* time you'll use this link):

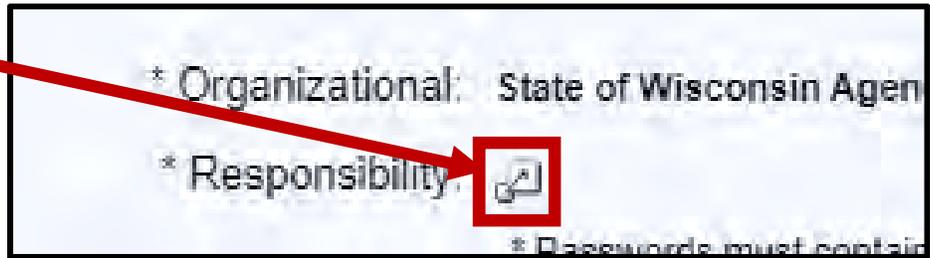
<https://wisconsindot.csod.com/selfreg/register.aspx?c=board>

Step 1A: Click on the link to the DOT LearnCenter (shown above) to open the State of WI Agency Board and Council Member registration page on the DOT LearnCenter:

Step 1B: Fill in your first name, last name, and your email address:

Note: your email address will be your username in the future.

Step 1C: Click on the small, white icon to the right of the word Responsibility to choose your organization:



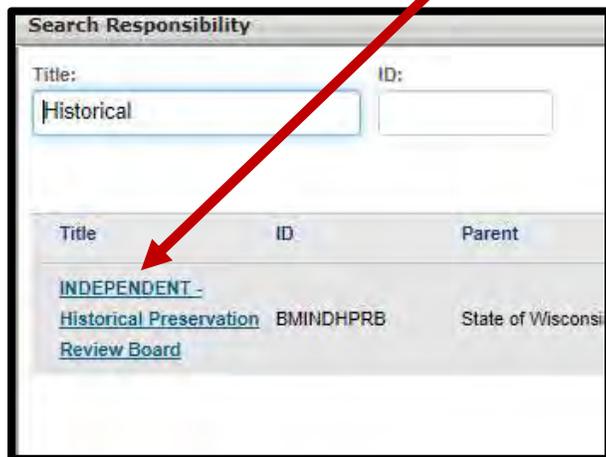
Step 1D: In the Search Responsibility window, click on the black plus sign in the white box to the left of State of Wisconsin Agency Board or Council Member:



Step 1E: In the next Search Responsibility window, **type part of the name of your organization in the Title textbox** at the top of the screen. Then, **click the Search button**:



Step 1F: Find your organization's name in the resulting list and **click on its title**:

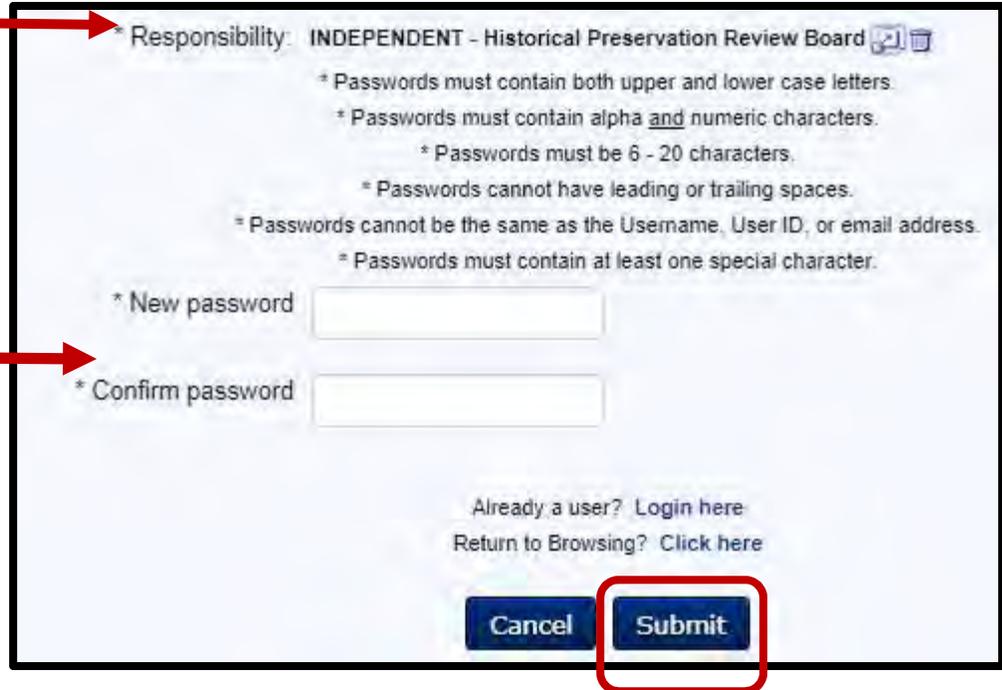


Your organization will be listed in the Responsibility line of the registration page now.

Step 1G: Type in a strong password for this account.

Confirm that password by typing it again.

Click on the **Submit button** to send your form.

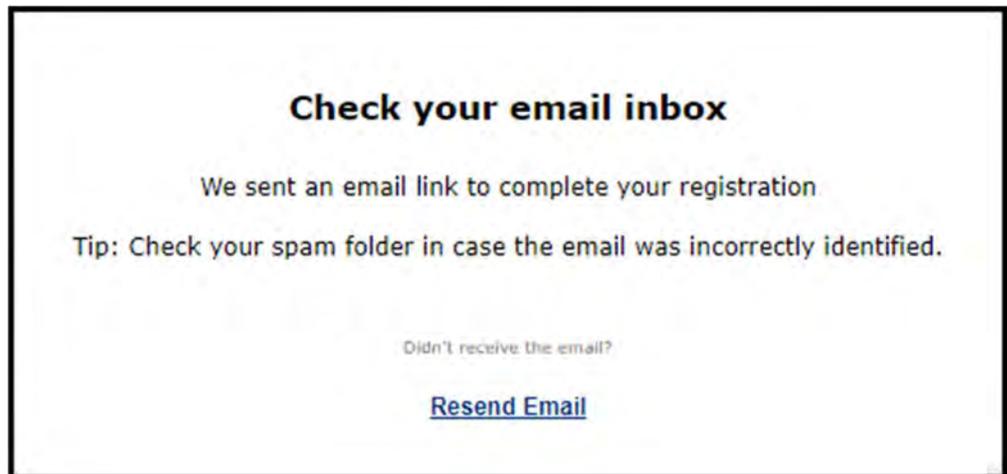


The screenshot shows a registration form with the following elements:

- Responsibility:** INDEPENDENT - Historical Preservation Review Board (with edit and delete icons)
- Password requirements:**
 - * Passwords must contain both upper and lower case letters.
 - * Passwords must contain alpha and numeric characters.
 - * Passwords must be 6 - 20 characters.
 - * Passwords cannot have leading or trailing spaces.
 - * Passwords cannot be the same as the Username, User ID, or email address.
 - * Passwords must contain at least one special character.
- Input fields:** * New password and * Confirm password (both empty)
- Links:** Already a user? [Login here](#); Return to Browsing? [Click here](#)
- Buttons:** Cancel and Submit (the Submit button is circled in red)

Red arrows point from the text on the left to the 'Responsibility' field and the 'New password' field.

Step 1H: After you click Submit, you will be notified that a verification email has been sent. **Leave this notification up on your screen until you are sure you have received the email. It could take up to 20 minutes.**

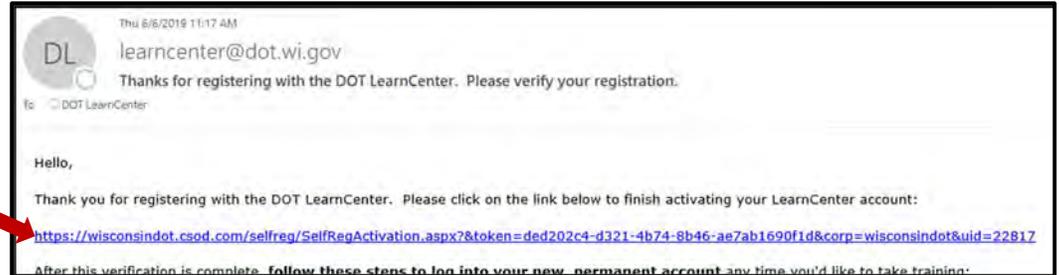


Leave the LearnCenter window open in your browser.

Open another tab in your browser (or open another instance of your browser) and open your email in the new tab (or instance). The email should be in the inbox of the email address you used to register within about 15 – 20 minutes.

The email will be coming from learncenter@dot.wi.gov. Check your spam folder if it doesn't show up in your inbox after about 20 minutes. If it's not in your inbox or spam folder after about 20 minutes, go back to the tab with the notification above and click the **Resend Email** link.

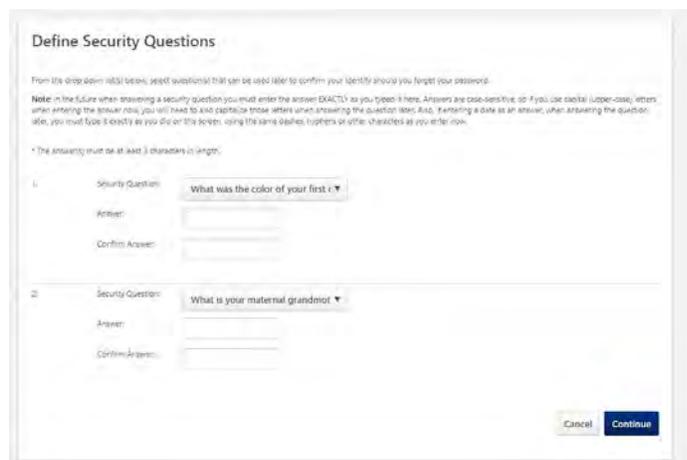
Step 1I: When you receive the confirmation email, **click on the link in the middle of the page** to verify your email address and complete your account set up.



Step 1J: When your email has been confirmed, a small notification window will pop up. **Click the Log In button in this small window.**



This will take you to the page where you can set up some security questions and answers.



You will be choosing two security questions and their answers for your own use. You will use these if you forget to your password and need to reset it.

Step 1K: Click on the pull-down arrow next to Security Question: in the top of the window to **choose your first security question by clicking on it** in the drop-down list.

* The answer(s) must be at least 3 characters in length.

1. Security Question: What was the color of your first car? ▼

Answer: What was the color of your first car?

Confirm Answer: What was the name of your elementary / primary school?
In what town was your first job?
What is your mother's maiden name?

Type in your answer for that question in the Answer: and Confirm Answer: textboxes.

* The answer(s) must be at least 3 characters in length.

1. Security Question: What was the color of your first car? ▼

Answer: ...

Confirm Answer: ...

Define Security Questions

From the drop down list(s) below, select question(s) that can be used later to confirm your identity should you forget your password.

Note: In the future when answering a security question you must enter the answer EXACTLY as you typed it here. Answers are case-sensitive, so if you use capital (upper-case) letters when entering the answer now, you will need to also capitalize those letters when answering the question later. Also, if entering a date as an answer, when answering the question later, you must type it exactly as you did on this screen, using the same dashes, hyphens or other characters as you enter now.

* The answer(s) must be at least 3 characters in length.

1. Security Question: What was the color of your first car
Answer: ***
Confirm Answer: ***

2. Security Question: What is your maternal grandmother's maiden name?
Answer: What was the make of your first car?
What was your favorite subject at school?
Confirm Answer: What is your father's middle name?

Cancel Continue

Step 1L:
Repeat the process for the second Security Question.

Click the Continue button to keep your answers and finish your account set up.

Your account is now set up. You do not have to do Steps 1A – 1L again.

Using Your Account in the DOT LearnCenter

Use this link to reach the LearnCenter site after your account is created:

<https://wisconsindot.csod.com>



Step 2A: Enter your username and password into the sign-in screen:

- **Username** = your email address
- **Password** = the password you created for your DOT LearnCenter account.



Step 2B: Click the Login arrow.

