

## Conflicts of interest—Veterinary Examining Board 4/19/2023

### I. Code of Ethics for Public Officials.

- VEB members are subject to the requirements of [Wisconsin’s Code of Ethics for Public Officials](#).
- The purpose of the Ethics Code is to set standards for public officials to follow to avoid conflicts between their personal interests and public responsibilities.
- Under the Ethics Code, VEB members should not:
  - Use their position on the board to gain anything of value for themselves, their immediate family,<sup>1</sup> or any organization they are associated with.<sup>2</sup>
  - Solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence their vote, official actions, or judgment, or could reasonably be considered as a reward for any official action or inaction on their part.
  - Use or disclose non-public information obtained in the course of official duties in a way that could result in the receipt of anything of value for themselves, their immediate family, or any other person.
  - Use their position on the board to influence or gain unlawful benefits, advantages, or privileges for themselves or others.
- These standards apply both when conducting official VEB business and in members’ everyday lives, including their employment and interactions with the public, family, and friends.

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<sup>1</sup> “Immediate family” means a person’s spouse and anyone related to the person by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of their support from the person or from whom the person receives more than one-half of their support.

<sup>2</sup> An “organization” is a corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust, or other legal entity. A person is associated with an organization if the person or a member of the person’s immediate family is a director, officer, or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10 percent of the outstanding equity or if the individual or a member of the person’s immediate family is an authorized representative or agent of the organization.

- If a conflict on a VEB matter arises for a member under the Ethics Code's standards, the member should recuse from the matter. The member should inform DATCP staff of the conflict and the recusal. Once recused, the member should not participate in any discussion or votes related to the matter.
- The Ethics Code is not designed to prevent VEB members from participating in matters that affect the members' personal interests because they affect the profession generally. Most of the time, it is not a conflict for members to participate in VEB business concerning the profession as a whole even if the VEB's actions might have some effect on the member's practice.

## **II. Conflicts of interest and disciplinary cases.**

- The Ethics Code applies to VEB members' participation in disciplinary cases. If members have a conflict under the Ethics Code regarding a disciplinary case, they should recuse themselves from it.
- VEB members must also ensure that they do not engage in actions that create a serious risk that they are actually biased in disciplinary cases. People coming before the VEB for disciplinary cases have the right to a fair proceeding. The right to a fair proceeding requires that VEB members ruling on disciplinary matters be fair and impartial.
- Members should look out for, and consider recusing themselves from, cases that involve family, close friends, people that the member practices or with, and other people or entities that the member has a close relationship with.
  - Members should ask how an outside observer, knowing the facts of the disciplinary case and your relationship to it, would view their ability to be fair and impartial.
- Members should also recuse themselves from any case where, for whatever reason, they think that they cannot be fair and impartial.
- Members should not discuss pending cases with people who are not VEB members or the VEB's DATCP staff. Such discussions risk creating bias or the appearance of it.

## **III. Assistance.**

- Please contact Melissa Mace and Aaron O'Neil with any questions on conflicts of interest or if you plan on recusing yourself from a VEB matter.