



VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, July 26, 2017

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

STAFF: Department of Agriculture, Trade, and Consumer Protection (DATCP): Lauren Van Buren and Cheryl Daniels, DATCP Attorneys; Matt Tompach, Administrative Policy Advisory; Sally Ballweg, License/Permit Program Associate; Kelly Markor, Executive Staff Assistant. Bureau of Information Technology Services (BITS): Karen Arriola, Scott Gordon, Amy Knoploh.

CALL TO ORDER

Philip Johnson, Chair, called the meeting to order at 9:00 AM. A quorum of eight (8) members was confirmed.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE BOARD MEETING MINUTES OF THE APRIL 26, 2017 MEETING

MOTION: Sheldon Schall moved, seconded by, Diane Dommer to approve the Minutes from the, Wednesday, April 26, 2017 Meeting. Diane Requested clarification of the scope of practice question from the minutes. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

MyDATCP ONLINE LICENSING PORTAL DEMONSTRATION

Amy Knoploh and Scott Gordon, DATCP-BITS, demonstrated the new licensing portal for Veterinarians and Veterinarian Technicians, as well as the licensing process.

SCOPE OF PRACTICE

Operation of Mobile Pet Imaging Services

The Board discussed issues relating to mobile pet imaging services and the practice of veterinary medicine in Wisconsin, based on an inquiry from company based in Florida looking to possibly operate in Wisconsin.

MOTION: Robert Forbes moved, seconded by Lisa Nesson, to send a letter stating that it would not be a violation of Wisconsin veterinary statutes for the operation of mobile pet

imaging services, provided that the person or persons providing direct patient care are licensed in the State of Wisconsin. Motion carried unanimously.

Semen Collection/Testing of Beef Bulls By a Non-licensed Individual

The Board discussed semen collection/testing of the beef bulls and recommended further investigation of possible unlicensed practice of veterinary medicine and if any licensed veterinarians may be implicated in abetting the practice.

Prescribing of Hemp to Small Animal Patients

The Board discussed an inquiry received by VEB staff requesting clarification of regulations regarding the prescribing of hemp to small animal patients. Hemp is not currently regulated by the VEB.

MOTION: Diane Dommer moved, seconded by Bruce Berth, that the Board takes no position on hemp products' efficacy or side effects; however, the veterinarian dispensing or endorsing hemp is nevertheless taking all responsibility under their VCPR in the recommendation, dispensing, or use of hemp. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

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

At the April 26, 2017 full Board meeting, members agreed to allow oral arguments at the July meeting concerning the Board's decision to deny an exemption for bovine embryo transfer under the definition of "surgery" in Wis. Admin. Code s. VE 1.02(9). The Board proceeded, pursuant to Wis. Stat. s. 227.18(3), whereby arguments may be made to the Board, as a quorum of the Board was not present at the Nov. 30, 2016 public hearing on the rule when an objection was made. Because Dr. Greg BeVier and Sexing Technologies made an objection to the rule at the hearing and in writing, the Board invited Dr. BeVier, or another representative of Sexing Technologies, to present its argument before the entire Board, as well as experts identified by Wisconsin Veterinary Medical Association (WVMA), a proponent of the rule, to speak on this issue.

In response, Dr. BeVier and Michelle Kussow, representing Sexing Technologies, appeared before the Board in favor of the bovine embryo transfer exemption; Dr. Jon Schmidt of Trans-Ova Genetics and Jordan Lamb of WVMA appeared in opposition to the exemption.

The Board directed Board Counsel Cheryl Daniels to draft rule language for possible consideration at the October meeting stating that the piercing of reproductive tissues for the performance of reproductive technologies is an activity considered the practice of veterinary medicine, which may be delegated to certified veterinary technicians under the supervision of a licensed veterinarian.

Rules Advisory Committee on VE 1 and VE 7

Board Counsel Cheryl Daniels and Bruce Berth briefed VEB members on the Rules Advisory Committee (RAC) meeting of July 12, 2017. Counsel hopes to have a draft of the proposed rule relating to VE 7 for hearing ready for Board consideration in October.

AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS (AAVSB) MATTERS **Annual Meeting, September 14-16, 2017, San Antonio, TX – Update**

Philip Johnson, Robert Forbes, and Matt Tompach will attend the AAVSB Annual Meeting, with Dr. Forbes designated as the voting delegate, and Dr. Johnson designated the alternate delegate.

Members also reviewed proposed bylaws and resolutions to be considered at the meeting

BOARD MEMBER REPORTS

There were no reports from members.

FUTURE MEETING DATES AND TIMES

The next VEB meeting is scheduled for October 25, 2017 at 9:00 a.m.

The next Screening Panel meetings are scheduled for August 30, September 27, and following the October 25 VEB Meeting.

FUTURE AGENDA ITEMS

Philip Johnson and Robert Forbes will report on the AAVSB Annual Meeting

Lisa Weisensel Nesson requested a discussion of Wis. Stat. s. 89.075, Access to Health Care Records.

CLOSED SESSION MOTION

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

RECONVENE TO OPEN SESSION

MOTION: Sheldon Schall moved, seconded by Bruce Berth, to reconvene into open session. Motion carried unanimously. The Board reconvened at 12:05 pm.

MOTION: Robert Forbes moved, seconded by Diane Dommer Martin, to close 17 VET 011 against C.M., D.V.M. Motion carried unanimously.

MOTION: Lisa Weisensel Nesson moved, seconded by Dana Reimer, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Eric Bohl, 17 VET 002. Motion carried unanimously.

MOTION: Diane Dommer Martin moved, seconded by Kevin Kreier, to issue an Administrative Warning in the matter of 16 VET 034. Motion carried.

MOTION: Robert Forbes moved, seconded by Kevin Kreier, to remove the limitation on the license of Mark Hein, 16 VET 036, once all requirements are met. Motion carried unanimously.

MOTION: Lisa Weisensel Nesson moved, seconded by Diane Dommer Martin, to delegate ratification of examination results to DATCP staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Robert Forbes moved, seconded by Dana Reimer, to adjourn. Motion carried unanimously.

The meeting adjourned at 12:07 pm.

DRAFT