Note: If you can't remember your password, click on the **Forgot Username/ Password** link in the login screen, and answer your two security questions to reset your password.



**Veterinary Examining Board
Agenda Request Form**

| | |
|--|--|
| 1) Meeting Date | October 21, 2020 |
| 2) Requestor Name | Dr. Brian Kersten, DVM |
| 3) Item Title for the Agenda | 16 VET 032 BK Petition for Re-instatement of Veterinary License |
| 4) Should the Item be in Open or Closed Session? | Open Session |
| 5) Are there Attachments? (If yes, include file names) | Yes |
| 6) Is a Public Appearance Anticipated? | Yes |
| 7) Description of the Agenda Item | 16 VET 032 VEB Order 0005014 Final Decision and Order indefinitely suspended Veterinary License. Dr. Kersten would like to petition to re-instate his license. |

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
BRIAN L. KERSTEN, D.V.M., :
RESPONDENT. :
: ORDER: 0005014
:

Department of Agriculture, Trade and Consumer Protection Case No. 16 VET 032

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

Accordingly, the Wisconsin Veterinary Examining Board (the Board) adopts the Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

PARTIES

1. The Board is created and attached to the Wisconsin Department of Agriculture, Trade and Consumer Protection pursuant to Wis. Stat. § 15.135(5).

2. Dr. Brian L. Kersten, D.V.M. (Respondent), is licensed in the State of Wisconsin to practice veterinary medicine, having license number 404397 (previously 2557-50), first issued on June 15, 1983, and currently summarily suspended by Order of the Board dated October 26, 2016.

3. The Respondent's most recent address on file with the Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) is 390 8th Avenue, Baldwin, Wisconsin 54002.

FINDINGS OF FACT

4. At all times relevant to this proceeding, Respondent was working as a veterinarian at Baldwin Veterinary Center located at 363 230th Street, Baldwin, Wisconsin 54002.

5. On September 6, 2016, the State of Minnesota filed a criminal complaint against Respondent alleging felony violations of Minnesota Statutes sections 609.322.1a.(4) engages in the sex trafficking of an individual and 609.282.2 knowingly engages in the labor trafficking of another.

6. On September 13, 2016, the Department received a complaint that Respondent was arrested in Minnesota and the allegations reflected poorly on the profession.

7. On October 11, 2016, the State of Minnesota filed an Amended Criminal Complaint regarding the criminal charges against Respondent (“the Amended Complaint”).

8. The allegations in the Amended Complaint, which are attested to by Commander Stephen Wills of the Woodbury Police Department, state the Respondent was involved in a sex trafficking ring operating in the Minneapolis/St. Paul metro area which involved women being transported to the Minneapolis/St. Paul metro area for the purpose of prostitution.

9. Respondent’s involvement in the criminal enterprise was evidenced by testimony from one of the victims. According to the Amended Complaint: “When she arrived the previous day at the airport, she was picked up by a Caucasian male, in his 60’s, with a thin build. The male was driving an old truck with a topper.” Airport surveillance confirmed: “The vehicle was a gold/yellow, older pickup truck with a large veterinary utility box. The Wisconsin License plate, C924418 registered to Baldwin Veterinary Center located at 390 8th Avenue, in the City of Baldwin, Wisconsin. An online search revealed that Baldwin Veterinary Clinic is owned by the defendant, ‘Dr. Brian Kersten.’”

10. On October 12, 2016, Respondent pleaded guilty to the crimes of felony violations of Minnesota Statutes sections 609.322.1a.(4) engages in the sex trafficking of an individual and 609.282.2 knowingly engages in the labor trafficking of another as detailed in the Amended Complaint and is scheduled to be sentenced on March 8, 2017.

11. The proposed sentence calls for the Respondent to serve 53 months in the Minnesota State Prison System. Minnesota allows parole eligibility after service of two-thirds of a sentence. The Minnesota Department of Corrections (DOC) may also allow participation in DOC programming to reduce the total period of incarceration.

12. On October 26, 2016, the Board issued an Order that Respondent’s license to practice veterinary medicine was suspended pending the outcome of this proceeding.

13. Respondent consents to a voluntary suspension of his license to practice veterinary medicine for the period of his incarceration in Minnesota.

14. Six months following the release from his incarceration, Respondent may petition for a stay of the suspension as more fully set forth in the Order below.

CONCLUSIONS OF LAW

15. Respondent has engaged in unprofessional conduct as defined in Wis. Admin. Code § VE 7.06(3): "Being convicted of a crime the circumstances of which substantially relate to the practice of veterinary medicine." There is a sufficient nexus between the conduct and Respondent's fitness to practice.

16. Respondent has engaged in unprofessional conduct as defined in Wis. Admin. Code § VE 7.06(6): "Having a veterinary license or federal veterinary accreditation limited, suspended or revoked."

17. The Board has jurisdiction in this matter pursuant to Wis. Stat. § 89.07(2).

18. The Board has authority to assess costs of the proceeding pursuant to Wis. Stat. § 89.0715(2).

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

ORDER

20. The Stipulation is accepted.

21. Respondent's license to practice veterinary medicine issued by the State of Wisconsin to Brian L. Kersten, D.V.M., license number 404397 (previously 2557-50), first issued on June 15, 1983, is suspended indefinitely, but for no less than the period of his incarceration in the State of Minnesota.

22. Respondent shall mail or physically deliver all indicia of Respondent's license to practice medicine in the state of Wisconsin to the Board within 14 days of the effective date of this Order.

23. Within 14 days of the effective date of this Order, Respondent shall pay costs of this matter in the amount of \$982.49 by check or money order payable to the Wisconsin Department of Agriculture, Trade and Consumer Protection.

24. Payment of costs and all indicia of Respondent's license to practice medicine in the state of Wisconsin shall be sent to the following address:

Wisconsin Department of Agriculture, Trade and Consumer Protection
Office of Legal Counsel
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911

25. Respondent may petition the Board for a stay of suspension six months following his release from incarceration.

26. During the term of his suspension, Respondent shall provide the Board signed authorizations for the release of information and records from the Minnesota Department of Corrections and any medical, mental health or other provider as requested by the Board.

27. During the term of his suspension, Respondent agrees to participate in mental health counseling and other programming required of him by the Minnesota Department of Corrections, and upon release, to participate and complete any medical, mental health or other therapeutic treatment or programming recommended by the Minnesota Department of Corrections or other agency providing parole or probation supervision, or as recommended or required by the Board.

28. If the Board, in its discretion, stays Respondent's license suspension, for a period of not less than 36 (thirty-six) months, the following practice limitations shall apply:

a. Respondent shall participate in any medical, mental health or other therapeutic treatment or programming recommended by the Minnesota Department of Corrections or other agency providing parole or probation supervision, or as recommended or required by the Board;

b. Respondent shall cooperate with the rules and conditions of his incarceration and with the rules and conditions of his parole or probation upon release from incarceration;

c. Respondent shall not violate any criminal law;

d. Respondent shall submit written reports or other documentation as requested or required by the Board for the period of any stay of suspension;

e. Respondent shall immediately notify the

Board of any contact with a police agency;

f. Respondent shall immediately notify the Board of any alleged violation of parole or probation rules;

g. Respondent shall not contact with any person engaged in prostitution;

h. Respondent shall not enter into or contact any place or entity providing massage services unless specifically prescribed by a medical professional;

i. Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent is employed as a veterinarian;

j. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of the change; and

k. Respondent shall not engage in unprofessional conduct during the pendency of this Order.

29. The conditions listed in Paragraph 28 shall remain in effect for the period of any stay of suspension unless modified by further written agreement of the Board and the Respondent.

30. The Board or its designee may reinstate the suspension without hearing, if provided with sufficient information that it is appropriate for the suspension to be reinstated. Whether to reinstate the suspension shall be wholly in the discretion of the Board or its designee.

31. Respondent shall be responsible for costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order. Failure to make any payment as required by this paragraph is a violation of this Order.

32. Respondent may petition the Board for termination of this Order three (3) years after the entry of a stay of suspension, if granted. No petition for

termination shall be considered without a showing of continuous successful compliance with the terms of this Order up to the date of the petition for termination.

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

FOR WISCONSIN VETERINARY EXAMINING BOARD:

by: P. C. Johnson DVM

1/25/17

Print name: PC Johnson DVM

Date

A Member of the Board

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: STIPULATION
BRIAN L. KERSTEN, D.V.M., :
RESPONDENT. :

Department of Agriculture, Trade and Consumer Protection Case No. 16 VET 032

Dr. Brian L. Kersten, D.V.M. (Respondent) and the Wisconsin Veterinary Examining Board (the Board) stipulate as follows:

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

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

- The right to a hearing on the allegations against Respondent, at which time the Board has the burden of proving those allegations by a preponderance of the evidence;

- The right to confront and cross-examine the witnesses against Respondent;

- The right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;

- The right to testify on Respondent's own behalf;

- The right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;

- The right to petition for rehearing; and

- All other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is represented by Attorney Timothy J. O'Brien.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board. The parties to the Stipulation consent to the entry of the Final Decision and Order, incorporated herein, without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the proposed form.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Board for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other employee of the Wisconsin Department of Agriculture, Trade and Consumer Protection and any member of the Board assigned as the case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, the case advisor may, as a member of the Board, vote on whether the Board should accept this Stipulation and issue the Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be available to the public.

Brian L. Kersten DVM

Dr. Brian L. Kersten, D.V.M., Respondent
363 230th St.
Baldwin, Wisconsin 54002
License no. 404397 (previously 2557-50)

1/11/17
Date

Timothy J. O'Brien
Timothy J. O'Brien, Attorney for Respondent
Bakke Norman Law Offices #1003571
1200 Heritage Drive - P.O. Box 308
New Richmond, WI 54017

1/12/2017
Date

FOR WISCONSIN VETERINARY EXAMINING BOARD:

by: P.C. Johnson DVM

1/25/17
Date

Print name: P.C. JOHNSON DVM
A Member of the Board

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
BRIAN L. KERSTEN, D.V.M., :
RESPONDENT. :
: ORDER: 0005014
:

Department of Agriculture, Trade and Consumer Protection Case No. 16 VET 032

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

Accordingly, the Wisconsin Veterinary Examining Board (the Board) adopts the Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

PARTIES

1. The Board is created and attached to the Wisconsin Department of Agriculture, Trade and Consumer Protection pursuant to Wis. Stat. § 15.135(5).

2. Dr. Brian L. Kersten, D.V.M. (Respondent), is licensed in the State of Wisconsin to practice veterinary medicine, having license number 404397 (previously 2557-50), first issued on June 15, 1983, and currently summarily suspended by Order of the Board dated October 26, 2016.

3. The Respondent's most recent address on file with the Wisconsin Department of Agriculture, Trade and Consumer Protection (the Department) is 390 8th Avenue, Baldwin, Wisconsin 54002.

FINDINGS OF FACT

4. At all times relevant to this proceeding, Respondent was working as a veterinarian at Baldwin Veterinary Center located at 363 230th Street, Baldwin, Wisconsin 54002.

5. On September 6, 2016, the State of Minnesota filed a criminal complaint against Respondent alleging felony violations of Minnesota Statutes sections 609.322.1a.(4) engages in the sex trafficking of an individual and 609.282.2 knowingly engages in the labor trafficking of another.

6. On September 13, 2016, the Department received a complaint that Respondent was arrested in Minnesota and the allegations reflected poorly on the profession.

7. On October 11, 2016, the State of Minnesota filed an Amended Criminal Complaint regarding the criminal charges against Respondent (“the Amended Complaint”).

8. The allegations in the Amended Complaint, which are attested to by Commander Stephen Wills of the Woodbury Police Department, state the Respondent was involved in a sex trafficking ring operating in the Minneapolis/St. Paul metro area which involved women being transported to the Minneapolis/St. Paul metro area for the purpose of prostitution.

9. Respondent’s involvement in the criminal enterprise was evidenced by testimony from one of the victims. According to the Amended Complaint: “When she arrived the previous day at the airport, she was picked up by a Caucasian male, in his 60’s, with a thin build. The male was driving an old truck with a topper.” Airport surveillance confirmed: “The vehicle was a gold/yellow, older pickup truck with a large veterinary utility box. The Wisconsin License plate, C924418 registered to Baldwin Veterinary Center located at 390 8th Avenue, in the City of Baldwin, Wisconsin. An online search revealed that Baldwin Veterinary Clinic is owned by the defendant, ‘Dr. Brian Kersten.’”

10. On October 12, 2016, Respondent pleaded guilty to the crimes of felony violations of Minnesota Statutes sections 609.322.1a.(4) engages in the sex trafficking of an individual and 609.282.2 knowingly engages in the labor trafficking of another as detailed in the Amended Complaint and is scheduled to be sentenced on March 8, 2017.

11. The proposed sentence calls for the Respondent to serve 53 months in the Minnesota State Prison System. Minnesota allows parole eligibility after service of two-thirds of a sentence. The Minnesota Department of Corrections (DOC) may also allow participation in DOC programming to reduce the total period of incarceration.

12. On October 26, 2016, the Board issued an Order that Respondent’s license to practice veterinary medicine was suspended pending the outcome of this proceeding.

13. Respondent consents to a voluntary suspension of his license to practice veterinary medicine for the period of his incarceration in Minnesota.

14. Six months following the release from his incarceration, Respondent may petition for a stay of the suspension as more fully set forth in the Order below.

CONCLUSIONS OF LAW

15. Respondent has engaged in unprofessional conduct as defined in Wis. Admin. Code § VE 7.06(3): "Being convicted of a crime the circumstances of which substantially relate to the practice of veterinary medicine." There is a sufficient nexus between the conduct and Respondent's fitness to practice.

16. Respondent has engaged in unprofessional conduct as defined in Wis. Admin. Code § VE 7.06(6): "Having a veterinary license or federal veterinary accreditation limited, suspended or revoked."

17. The Board has jurisdiction in this matter pursuant to Wis. Stat. § 89.07(2).

18. The Board has authority to assess costs of the proceeding pursuant to Wis. Stat. § 89.0715(2).

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

ORDER

20. The Stipulation is accepted.

21. Respondent's license to practice veterinary medicine issued by the State of Wisconsin to Brian L. Kersten, D.V.M., license number 404397 (previously 2557-50), first issued on June 15, 1983, is suspended indefinitely, but for no less than the period of his incarceration in the State of Minnesota.

22. Respondent shall mail or physically deliver all indicia of Respondent's license to practice medicine in the state of Wisconsin to the Board within 14 days of the effective date of this Order.

23. Within 14 days of the effective date of this Order, Respondent shall pay costs of this matter in the amount of \$982.49 by check or money order payable to the Wisconsin Department of Agriculture, Trade and Consumer Protection.

24. Payment of costs and all indicia of Respondent's license to practice medicine in the state of Wisconsin shall be sent to the following address:

Wisconsin Department of Agriculture, Trade and Consumer Protection
Office of Legal Counsel
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911

25. Respondent may petition the Board for a stay of suspension six months following his release from incarceration.

26. During the term of his suspension, Respondent shall provide the Board signed authorizations for the release of information and records from the Minnesota Department of Corrections and any medical, mental health or other provider as requested by the Board.

27. During the term of his suspension, Respondent agrees to participate in mental health counseling and other programming required of him by the Minnesota Department of Corrections, and upon release, to participate and complete any medical, mental health or other therapeutic treatment or programming recommended by the Minnesota Department of Corrections or other agency providing parole or probation supervision, or as recommended or required by the Board.

28. If the Board, in its discretion, stays Respondent's license suspension, for a period of not less than 36 (thirty-six) months, the following practice limitations shall apply:

a. Respondent shall participate in any medical, mental health or other therapeutic treatment or programming recommended by the Minnesota Department of Corrections or other agency providing parole or probation supervision, or as recommended or required by the Board;

b. Respondent shall cooperate with the rules and conditions of his incarceration and with the rules and conditions of his parole or probation upon release from incarceration;

c. Respondent shall not violate any criminal law;

d. Respondent shall submit written reports or other documentation as requested or required by the Board for the period of any stay of suspension;

e. Respondent shall immediately notify the

Board of any contact with a police agency;

f. Respondent shall immediately notify the Board of any alleged violation of parole or probation rules;

g. Respondent shall not contact with any person engaged in prostitution;

h. Respondent shall not enter into or contact any place or entity providing massage services unless specifically prescribed by a medical professional;

i. Respondent shall provide a copy of this Final Decision and Order and all other subsequent orders immediately to supervisory personnel at all settings where Respondent is employed as a veterinarian;

j. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of the change; and

k. Respondent shall not engage in unprofessional conduct during the pendency of this Order.

29. The conditions listed in Paragraph 28 shall remain in effect for the period of any stay of suspension unless modified by further written agreement of the Board and the Respondent.

30. The Board or its designee may reinstate the suspension without hearing, if provided with sufficient information that it is appropriate for the suspension to be reinstated. Whether to reinstate the suspension shall be wholly in the discretion of the Board or its designee.

31. Respondent shall be responsible for costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order. Failure to make any payment as required by this paragraph is a violation of this Order.

32. Respondent may petition the Board for termination of this Order three (3) years after the entry of a stay of suspension, if granted. No petition for

termination shall be considered without a showing of continuous successful compliance with the terms of this Order up to the date of the petition for termination.

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

FOR WISCONSIN VETERINARY EXAMINING BOARD:

by: P. C. Johnson DVM 1/25/17
Date
Print name: PC Johnson DVM
A Member of the Board

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
BRIAN L. KERSTEN, D.V.M., :
RESPONDENT. :

Department of Agriculture, Trade and Consumer Protection Case No. 16 VET 032

Dr. Brian L. Kersten, D.V.M. (Respondent) and the Wisconsin Veterinary Examining Board (the Board) stipulate as follows:

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

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

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

3. Respondent is represented by Attorney Timothy J. O'Brien.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board. The parties to the Stipulation consent to the entry of the Final Decision and Order, incorporated herein, without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the proposed form.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Board for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other employee of the Wisconsin Department of Agriculture, Trade and Consumer Protection and any member of the Board assigned as the case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, the case advisor may, as a member of the Board, vote on whether the Board should accept this Stipulation and issue the Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be available to the public.

Brian L. Kersten DVM

Dr. Brian L. Kersten, D.V.M., Respondent
363 230th St.
Baldwin, Wisconsin 54002
License no. 404397 (previously 2557-50)

1/11/17
Date

Timothy J. O'Brien
Timothy J. O'Brien, Attorney for Respondent
Bakke Norman Law Offices #1003571
1200 Heritage Drive - P.O. Box 308
New Richmond, WI 54017

1/12/2017
Date

FOR WISCONSIN VETERINARY EXAMINING BOARD:

by: P.C. Johnson DVM

1/25/17
Date

Print name: P.C. JOHNSON DVM
A Member of the Board

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : PETITION FOR STAY OF
BRIAN L. KERSTEN, D.V.M., : SUSPENSION, DATCP 16 VET 032
RESPONDENT. :
 :

PARTIES AND PROCEDURAL BACKGROUND

1. The Veterinary Examining Board (“Board”) is created and attached to the Wisconsin Department of Agriculture, Trade and Consumer Protection pursuant to Wis. Stat. § 15.135(5).

2. Dr. Brian L. Kersten, D.V.M. (DOB September 20, 1955) (“Respondent”), was licensed in the State of Wisconsin to practice veterinary medicine, under license number 404397 (previously 2557-50), first issued on June 15, 1983.

3. Pursuant to a Stipulation between the parties, Respondent agreed to a voluntary suspension of his license, was subsequently suspended by a Final Decision and Order of the Board dated January 25, 2017, and remains suspended.

4. Under the terms of the Final Decision and Order, paragraph 14, Respondent may petition the Board for a stay of the suspension under the terms and conditions described in the Final Decision and Order.

PETITION FOR STAY OF SUSPENSION

The Respondent, BRIAN L. KERSTEN, does hereby Petition the Wisconsin Veterinary Examining Board for a Stay of Suspension. In accordance with the Final Decision and Order in this matter, more than six months have passed following the Respondent’s release from incarceration and the Respondent is eligible for a stay of his suspension.

In support of his Petition for Stay of Suspension, the Respondent, BRIAN L. KERSTEN, by his attorneys, Bakke Norman, S.C., by Timothy J. O’Brien, states as follows:

1. The Respondent has completed his period of incarceration with the Minnesota Department of Corrections. Respondent was released on parole on February 11, 2020. His period of parole supervision will be complete on or before August, 2021. He is supervised by the Minnesota Department of Corrections; his parole agent is Jessica Berghorst in Washington County, MN. Her contact information is 651-342-9234,

Jessica.Berghorst@co.washington.mn.us. Agent Berghorst has confirmed Respondent is in compliance with all rules and conditions of his parole. She has also confirmed that under Minnesota law applicable to Respondent's convictions and the rules of his Department of Corrections supervision, he is not required to register as a sex offender.

2. The required six months has elapsed since the Respondent was released from incarceration.
3. The Respondent has completed all required conditions imposed upon him by this Board and by the Minnesota Department of Corrections both during and after his incarceration period.
4. The Respondent currently volunteers at Christian Cupboard Emergency Food Shelf in Oakdale, Minnesota.
5. The Minnesota Department of Corrections does not require Respondent to participate in any ongoing counseling or treatment. However, the Respondent voluntarily attends counseling through his church and through a private provider.
6. The Respondent has completed in excess of 30 Continuing Veterinary Education Credits as shown on the enclosed VetFolio Transcript.
7. The Respondent is currently employed on a part-time basis delivering newspapers. He also receives Social Security retirement benefits and is not dependent on any other person to meet his financial obligations.
8. Since his release from incarceration, the Respondent has purchased and is residing in a home located at 868 6th Street North, Bayport MN, 55003. Bayport is located in Washington County on the Minnesota/Wisconsin border.
9. If Respondent's suspension is stayed under the terms of the Final Decision and Order it is his intention to operate his own veterinary business on a part-time basis serving primarily a low-income clientele. This is a historically underserved community. Respondent would intend to make himself available for services at the client's home or business to reduce the costs of providing such services.
10. Respondent delivered all evidence of licensing to the Board as required by paragraph 22 of the Final Decision and Order.
11. Respondent paid all costs of the proceeding as required by paragraph 23 of the Final Decision and Order.
12. Respondent has not practiced Veterinary Medicine during the period of his suspension.

13. In further support of this Petition, Respondent encloses the following information and documentation:
 - A. MN Department of Corrections - Program Review, Recidivism Screening
 - B. MN Department of Corrections - Conditions of Release;
 - C. Programming notes, commendations, training certifications, suggestions for improved Department of Corrections programming and providing of assistance to inmates, and other documentation related to how time was spent while incarcerated;
 - D. Letters of recommendation and attesting to character.
14. The Respondent has not had contact with any police agency and has not violated any criminal laws. He agrees to provide immediate notice to the Board of any contact with any police agency or alleged violation of any criminal law.
15. The Respondent agrees to provide any written reports, counseling or Department of Corrections' records, or any other documentation required by the Board for its consideration of this Petition and during the period of any Stay of Suspension.
16. The Respondent agrees to provide immediate notice to the Board of any alleged violation of his rules of parole.
17. The Respondent agrees he will not have any contact with any person engaged in prostitution and will not enter into or contact any place providing massage services unless specifically prescribed by a physician.
18. The Respondent agrees to provide immediate notice of the Final Decision and Order, and any subsequent orders, to any supervisory personnel at any business or facility where he is employed as a Veterinarian.
19. The Respondent agrees to provide notice to the Board of any change of employment status, residence, address or telephone number within 5 days of such change.
20. The Respondent agrees he will not engage in unprofessional conduct and to provide immediate notice to the Board of any allegation he has engaged in unprofessional conduct.
21. The Respondent agrees to appear before the Board upon request.

Dated: October 14, 2020

BAKKE NORMAN, S.C.

By: *Electronically signed by Timothy J. O'Brien*

Timothy J. O'Brien

Attorney No. 1003571

P.O. Box 280

Menomonie, WI 54751-0280

(715) 235-9016

tobrien@bakkenorman.com

Attorneys for Brian L. Kersten

List of Attachments to Respondent Brian Kersten's Petition for Stay of Suspension

Paragraph #6: Continuing Ed Transcript - VetFolio

Paragraph #13.A: MN Department of Corrections - Program Review, Recidivism Screening

Paragraph #13.B: MN Department of Corrections - Conditions of Release

Paragraph #13.C:

Minnco Industries Cert of Participation

Training Certificate - On Call Bio-Hazard Clean-Up Crew

Certificates of Completion

MN Department of Corrections Offender Safety Training and letter from City of Red Wing

Offender Kite Forms

Prairie Island Indian Community - thank you

Department of Corrections letter from re educational opportunities - to B. Kersten

Offender Kite Form

Certificate of Appreciation

Offender Kite Forms

Heartsaver First Aid CPR AED Program completion card

Paragraph #13.D:

Character Reference Letter from Sally Dresdow

Character Reference Letter from Joy Benson

Character Reference Letter from Helene Haworth

Character Reference Letter from Pastor Tom Pfothauer

Character Reference Letter from Michael McCormick, D.V.M.



VETFOLIO TRANSCRIPT

Brian Kersten

BK ✓

Continued transcript

 Export Transcript CSV

| Name | Course | Certificate Grant Date | RACE Program Number | CE | Speaker |
|---------------|--|------------------------|---------------------|----|------------------------|
| Brian Kersten | Canine Orthopedic Examination Video Series | 2020-08-12 | 1027-38423 | 1 | B Duncan X Lascelles |
| Brian Kersten | Canine CRP and Other Acute Phase Proteins as Markers of Inflammation | 2020-08-10 | 1027-38423 | 1 | David Eckersall |
| Brian Kersten | Canine Otitis Externa: My Favorite Topical and Systemic Treatments | 2020-08-06 | 1027-39341 | 1 | Wayne Rosenkrantz |
| Brian Kersten | Definitive Treatment of Limb Fractures with Splints or Casts | 2020-08-03 | 1027-42101 | 1 | Ross Palmer, Clara Goh |
| Brian Kersten | Respiratory Disease: But He is Still Coughing! Approach To Chronic Cough | | | | |
| Brian Kersten | Chronic Coughing in Dogs and Cats - My Favorite Drugs | | | | |
| Brian Kersten | Lower Respiratory Tract Disease: Treating Common Conditions | | | | |
| Brian Kersten | Best Oral Joint Supplement for Your Patient: How to Choose Among a Plethora | 2020-07-29 | 1027-38423 | 1 | Leilani Alvarez |
| Brian Kersten | Acute and Chronic Pain: What's the Connection? | 2020-07-27 | 1027-43281 | 1 | Sheilah Robertson |
| Brian Kersten | Canine Heart Failure: Current Guidelines and More | 2020-07-21 | 1027-43281 | 1 | John Rush |
| Brian Kersten | Bite Wounds: Why Are They So Hard to Manage? | 2020-07-09 | 1027-39341 | 1 | Kristy Broaddus |
| Brian Kersten | Behavior Buffet — Leftovers — Even More Cases! Noise/storm Anxiety, Hyperesthesia Cats and Tail-chasing Dogs | | | | |
| Brian Kersten | Anesthesia for the Geriatric Pet in the Shelter or Community Medicine Setting | 2020-07-03 | 1027-38423 | 1 | Emily McCobb |
| Brian Kersten | Canine Heartworm Disease: What We Thought We Knew, What We Know Now | 2020-07-01 | 1027-41619 | 1 | Chris Adolph |
| Brian Kersten | Anesthesia for the Neonatal or Geriatric Patient | 2020-06-29 | 1027-42101 | 1 | Andre Shih |
| Brian Kersten | Anti-NGF Monoclonal Antibodies for the Control of OA Pain in Dogs & Cats | 2020-06-25 | 1027-39341 | 1 | B Duncan X Lascelles |
| Brian Kersten | A Practical Approach to Using the IRIS CKD Guidelines and the IDEXX SDMA Test in Everyday Practice | 2020-06-18 | 1027-42101 | 1 | Jane Robertson |

| Name | Course | Certificate Grant Date | RACE Program Number | CE | Speaker |
|---------------|---|------------------------|---------------------|-----|------------------------------|
| Brian Kersten | Advances in the Management of Chronic Kidney Disease | 2020-06-16 | 1027-42101 | 0.5 | Sarah Steinbach |
| Brian Kersten | An Internist's Viewpoint of the significance of the Human-Animal Bond in Practice | 2020-06-08 | 1027-39341 | 1 | Michael R. Lappin |
| Brian Kersten | Antimicrobial Responsibility and Resistance - Improving Clinical Outcomes | 2020-05-18 | 1027-39341 | 1 | Catherine Outerbridge |
| Brian Kersten | Canine Allergic Dermatitis Program | 2020-05-06 | 1027-42101 | 2 | Phil Thompson, Candace Sousa |
| Brian Kersten | Advances in Feline Pain Management | 2020-04-23 | 1027-39341 | 1 | B Duncan X Lascelles |
| Brian Kersten | Beyond Borders: The Truth About Ticks | 2020-04-19 | 1027-42101 | 1 | Michael Dryden |
| Brian Kersten | Advanced Anesthetic Techniques in Dogs & Cats | 2020-04-17 | 1027-39341 | 1 | Jody Nugent-Deal |
| Brian Kersten | Advances in Appetite Stimulants in Pets with CKD | 2020-04-16 | 1027-42101 | 0.5 | Jessica Quimby |
| Brian Kersten | A Multimodal Approach to Osteoarthritis | 2020-04-15 | 1027-39341 | 1.5 | Patrice Mich |
| Brian Kersten | Chronic Kidney Disease - Pathophysiology Progression and Interventions | 2020-04-14 | 1027-42101 | 0.5 | David J. Polzin |
| Brian Kersten | Anaphylaxis: Keys to Success in the First 10 Minutes | 2020-04-11 | 1027-39341 | 1 | Medora Pashmakova |
| Brian Kersten | Dechra Fluid Therapy Program | 2020-04-03 | | 2 | Christopher Byers |
| Brian Kersten | RESPIRATORY DISTRESS: MAKING THE MOST OF YOUR PHYSICAL EXAM | | | | |
| Brian Kersten | Chronic Kidney Disease (CKD) in Dogs & Cats: Staging & Initial Management | 2020-03-13 | 1027-39341 | 1.5 | Dennis J. Chew |
| Brian Kersten | All Animals Need Less Fear, Anxiety, & Stress - And More Calm | 2020-03-11 | 1027-38423 | 1 | Temple Grandin |
| Brian Kersten | AAHA End of Life Care Guidelines | 2020-03-06 | 1027-39341 | 1 | Brenda J. Stevens |
| Brian Kersten | Cardiac & Noncardiac Respiratory Distress: Best Tests & Simplified Strategies for Evaluation & Management | 2020-03-05 | 1027-39341 | 1 | Rebecca L. Stepien |

| Name | Course | Certificate Grant Date | RACE Program Number | CE | Speaker |
|------------------|---|------------------------------|---------------------------|----|--------------------------------|
| Brian Kersten | 2018 AAHA Diabetes Management Guidelines for Dogs and Cats | 2020-03- 01 | 1027- 42101 | 1 | Patty Lathan,Renee Rucinsky |



Minnesota Department of Corrections
Program Review Team - Saint Cloud
PRT Action Report - Initial
OID: 253592 Name: Kersten, Brian Lee

PRT Date 05/25/2017 Attendance **Waived Appearance**
PRT Location Saint Cloud

Program Review Team Directives
 No Program Directives
Reasons why directives were not given
 AOD assessment does not recommend treatment
Facility/Release Program Recommendations
 Critical thinking skills classes
 Educational Programming'
 Vocational Programming
 Victim Impact

Comments
Mr. Kersten does not appear to meet criteria for placement on Intensive Supervised Release. At this time it appears he will be released on regular supervised release. A transfer to a level 2 facility is approved. /s/ CPD Roger Baburam PRT Chairperson

PRT Members
Roger Baburam
Thomas Elbes

PRT Chair

Date



Minnesota Screening Tool Assessing Recidivism Risk 2.0 (MnSTARR 2.0)

What is the MnSTARR 2.0?

The MnSTARR is a tool that helps to figure out how likely someone in prison is to commit crimes once released. In other words, it helps to assess an individual's recidivism risk.

How is the MnSTARR 2.0 scored?

This tool was made after looking at years of research and information from prisons here in Minnesota.

Items used to score the tool includes things like your criminal history, supervision history, prison discipline, STG involvement, sentencing information, age at the time of release, educational history, participation in prison programming, prison visitation, and supervision status at the time of release.

The tool automatically pulls data from a few sources, mostly COMS, which means no staff are scoring the tool.

The scores are low, medium, high, or very high risk of committing crimes once released.

What can you do to lower your MnSTARR risk?

You can lower your risk by starting and finishing a number of DOC programs. Examples include CD and SO treatment, T4C and Moving On (for females), EMPLOY, CIP, Work Release, and PFA. Earning a secondary degree (GED or high school diploma) or post-secondary degree may also help lower your risk.

The best advice to make sure your risk does not increase is to have no discipline while in prison and be successful on supervision once released. It is likely that your risk may increase if you return to prison.

How do I find out more information about my MnSTARR score?

If you have questions about your MnSTARR score, start with your case manager and follow the chain of command. Case managers have been trained in the details of the tool and how the score relates to the type of supervision you may be placed on after release.

Skip to content

Enable Enhanced Accessibility



MnSTARR Assessments

253592 Kersten, Brian Lee

Enter OID Go Last Viewed ~

Welcome Dustin Schewe to COMS on MNDOC

MnSTARR Assessments

MnSTARR Assessment Listing

[Add New Record \(/COMSMnSTARR/Assessments/Create?OID=253592\)](#)

Sort Listing By Sort

| Assessment Date | Obligation ID | Assessment Reason | Offender Type | Assessment Version | Recidivism Risk | Non Sexual Violent Recidivism | Non Violent Recidivism | Felony Recidivism | Repeat Sex Offense Recidivism | Action | Info |
|-----------------|---------------|-------------------|---------------|--------------------|-----------------|-------------------------------|------------------------|-------------------|-------------------------------|--------|------|
| 10/04/2019 | 20170308A | Pre-Release | Male | 2.2 | 1-Low | 2.22 | 16.47 | 10.72 | 0 | | |
| 04/25/2019 | 20170308A | Annual | Male | 2.0 | 1-Low | | | | | | |
| 02/15/2019 | 20170308A | Annual | Male | 2.0 | 1-Low | | | | | | |
| 08/25/2018 | 20170308A | Annual | Male | 2.0 | 1-Low | | | | | | |
| 11/08/2017 | 20170308A | Annual | Male | 2.0 | 1-Low | | | | | | |
| 03/08/2017 | 20170308A | Initial | Male | 2.0 | 1-Low | | | | | | |

[Add New Record \(/COMSMnSTARR/Assessments/Create?OID=253592\)](#)

Legacy MnSTARR Assessment Listing

| Assessment Date | Obligation ID | Assessment Reason | Offender Type | Assessment Version | Recidivism Risk | Info |
|-----------------|---------------|-------------------|---------------|--------------------|-----------------|------|
|-----------------|---------------|-------------------|---------------|--------------------|-----------------|------|

No data to display

Retrieve ODocS MnSTARR Version 1 Assessments (https://onbase.doc.state.mn.us/AppNet/docpop/docpop.aspx?KT270_0_0=253592&cqlid=244)

For support, please contact the Community Re-Entry Transition Manager.

Version 2.0.53.0

The released offender shall remain under the authority of the Minnesota Department of Corrections subject to the following standard conditions of release.

STANDARD CONDITIONS OF RELEASE

- 1) The offender must maintain contact with the agent/designee as directed, and comply with all agent directives and instructions. The offender must remain in the State of Minnesota unless granted written approval from the agent/designee, and the offender must keep the agent informed of his or her residence and activities.
- 2) The offender must submit to any unannounced visits or searches by the agent/designee of the offender's person, residence, possessions, cell phone, vehicle, or premises. The offender must comply with all drug or alcohol testing as directed by the agent/designee.
- 3) The offender must refrain from purchasing, possessing, accessing, or controlling any type of firearm, ammunition; or dangerous weapon, including replica weapons. The offender must not be found in the presence of a firearm, including those found in a vehicle where the offender is also present.
- 4) The offender must remain law abiding and refrain from engaging in any behavior that violates local, state, or federal law. Any credible evidence demonstrating that an offender has been charged with a violation of law is considered grounds to hold the offender in custody unless and until the offender is found not guilty. The offender must inform the agent/designee within 24 hours of any court appearance or contact with law enforcement.
- 5) The offender must refrain from engaging in any assaultive, abusive, violent, harassing, stalking, or threatening behavior, or other behavior that poses a risk to the public.
- 6) The offender must refrain from direct or indirect contact with any person deemed to be a victim by the Department of Corrections, any person listed in a criminal justice agency report as a victim, or anyone whom a court has determined is in need of protection as demonstrated by a current or previous order for protection, harassment restraining order, or domestic abuse no contact order, without prior documented approval of the agent/designee.

A request to restructure the conditions of release contained herein must be submitted in writing by the offender to the agent/designee.

The Executive Officer of Hearings and Release or designee will have the final authority to grant or deny restructuring of the above conditions of release and any such changes will be set forth in writing.



*This is to certify that: Brian Kersten
has participated in satisfactory training and work
experience in the following:*

*Laundry production in the areas of Chicago flat work ironers,
Chicago automated air towel folders, Colmac Steam Tunnel
folding, packing, quality control, soiled sorting, small washer dryers
counting/tracking.*

Dates of employment: 6/28/18 through 8/7/18

In acknowledgement this certificate is hereby awarded by

Laundry staff 8/7/18

Michelle Smith
CGMS/supervisors



Minnesota Correctional Facility – Red Wing

Training Certificate

is hereby granted to

Brian Kersten

to certify that he has completed to satisfaction
the proper procedures & training required on the

On-Call Bio-Hazard Clean-up Crew

1-10-19

DATE

Chris Barth, Safety Administrator

CERTIFICATE

Brian Kersten

Has successfully completed the
Industrial Lift Truck Safety Course

Company Name: City of Red Wing

Company Representative: Jeff Schneider

Instructor: Jason Frion

Type of Equipment: Class IV & V Industrial Lift Truck

Date of Completion: 03/12/19

CERTIFICATE

Brian Kersten

Has successfully completed the
Industrial Lift Truck Safety Course

Company Name: City of Red Wing

Company Representative: Rick Moskwa

Instructor: Jason Frion

Type of Equipment: Class IV, V & VII Industrial Lift Truck

Date of Completion: 03/12/19

CERTIFICATE

Brian Kersten

Has successfully completed the
Aerial Work Platform Safety Course

Company Name: City of Red Wing

Company Representative: Rick Moskwa

Instructor: Jason Frion

Type of Equipment: Aerial Work Platform

Date of Completion: 03/12/19

CERTIFICATE

Brian Kersten

Has successfully completed the
Utility Vehicle Safety Course

Company Name: City of Red Wing

Company Representative: Rick Moskwa

Instructor: Jason Frion

Type of Equipment: Utility Vehicle

Date of Completion: 03/12/19

Minnesota Department of Corrections

Offender Safety Training

Work Site MCF-Red Wing

Brian Kersten

Offender Name

253592

OID #

I understand that I will be on call 24 hours a day to clean-up potentially infectious bodily fluids and that my rate of pay will be \$2 per clean-up event. I have received training on the following topics and agree to receive the Hepatitis B vaccine:

- (1) A general explanation of the epidemiology and symptoms of bloodborne diseases (i.e. human immunodeficiency virus (HIV), Hepatitis B (HBV), Hepatitis C (HCV), including hazards to special at-risk employee groups.
- (2) An explanation of the chain of infection or infectious disease process, including agents, reservoirs, modes of escape from reservoir, modes of transmission, modes of entry into host and host susceptibility to bloodborne pathogens, including the relative risks of various body fluids and routes of exposure.
- (3) How to gain access to further information and reference materials that must be made available in the workplace, including the location, contents and availability of pertinent materials that explain symptoms and effects of each infectious agent.
- (4) Information on the Hepatitis B vaccine, including information on its effectiveness, safety, method of administration, recommended immunization practices, and benefits.
- (5) An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious material (OPIM).
- (6) An explanation of the use and limitations of methods that will prevent or reduce exposure, including standard precautions, appropriate engineering controls, work practices, personal protective equipment (PPE) and housekeeping.
- (7) An explanation of the basis for selection of PPE.
- (8) Information on the types, proper use, location, removal, handling, decontamination and disposal of PPE.
- (9) An explanation, demonstration and practice of the proper procedures for clean-up of blood or body fluids.
- (10) Information on the appropriate action to take and persons to contact in an emergency involving blood or OPIM.
- (11) An explanation of the procedure to follow when an exposure incident occurs, including how to report the incident, and an explanation of the medical follow-up that will be made available.
- (12) An explanation of the required labels and signs and/or color-coding to denote bio-hazard.
- (13) An opportunity for interactive questions and answers with the person conducting the training session.

Brian Kersten 1/10/19
Offender signature & date

[Signature] 1-10-19
Supervisor signature and date

Distribution: Work file, Base File, Offender



February 7, 2020

To whom it may concern:

This letter is provided as verification that Mr. Brian Kersten has been working with the City of Red Wing, Minnesota through the State of Minnesota Department of Corrections, and Institutional Community Work Crew (ICWC) for over 18 months and I would personally vouch for Mr. Kersten's integrity and professionalism.

Mr. Kersten has been a valuable asset to our operations setting an example for the entire crew in all aspects of his employment every day. Mr. Kersten has performed at a high level in nearly every capacity and position he has been assigned. He is willing to work hard without complaint and with a positive attitude. In total Mr. Kersten's job duties over the last 18 months have included the operation of our fork lifts, skid steers, cleaning and maintenance work throughout our entire system as well as the mattress deconstruction expert. During his time here, our operations have been under constant construction and transition, Mr. Kersten always kept himself busy and productive.

We place a lot of trust in Mr. Kersten and he has more than repaid us with his hard working, self-starting work style in short, Mr. Kersten stepped up to the plate and made himself a part of our team and I am grateful for his efforts! Mr. Kersten has mastered many skills since working here on a daily basis and has shown a level of pride in doing the job right the first time. Mr. Kersten was sincere and earnest in his desire to learn new skills and he has made the most of his time spent with our organization.

Mr. Kersten is the consummate employee who will perform any assigned task with ever-increasing aptitude and a dedication to perfection. My staff and I will miss Brian but we shall be happy for the opportunities Brian's new future will hold. Mr. Kersten has been **a very dependable and hard working individual** with a clear understanding of his work assignments and his role within our operations. At all times Mr. Kersten has been respectful and cooperative and **I would highly recommend consideration of Mr. Kersten for employment within your organization. Hire Brian, you will be happy you did!**

Regards,

Jeffrey J. Schneider

Deputy Director of Public Works, Solid Waste Division

City of Red Wing

1873 Bench Street, Red Wing MN 55066

Phone: 651-385-3672

Fax: 651-385-3670

jeff.schneider@ci.red-wing.mn.us

1873 Bench St
Red Wing, MN 55066
Website: www.red-wing.org
Phone: 651.385.3658
Fax: 651.385.3670

Minnesota Department of Corrections

OFFENDER KITE FORM

Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses.

To: Volunteer Coordinator Goebel Date: 11-29-19

From: Brian Kersten OID# 253592

Facility/Unit Knox Room/Cell _____ Casemanager: Schewe

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: Is it possible to research some volunteer activities in the community for offenders? Not for pay. Maybe 2-3hr duration projects, churches, senior centers, community centers, library, seniors living at home alone (no one to help), any other ngo's around would be good places to check out

Thank you

Response from: K. Ricci - Volunteer Coordinator Date: 1/10/2020

I looked into this and spoke with vt. Prose about connecting with community organizations that might be interested in some help. I'm in the process of putting together a list of opportunities and will send it to vt. Prose when I'm all done. It sounds like there is interest in possibly tying something like this in with restorative justice. Feel free to check back with vt. Prose in a couple weeks to see where things are at. Me and Ms. Goebel

Return to: Brian Kersten OID# 253592 Unit: Knox Room/Cell: _____



are able to find opportunities but we are unable to actually assist with taking guys out to the community at this time so Lt. Prose & case worker scheme will look at options through Restorative Justice.



Pidanayaye

(Thank You)

Handwritten signature or initials at the top right of the page.

Handwritten text, possibly a name or address, in the upper middle section.

Handwritten text, possibly a name or address, in the upper right section.

Handwritten text in the middle section, possibly a message or address.

Handwritten text in the lower middle section, possibly a message or address.

Handwritten text at the bottom of the page, possibly a signature or name.



Central Office

1450 Energy Park Drive, Suite 200 | St. Paul, MN 55108
Main: 651.361.7200 | Fax: 651.642.0223 | TTY: 800.627.3529
www.mn.gov/doc

January 27, 2020

Brian Kersten
1079 Highway 292
Red Wing, MN 55066
OID 253592

Dear Brian,

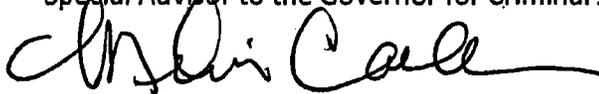
On behalf of Daniel Karpowitz, Assistant Commissioner for Criminal Justice Policy, I would like to thank you for your letter dated August 15, 2019.

I appreciate your interest in improving education opportunities for individuals in minimum.

You should begin with a Kite to Principal Powell at MCF-Red Wing. He is in charge of the juvenile education program and he would be your best contact for you to share your ideas or request.

Sincerely,

 Daniel Karpowitz
Assistant Commissioner for Criminal Justice Policy, Research and Planning
Special Advisor to the Governor for Criminal Justice



cc: Jay Powell

Minnesota Department of Corrections

OFFENDER KITE FORM

Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses.

To: Warden Thieren, Capt. Lash, Lt. Swarcutt Date: 3-24-19

From: Brian Kersten OID# 253592

Facility/Unit _____ Room/Cell _____ Casemanager: Schewe

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: This kite is just to touch bases with a few thoughts:

1. Felipe Ortiz was sent to fairbank due to some type of altercation. It made me wonder if deescalation training could have prevented it. A couple of months ago a new arrival who works on my crew had an altercation with a janitor over leaving a newspaper on a table. He said he was "ready to fight". I counselled him to take the high road, apologize & try to defuse the issue - partly because the janitor would have destroyed him in →

Response from: Mr. Thieren Date: 4-1-19

Brian,
Sorry for the delay response. I was on vacation
Appreciate your continual feedback and ideas. We have
access to some de-escalation programming right now. Will talk
to staff and see what we can come up with.

Return to: Brian Kersten OID# 253592 Unit: Crow Room/Cell: _____

a fight) He apologized, the janitor apologized & the fight was averted. I don't tell this for any credit for myself, just to show why this kind of training is needed. Also, there may be someone on your staff who could do it.

2. I asked several men with significant others if they would be interested in a relationship class with their significant other. They were very interested in it. I bring this up because I realize this type of program may take a while to ~~set~~ approve and set up, nevertheless it would be invaluable to the men who take it (& their sig. others).

3. It might be helpful to have the volunteer coordinator involved. Just a suggestion, you would know better than me if it would help.

Minnesota Department of Corrections
OFFENDER KITE FORM

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To: Medical Dept Date: 11-28-18
From: Brian Kersten OID# 253592
Facility/Unit Knox Room/Cell _____ Casemanager: Schwe

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: I had made a suggestion to
the staff in Knox to offer a CPR course
to the inmates. Mr. Hart and the
Lieutenant seemed receptive to the idea
as a way to offer a skill that could be beneficial
inside & outside of prison. Is there someone
qualified & agreeable to offer this to us?
If so, please contact Lt. Blaschko or Mr. Hart.
If not, would you provide a resource that
may be able to help? Thank you.

Response from: ANC Wherley Date: 11/29/18

This is a great suggestion that was
recently brought to the Administrative
Team. We are currently trying to
determine whether or not this could
be a possibility.

Return to: Brian Kersten OID#: 253592 Unit: KNOX Room/Cell: _____

Distribution upon completion of response: Original to offender; copy to respondent 303.101A (5/2009)



Minnesota Department of Corrections

OFFENDER KITE FORM

Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses.

To: Ann Wherley Date: 12-18-18

From: Brian Kersten OID# 253592

Facility/Unit Knox Room/Cell _____ Casemanager: Schewe

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: As the holidays are approaching I realize it may take a while to check into this: several incidents (near fights) here in Knox made me think of another class/seminar for the men here - de-escalation. It is a skill that is not difficult to learn and may help avoid incidents here and when the men are released. There was an article in the Star Tribune about a woman professor from a University in the Twin Cities (maybe Hamline) who taught it to various groups, this was several months ago

Response from: _____ Date: _____

I'm guessing the staff here gets training in de-escalation (we would hope) but if not they may benefit also - Thanks.

Thank you for your idea - I will give this to the unit. It for follow up your correct in that de-escalation is a skill everyone can benefit from.

Return to: Brian Kersten OID# 253592 Unit: Knox Room/Cell: _____



Minnesota Department of Corrections

OFFENDER KITE FORM

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To: Anni Wherley Date: 12-2-18

From: Brian Kersten OID# 253592

Facility/Unit Knox Room/Cell _____ Casemanager: Schewe

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: Thank you for the consideration of the CPR course. I'm grateful you see the merit in it. It has benefits for offenders - a sense of accomplishment, learning a skill that can be helpful in their post incarceration reentry. For staff - having people trained in CPR ground is always a good thing, administration - the satisfaction of providing a service & skill beneficial to society at large. One suggestion - when this is offered, an incentive (donuts, snacks) may be helpful as there may be some →

Response from: Anni Wherley Date: 12/4/18

Our safety director is currently not at the office, but this is on our list of things to explore. Stay tuned for more information

Return to: Brian Kersten OID# 253592 Unit: KNOX Room/Cell: _____



hesitation or anxiety about their ability
 to do it on the part of offenders,
~~And~~ I ask you to be a champion
 for this so it does not "die in committee."
 I thank you and a future cardiac
 arrest victim thanks you in advance :)

Gene He
 - 6978681
 Old Possum's Book
 of Practical Cats T.S. Eliot
 7.95

6912184 GHS

Japanese Folktales
 Classic Stories From
 Japan's Uncharted
 Past

Yei Theodorin
 Ozaki
 7.55

6885071
 The John Deere
 Century
 Randy LeFingwell
 29.95

6735002
 Coin Magic
 The Complete Book
 of Coin Tricks
 Dean Huggard
 3.95

73.75

Minnesota Department of Corrections
OFFENDER KITE FORM

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To: Ann Wherley Date: 1-21-19

From: Brian Kersten OID# 253592

Facility/Unit Knox Room/Cell _____ Casemanager: Schewe

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

Issue: I was browsing the job list on the transition computer and noticed a number of jobs past incarcerated people would be eligible for that either require or strongly desire CPR certification. Another good reason to have training/certification here.

Response from: Ann Wherley Date: 1/29/19

I am still working on this. Stay tuned.

Return to: B. Kersten OID# 253592 Unit: KNOX Room/Cell: _____



Minnesota Department of Corrections
OFFENDER KITE FORM

RECEIVED
AUG 31 2018

Offenders are encouraged to communicate with staff at all levels, but it is expected that the chain of command will be used. Your kite should be directed to the staff who can best answer your question. If you send a kite requiring an answer to the wrong staff, it will be returned to you. Kites are to be used for offender to staff correspondence only. If your kite is not specific, it will be returned for additional information. If you want your kite reviewed further up the chain of command, you must attach all previous kites to show the previous responses.

To: Natalya Karlikova Date: 8-29-18

From: Brian Kersten OID# 253592

Facility/Unit Dakota Room/Cell 100-1 Casemanager: Soderholm

Other staff you have contacted regarding this issue and the outcome/decision (attach responses):

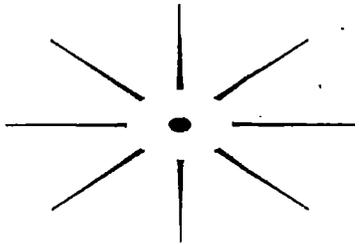
Issue: I will be transferring to Red Wing on Sept 18, 2018. Could I get a certificate for my involvement in Restorative Justice before then? Thank you.

Response from: _____ Date: _____

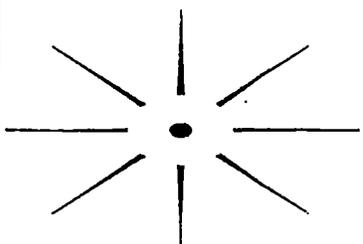
Yes
Thank you for your amazing work & dedication!
Your hard work will be missed.
I wish you the Best

Return to: Mr. Kersten OID#: 253592 Unit: DAK Room/Cell: 100/1





Certificate of Appreciation



THIS CERTIFICATE IS AWARDED TO

[Redacted name]

Brian Kersten

WE, THE RESTORATIVE JUSTICE COMMITTEE—FARBAULT, EXTEND TO YOU OUR MOST SINCERE APPRECIATION FOR ALL YOU HAVE CONTRIBUTED IN YOUR EFFORTS TO HELP REPAIR THE HARM TO CRIME VICTIMS.

SERVICE DATES
THRU
9-18-18

[Signature]
SIGNATURE

09/24/18
DATE
9/4/18
DATE

HEARTSAVER

Heartsaver® First Aid CPR AED



Brain Kersten

The above individual has successfully completed the cognitive and skills evaluations in accordance with the curriculum of the American Heart Association Heartsaver First Aid CPR AED Program.

Optional modules completed:

Exam, Child CPR AED, Infant CPR

| Issue Date | Recommended Renewal Date |
|------------|--------------------------|
| 12/5/2019 | 12/2021 |

To view or verify authenticity, students and employers should scan this QR code with their mobile device or go to www.heart.org/cpr/mycards.



HEARTSAVER

Training Center Name Minnesota State Colleges & Universities (MNSCU) Multi Regional Training Center

Training Center ID MN03788

TC Address 30 7th St East Ste 240
Saint Paul MN 55101-4951 USA

TC Phone (651) 201-1796

Instructor Name Sean Strelch

Instructor ID 02112303030

© 2016 American Heart Association 15-3002 3/16

Directions

1. Cut along dotted lines
2. Fold both halves together
3. Use adhesive to combine halves

October 9, 2020

To whom it may concern:

I am writing this letter to support Brian Kersten's request to reinstate his veterinary license. While he has made mistakes, he has acknowledged them, taken responsibility, and paid his debt to society. He was and would still be the best veterinarian I have ever had. I have lived in many different areas and have used veterinarians for 40 years.

Brian Kersten was a skilled diagnostician and cared more than any other vet I have used. He has been the only vet that was willing to handling emergencies even if it was inconvenient to him. As an example, we had a cat that after surviving cancer wound up with diabetes. When we had difficulty in managing the level of insulin, he took her home to care for her and try to manage the diabetes. In addition, Brian has been an excellent diagnostician. He kept looking for the underlying problem and didn't only treat the symptoms.

He has been our vet for cats, for our dog, and rescue rabbits that we cared for. He was always interested in finding out the underlying illness and in finding the best treatment for our pets. He always provided options and was cognizant of constraints whether it be financial or capability of us to handle the situation. I was always impressed with his interest in staying current and applying it in his practice. I have missed him as our vet and hope his license is restored.

In the process of using him as our veterinarian for approximately 11 years I came to regard him as a friend and am confident in his ability to act as a professional.



Sally Dresdow
2603 12th Avenue
Baldwin-WI 54028

October 9, 2020

To Whom it May Concern,

I am a board member of a small animal rescue in Wisconsin. Brian was very supportive for both basic and crisis care of the animals. As a small hobby farm rescue, over the years, we have had large and miniature horses, goats, potbelly pigs, llamas, and alpacas. In addition, there have been dogs, cats and kittens, rabbits, and guinea pigs. Brian cared for many of the small animals.

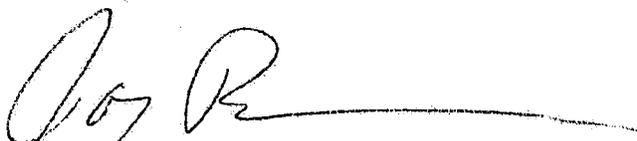
As one of the volunteers who arranged for the care of small animals, I can attest to the professional care he provided. He administered well-checks, distemper and rabies vaccinations, neutered/spayed (dogs, cats, and rabbits), and supportive care especially respiratory issues. More importantly was the care he provided in times of crisis:

- A dog arrived at the rescue having been shot and Brian repaired the leg – the dog was running and jumping when adopted to his forever home.
- An older cat was dropped of with a severely broken leg. Brian operated on the cat on Labor Day putting pins in to repair the leg – the cat walks and runs in her forever home.
- A miniature goat had severe urinary track issues, again surgically repaired.
- When a fire destroyed sections of the rescue, Brian not only donated money he took in several burned cats and restored them to health.

Funds are always tight at a small animal rescue. Brian provided services at a reduced rate and at times donated a portion of the services. He provided information that helped us deliver specialized supportive care to ensure that illnesses and injuries did not become more severe. This gave the animals a comfortable life and the volunteers great peace of mind.

I am aware of the mistake that Brian made and, as I have interacted with him in the past six months. I know that he has taken responsibility for his actions, paid his debt to society, and wants to positively contribute to society and the welfare of animals. I would welcome Brian back as a part of our medical team! I hope you will see fit to restore his veterinary license.

Sincerely,



Joy Benson
2603 12th Avenue
Woodville, WI 54028

8/29/2020

To whom it may concern:

Re: Dr. Brian Kersten

I have known Dr. Brian Kersten for 30 plus years. He is practical, reliable and optimistic. He is known to be very self-disciplined (strict work ethic) and enjoys working without supervision. In his veterinarian practice he was very successful and respected by his clients. He is kind-hearted to all he meets. I've known him to always be clean and neatly dressed.

Brian is very intelligent (wise) in a modest way and likes to attend to detail. He is loyal and dedicated to his patients/clients, and expects it in return. As a veterinarian his compassion to God's little creatures was remarkable.

I can assure you he will be an asset to returning to practice. ~~we~~ we are all waiting for his return and give our support.

Regards

Nelene Haworth
P.O. Box 190
Hudson WI 54016

phone # 651-343-0444

To Whom it May Concern –

I am writing this letter on behalf of Brian Kersten. Brian and his wife Jeanette are both active at the congregation where I serve. Over the past several years I have gotten to know them quite well as Brian walked through his legal proceedings and time of incarceration.

I was honored to be at their side when Brian was sentenced, during several visits while he was incarcerated and when I was able to re-marry them, it has been quite a ride.

Over the past several years I have seen Brian take responsibility for his actions and do his very best to use this time as an opportunity to grow and become a better person. Instead of seeing bitterness and resentment grow in him, I have seen joy and humility flourish in his life. As a pastor rarely do I see this happen in the way I have seen with Brian.

The truth is we all mess up, we cannot even keep our own rules most of the time and if anyone is ready to use his gifts to once again serve people in a way that will honor them and Jesus it is Brian.

I think of the words of Jesus to the religious elite after a prostitute crashed their party to anoint Him. Instead of condemning her He reminded all those present that she loved much because she had been forgiven much and the one that loves little has been forgiven little. Her life was changed by forgiveness and it showed, because she took responsibility.

Brian had much to be forgiven and through Jesus he is now experiencing that forgiveness and living a life shaped by the truth that his identity is not in his failures but in the truth that he is a child of God.

I am more than happy to talk further about Brian and his character!

Peace,



Tom Pfothenauer, Senior Pastor

Cell: 651-295-9608

Amy Benson

From: La Crescent Animal Care <lacrescentanimal@gmail.com>
Sent: Tuesday, October 13, 2020 3:07 PM
To: Timothy O'Brien
Subject: Brian Kersten

October 10, 2020

To Whom it May Concern:

I have known Brian Kersten since 1979 when we started our veterinary education together at the University of Minnesota. We were classmates for four years and roommates for two years.

I understand that Brian was incarcerated and recently released. We have talked on the phone and I believe he sincerely wants to get his life back on a positive track and has already taken steps to do so.

Brian has been generous with his time helping others in the past and has much more to contribute to society and the Veterinary Profession. I believe he will make the most of opportunities in the future to amend for what he regrets in his past.

The Brian that I know is a good, kind and giving person that deserves a second chance. I believe in redemption and want to be supportive of him going forward.

Thank you for your consideration.

Michael McCormick, D.V.M.
La Crescent Animal Care
204 S. Walnut St.
La Crescent, MN 55947
507-895-3600

Veterinary Examining Board Agenda Request Form

| | |
|--|---|
| 1) Meeting Date | 10/21/2020 |
| 2) Requestor Name | Angela Fisher |
| 3) Item Title for the Agenda | Administrative Code VE 1-11 – Approval of the Statement of Scope and Discussion of Telehealth Advisory Committee |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | “VEB Rules Status” “VE 1-11 Statement of Scope” “VE 1-11 Summary of Public Comments” “Telehealth Committee Notice” “Telehealth Committee Application” |
| 6) Is a Public Appearance Anticipated? | No |
| 7) Description of the Agenda Item | <p>Approval of the Statement of Scope</p> <ul style="list-style-type: none"> - Attached is a summary of public comments from the preliminary hearing and comment period. - The DATCP Board approved the statement of scope on September 24th. - The statement of scope is ready for VEB approval at the October 21st meeting. <p>Telehealth Advisory Committee – Timeline and Discussion</p> <ul style="list-style-type: none"> - October 21st VEB meeting and approval of the statement of scope. - Solicit applications for a Telehealth Committee. <ul style="list-style-type: none"> o Send out notification asking for applications. Plan to send notification by October 30. o A draft notification and draft application is attached. o Send a notification to: <ul style="list-style-type: none"> Discuss who to send the notification to at the October 21st VEB meeting: veterinarians, CVTs, other individuals/groups who have expressed interest in participating in the telehealth advisory committee o Deadline for submissions: November 20th - Hold a meeting of the Administrative Rules Committee to review the applications and create a list of proposed members. Plan to meet the week of December 7-11. - Bring the list of proposed members to the full VEB for approval. Plan for the January 20th DATCP Board meeting. - Send approvals/rejections as applicable to each of the applicants. - Send a list of the selected members to JCRAR, pursuant to s. 227.13, Wis. Stats. - Hold a meeting of Administrative Rules Committee to discuss telehealth and initial questions/parameters for the Telehealth Committee. Plan for early February. |

| | |
|--|---|
| | <ul style="list-style-type: none">- Hold a meeting of the Telehealth Committee. Plan for the week of February 15-19.- Plan for future meetings, including at least one more meeting of the Telehealth Committee. |
|--|---|

DAH Rules Estimated Timelines

Future dates are estimates for the purposes of work planning.
Last Updated: 10/7/20

| Key | |
|--------|---|
| White | Estimated date |
| Blue | Actual date |
| Yellow | Estimated date requires revision |
| Red | Projection exceeds deadline (scope expires) |

| Rule | Topic | Scope # | DATCP Docket # | Clearing-house # | Statement of Scope | | | | | | | | | | Hearing Draft | | | | | | | | | | Final Draft | | | | | | | | | | Deadline to Refer to Legis. (Scope Expires) | Rule Effective Date | |
|---------|-----------------|-----------|----------------|------------------|--------------------|-------------------|------------------------|---------------------------|----------------------------------|-----------------------|----------------------------|-----------------|-------------------|-----------------|----------------------|---------------------|--------------------|-------------------|-----------------|---------------------|---------------|--------------------|----------------------------|-----------------|-------------------|-----------------|---------------------|-------------------|------------------------|--------------------------|----------------|-------------------|----------------|-------------------|---|---------------------|-------------|
| | | | | | Initiate | | Governor | | Preliminary Hearing ¹ | | | | Board | | Info | | EIA ² | | Board | | Clearinghouse | | Hearing | | | Board | | Governor | | Legislature ³ | | | | | | | Adopt |
| | | | | | Begin Scope | Scope to Governor | Governor Approve Scope | Scope Publish in Register | Materials to OS | Board Approve Hearing | Notice Publish in Register | Hearing Date(s) | Record Open Until | Materials to OS | Board Approve Scope | Advisory Comm. Meet | Posted for Comment | Record Open Until | Materials to OS | Board Approve Draft | Refer to CH | Receive CH Comment | Notice Publish in Register | Hearing Date(s) | Record Open Until | Materials to OS | Board Approve Final | Final to Governor | Governor Approve Final | Refer to Legis. | Refer to Comm. | Comm. Review Ends | Refer to JCRAR | JCRAR Review Ends | | | Rule to LRB |
| VE 1-11 | Reorg v3 + Tele | SS 064-20 | | | 2/24/20 | 4/7/20 | 5/15/20 | 6/8/20 | 7/6/20 | 7/23/20; 7/29/20 | 8/10/20 | 8/19/20 | 8/26/20 | 9/3/20 | 9/24/20; 10/21/20 | 2/19/21 | 5/1/21 | 6/30/21 | 9/2/21 | 9/23/21 | 9/30/21 | 10/20/21 | 10/24/21 | 11/3/21 | 11/17/21 | 2/10/22 | 3/3/22 | 3/10/22 | 5/9/22 | 5/23/22 | 1/25/23 | 3/26/23 | 4/5/23 | 6/4/23 | 6/18/23 | 12/8/22 | 8/1/23 |

| Rule Process Step: | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 | Step 10 | Step 11 | Step 12 | Step 13 | Step 14 | Step 15 | Step 16 | Step 17 | Step 18 | Step 19 | Step 20 | Step 21 | Step 22 | Step 23 | Step 24 | Step 25 | Step 26 | Step 27 | Step 28 | Step 29 | Step 30 | Step 31 | Expiration | Step 32 |
|--|---------------------------------|----------------------|----------------------|----------------------|---------------------------|-----------------------|---------------------------------------|---|---------------------|---------------------------|-----------------------|-----------------------------------|----------------------------|-----------------------|---------------------------|-----------------------|----------------------|-----------------------|------------------------|--|-----------------------|---------------------------|-----------------------|----------------------|-----------------------|-----------------------|--|---|-----------------------|---|-----------------------|------------------------|---------------------------------|
| General Projection Assumptions: (specific projections may vary) | Begin process of drafting scope | 90 days after Step 1 | 60 days after Step 2 | 14 days after Step 3 | 21 days before Step 6 | 30 days after Step 4 | 10 days after Step 6 | 7 days after Step 7 | 7 days after Step 8 | 21 days before Step 11 | 30 days after Step 9 | 120 days after Step 11 | 90 days after Step 11 | 60 days after Step 13 | 21 days before Step 16 | 60 days after Step 14 | 7 days after Step 16 | 20 days after Step 17 | 10 days before Step 20 | 14 days after Step 18 | 14 days after Step 20 | 21 days before Step 23 | 90 days after Step 21 | 7 days after Step 23 | 60 days after Step 24 | 14 days after Step 25 | 10 days after Step 26 | 60 days after Step 26 | 10 days after Step 27 | 60 days after Step 29 | 14 days after Step 30 | 30 months after Step 4 | 1-2 months after Step 31 |
| Notes: | | | | | 7 days OS + 14 days Board | Or next Board meeting | Monday after DATCP submits to publish | At least 3 days after publish in register | | 7 days OS + 14 days Board | Or next Board meeting | Only some rule packages will have | Or later if advisory comm. | 14, 30, or 60 days | 7 days OS + 14 days Board | Or next Board meeting | | | | At least 10 days after publish in register | | 7 days OS + 14 days Board | Or next Board meeting | | | | Or next session if referred after March in even year | 30 days, can be extended to 60 days (+ more if hearing) | | 30 days, can be extended to 60 days (+ more if hearing) | | | 1st of month after 1 full month |

¹JCRAR may require a preliminary public hearing for the scope statement.

²JCRAR may require a separate, independent economic analysis any time between the EIA posting and the Governor's approval of the final draft.

³The standing committees and/or JCRAR may take actions, including requiring a meeting/hearing, making germane changes, recalling the rule, and introducing legislation.

STATEMENT OF SCOPE

Veterinary Examining Board

Rule No.: Chs. VE 1 to 11, Wis. Admin. Code (Revised)

Relating to: Licensing, Practice Scope, and Standard of Practice for Veterinarians and Veterinary Technicians

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

Not applicable.

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to make chs. VE 1 through 11 easier to access and understand quickly.

Fee amounts would not be changed as a part of this proposal. However, the Veterinary Examining Board (VEB) will propose that existing fee amounts be stated in rule to make this information easier to access.

The VEB may propose that the existing eleven rule chapters be consolidated into as few as three chapters, to make it easier to access information for veterinarians, veterinary technicians, and the veterinary professional assistance program.

The VEB proposes that a new chapter be added, to include procedures on discipline that were part of Department of Safety and Professional Services (DPS) rules pertaining to all DPS boards but were not transferred to the Department of Agriculture, Trade and Consumer Protection (DATCP) in chs. VE 1 through 11.

The VEB proposes to evaluate rule provisions and language for clarity, consistency, and ease of use, including evaluating procedures and processes, technical changes and updates, delegation of veterinary medical acts, references to relevant statutory requirements, and terminology.

The VEB proposes to evaluate rule language to fulfill the requirements in Wis. Stat. s. 89.078 (2), which requires the VEB to determine by rule what information and documentation a credential holder shall include with a written notice of a conviction.

In response to public comments received during the preliminary public hearing and comment period for SS 125-19, the VEB proposes to evaluate rule language to address the use of telehealth technologies in veterinary medicine and evaluate the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Existing Policies Relevant to the Rule

- The current rules, consisting of chs. VE 1 through 11, are denominated as follows:
 1. Authority and Definitions
 2. Examinations

3. Licensure by Examination for Veterinarians
 4. Licensure by Endorsement for Veterinarians
 5. Practice Related to Veterinary Schools
 6. Temporary Consulting Permits
 7. Standards of Practice and Unprofessional Conduct for Veterinarians
 8. Certification for Veterinary Technicians
 9. Standards of Practice and Unprofessional Conduct for Veterinary Technicians
 10. Continuing Veterinary Education for Veterinarians and Veterinary Technicians
 11. Veterinary Professional Assistance Program
- 2015 Wisconsin Act 55 transferred the VEB from DSPS to DATCP. However, most of the general licensing requirements did not transfer to DATCP in the current chs. VE 1 through 11. This includes rules specifying the procedures and requirements for all boards under DSPS, as well as the fee amounts for VEB fees.
 - Current rules refer to the fees required under Wis. Stat. ch. 440, which is the DSPS portion of the statutes, and does not list the dollar amounts of the fees. DATCP has continued to use the same fee amounts that DSPS used, but these amounts are not stated in chs. VE 1 through 11.
 - Wis. Stat. s. 89.03 (1) requires the VEB to review the rules at least once every 5 years to determine whether they are consistent with current practice.

New Policies Proposed to be Included in the Rule

- Evaluating whether to state the current fee amounts in rule. Fee amounts would not change.
- Evaluating whether to consolidate the existing eleven chapters.
 - o This could include evaluating whether to consolidate the existing rules into as few as three chapters: one for veterinarians, one veterinary technicians, and one for the professional assistance program. Consolidation could make the rules easier to access quickly.
- Evaluating whether to add a chapter for relevant disciplinary procedures that did not transfer in rule from DSPS to DATCP in chs. VE 1 through 11.
- Evaluating whether to make changes regarding procedures and processes.
 - o For example, evaluating whether to document a review process for the annual review of colleges and technical schools referenced in ss. VE 1.02 (1e) and 8.01 (1), remove the reference to the review being annual, or make no change.
 - o For example, evaluating whether to expand the process under s. VE 3.05 to include applicants who are scheduled to take or are awaiting results from the examination on state laws and rules, document a separate process, or make no change.
- Evaluating whether to make technical changes and updates.
 - o For example, evaluating whether to add the denial of a license to the list of reasons for a temporary permit to expire under s. VE 3.05 (6).
 - o For example, evaluating whether to permit the electronic submission of the certification of graduation through an online system managed by the American Association of Veterinary State Boards.
 - o For example, evaluating whether to provide additional direction in the rules to assure the requirements for access to health care records required in Wis. Stat. s. 89.075 are clear and consistently applied.

- Evaluating whether to allow licensed veterinarians to delegate any additional veterinary medical acts to certified veterinary technicians and/or unlicensed assistants.
 - o For example, evaluating whether to modify s. VE 7.02 to allow unlicensed assistants to administer an IV catheter under the direct supervision of a veterinarian present on the premises, per requests from stakeholders.
- Evaluating for consistency and ease of use the places in which rule requirements repeat, or refer to requirements under Wis. Stat. ch. 89. This could include evaluating whether to remove repetitive rule language, refer to the relevant section of statute within the rule text, and use notes to alert the reader to related requirements in the statute, or make no change.
 - o For example, unprofessional conduct is listed in Wis. Stat. s. 89.07 and Wis. Admin. Code s. VE 7.06. The rule language repeats some of the items that are listed in statute, but not all. For items that are not repeated, the rule does not refer the reader to the statute through either the rule text or a note. This partial repetition and partial absence can make the rule unnecessarily complex to understand.
 - o For example, evaluating the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian. This would include evaluating when a veterinarian could fill a prescription for the client of another veterinarian.
- Evaluating whether to modify terminology for clarity and consistency.
 - o For example, evaluating whether to rename temporary permits (s. VE 3.05) and/or temporary consulting permits (ch. VE 6) to make it easier to distinguish between the different types of permits.
 - o For example, evaluating whether to use the word "dispense" rather than "sell" to be more consistent with statutory language and definitions to make the language clearer and easier to understand.
- Evaluating new language to fulfill the requirements of Wis. Stat. s. 89.078 (2), which requires the VEB to determine by rule what information and documentation a credential holder shall include with a written notice of a conviction. The rules do not currently state what information and documentation is required.
- Evaluating new language to address the use of telehealth technologies in veterinary medicine. This would include evaluating under what circumstances it may be appropriate to utilize telehealth technologies in the practice of veterinary medicine versus an in-person physical examination.

Analysis of Policy Alternatives

- Rule Proposal: The existing rules would be evaluated for clarity and ease of use. The fee amounts would remain the same but could be stated in rule to make them readily accessible. Restructuring the chapters could make the rules easier to read and reference quickly. Adding a chapter for relevant procedures could make those procedures clearer and more accessible for credential holders. Evaluating procedures and processes, technical changes and updates, delegation of veterinary medical acts, references to relevant statutory requirements, and terminology could make the rules more consistent and easier to understand. Adding rule language to determine what information and documentation is required in a written notice of conviction from a credential holder would fulfill the requirements of Wis. Stat. s. 89.078 (2). The rule proposal could reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to read and understand quickly. The rule proposal would also allow the VEB to respond to public interest to address the use of telehealth technologies in veterinary medicine.
- No Change: Should the VEB not modify the existing rules, the rules would remain unnecessarily difficult to understand. The amounts of fees would continue to be unspecified in rule. Current

requirements relating to veterinarians and veterinary technicians would remain scattered across multiple rule chapters. Some of the board's procedures and processes would remain unclear. The board would not be able to evaluate technical changes and updates or the delegation of veterinary medical acts. References to relevant statutory requirements would remain inconsistent. Some terminology would continue to be unclear and confusing, such as language regarding dispensing versus selling. The rules would continue to not state what information and documentation is required in a written notice of conviction from a credential holder as required by Wis. Stat. s. 89.078 (2). Each of these concerns makes the current rules unnecessarily difficult to understand. The VEB would also not be able to evaluate and respond to public interest to address the use of telehealth technologies in veterinary medicine.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 89.03, Stats., authorizes the VEB to promulgate rules as follows:

89.03 Rules.

- (1) The examining board shall promulgate rules, within the limits of the definitions under s. 89.02 (6), establishing the scope of practice permitted for veterinarians and veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, certification, or temporary permit, unprofessional conduct, and disciplinary proceedings.
- (2) The examining board shall promulgate rules requiring training and continuing education sufficient to assure competency of veterinarians and veterinary technicians in the practice of veterinary medicine, except that the board may not require training or continuing education concerning the use, handling, distribution, and disposal of pesticides other than for disciplinary purposes.
- (3) The examining board shall promulgate rules specifying a procedure for addressing allegations that a person licensed or certified by the veterinary examining board under this chapter has practiced as a veterinarian or veterinary technician while impaired by alcohol or other drugs or that his or her ability to practice is impaired by alcohol or other drugs, and for assisting a person licensed by the veterinary examining board under this chapter who requests to participate in the procedure or who requests assistance in obtaining mental health services. In promulgating rules under this subsection, the examining board shall seek to facilitate early identification of chemically dependent veterinarians or veterinary technicians and encourage their rehabilitation. The rules promulgated under this subsection may be used in conjunction with the formal disciplinary process under this chapter. The examining board may contract with another entity to administer the procedure specified under the rules promulgated under this subsection.

Section 89.063, Stats., authorizes the Department to determine by rule the fees as follows:

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

Section 89.078 (2), Stats., authorizes the VEB to determine by rule what information and documentation a credential holder shall include with a written notice of a conviction:

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

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

The Department estimates that it will use approximately .5 FTE staff to develop this rule. That calculation includes time required for investigation and analysis, drafting the rule, preparing related documents, coordinating advisory committee meetings, holding public hearings, and communicating with affected persons and groups. The Department will use existing staff to develop this rule.

6. List with description of all entities that may be affected by the proposed rule:

The proposed rule would directly affect Wisconsin licensed veterinarians and certified veterinary technicians. Most veterinary practices are small businesses. Current fee amounts would not change.

The proposed rule may indirectly affect pet and livestock owners who are consumers of veterinary services.

Adjustments to make rule language and structure clearer, and to simplify processes where possible, may reduce the burden to each of these affected entities, by making the rules easier to access and understand quickly.

The VEB held a public hearing on SS 125-19 on February 17, 2020, in Madison, WI. The hearing record remained open until February 24, 2020. The VEB received three comments. All three comments requested that the statement of scope be expanded to address the use of telehealth technologies in the practice of veterinary medicine. One comment also requested that the statement of scope address the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian. This statement of scope is revised to include both of these topics. No additional entities would be impacted as a result of this revision. Evaluating language regarding telehealth technologies may reduce the economic burden to veterinarians and animal owners in certain circumstances, especially in rural areas.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

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

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

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

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

Most veterinary practices are small businesses. Adjustments to make rule language and structure clearer may reduce the burden to veterinarians, veterinary technicians, and consumers of veterinary services, as the rules may become easier to access and understand quickly.

Evaluating new language regarding telehealth technologies may reduce the economic burden to veterinarians and animal owners in certain circumstances, in rural areas for example.

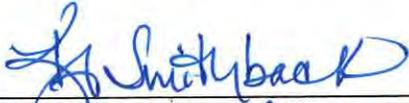
Contact Person: Melissa Mace, Executive Director, Veterinary Examining Board; (608) 224-4883

Signed this 1 day of April 2020

Melissa Mace, Exec Director VER, on behalf of

Dr. Robert Forbes, DVM
Chair
State of Wisconsin Veterinary Examining Board

Signed this 6th day of April 2020



for Randy Romanski
Interim Secretary
State of Wisconsin Department of Agriculture,
Trade and Consumer Protection

*KELLY SMITHBACK
DMS ADMINISTRATOR*

**Summary of Public Comments
Statement of Scope SS 064-20
Chapters VE 1-11
Permanent Rule Regarding Licensing, Practice Scope, and Standards of Practice for Veterinarians and
Veterinary Technicians**

**Statement of Scope Preliminary Public Hearing
Teleconference, 2:00 pm, August 19, 2020**

| Name/Organization | Position | Summary of Comments |
|---|-----------------|---|
| Chris Stokes, Sanimax | For Information | - Asked whether the administration of drugs includes euthanasia drugs. |
| John Holevoet, Dairy Business Association | Support | - Excited about the prospect of this rule being undertaken and appreciate the department's work on this matter. - Sees this as an opportunity for telehealth. - Optimistic that the end result will be a rule that provides more flexibility for farmers and veterinarians. |

**Statement of Scope Preliminary Public Comment Period
Written Comments Received through August 26, 2020**

| Name/Organization | Position | Summary of Comments |
|--|-----------------|---|
| Jordan Lamb on behalf of the Wisconsin Veterinary Medical Association (WVMA) | Support | - Supports the scope to revise and reorganize VE 1-11. - Supports that the scope has been revised to clearly allow the VEB to: (1) develop an administrative rule to address the use of telehealth technologies in the practice of veterinary medicine in Wisconsin and (2) allow the development of an administrative code amendment to address the circumstances under which a veterinarian may dispense a drug for a patient of another veterinarian. |



State of Wisconsin

Veterinary Examining Board

Governor Tony Evers

Dr. Robert Forbes, DVM, Chair

The Wisconsin Veterinary Examining Board is searching for candidates to serve on a telehealth advisory committee regarding [Statement of Scope SS 064-20](#) to amend Wis. Admin. Code § VE 1-11.

The objective of the committee is to evaluate rule language to address the use of telehealth technologies in veterinary medicine.

Interested persons should download and complete the application (*PIO will create a link here*), and submit it to Angela Fisher at angela.fisher1@wisconsin.gov by **Friday, Nov. 20**. Applications also can be mailed to:

*Division of Animal Health
Department of Agriculture, Trade and Consumer Protection
P.O. Box 8911, Madison, WI 53708-8911*



State of Wisconsin

Governor Tony Evers

Veterinary Examining Board

Dr. Robert Forbes, DVM, Chair

**Application to Serve on Telehealth Advisory Committee
Regarding Statement of Scope SS 064-20
VE 1-11, Veterinarians and Veterinary Technicians**

Name:

Contact Information:

- Email:
- Phone Number:
- Address:

What is your involvement in veterinary medicine? (indicate all that apply)

1. Veterinarian
2. Certified Veterinary Technician (CVT)
3. Industry (please specify)
4. Member of the Public
5. Other (please specify)

License/certification number, if applicable:

Write a brief statement explaining how you would be a valuable addition to the telehealth advisory committee:

Please submit the completed application to Angela Fisher at angela.fisher1@wisconsin.gov by November 20, 2020.

The statement of scope is available at:

https://docs.legis.wisconsin.gov/code/register/2020/774A2/register/ss/ss_064_20/ss_064_20

**Veterinary Examining Board
Agenda Request Form**

| | |
|--|--|
| 1) Meeting Date | 10-21-20 |
| 2) Requestor Name | M. Mace |
| 3) Item Title for the Agenda | 2021 VEB meeting |
| 4) Should the Item be in Open or Closed Session? | Open |
| 5) Are there Attachments? (If yes, include file names) | |
| 6) Is a Public Appearance Anticipated? | No |
| 7) Description of the Agenda Item | <p>Traditionally held on the third Wednesday of the month, unless Board members have conflicts:</p> <p>Proposed dates for 2021: January 20 April 21 July 21 October 20</p> <p>2020 dates for reference: January 22 April 29 July 29 October 21</p> |