



VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, October 23, 2019

PRESENT: Diane Dommer Martin, D.V.M.; Robert Forbes, D.V.M.; Kevin Kreier, D.V.M.; Hunter Lang, D.V.M.; Lyn Schuh; Lisa Weisensel Nesson, D.V.M. (Nesson attended via teleconference call)

STAFF: 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 Senior; Angela Fisher, Program Policy Analyst; Carrie Saynisch, License/Permit Program Associate; Karen Torvell, Program Assistant Supervisor; Darlene Konkle, D.V.M., State Veterinarian and Division of Animal Health Administrator; Introductions and Discussion.

Robert Forbes, Chair, called the meeting to order at 9:00AM. A quorum of six (6) members was confirmed.

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

II. Introductions

Lyn Schuh: new CVT member

III. Approval of the Agenda

MOTION: Hunter Lang moved, seconded by Kevin Kreier, to approve the agenda. Motion carried unanimously.

IV. Approval of Board Meeting Minutes

A. September 10, 2019

MOTION: Diane Dommer Martin moved, seconded by Kevin Kreier, to approve the minutes from the September 10, 2019 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.

No appearance cards were submitted.

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

A. Updates from Annual Meeting

Dommer and Mace attended. The delegate assembly approved the VCPR changes. There was an interesting presentation about telehealth, AI, and a veterinary application with a decision tree

whether to seek immediate care, over the counter, or no action. There are higher veterinary suicide rates in the UK compared to the US. The delegate assembly passed the bylaws as proposed. Resolution 2019-01 (VIVA VAULT) passed. AAVSB encourages electronic submission of education verification. AAVSB encourages attendance of board attorney's at annual meetings.

The Executive Director session focused on strategic planning. Per Cheryl Daniels, a strategic plan might be helpful to do while rule is open but strategic plan could not get into the detail of rulemaking / rule content / licensees. Melissa Mace will reach out to AAVSB for possibilities of discussion at Board Basics and Beyond or for an in person or remote presentation about strategic planning.

Discussion of outreach to schools about licensure: spring of third year would be appropriate, AAVSB may be able to provide grant money for meeting foods, AAVSB provides a template PowerPoint, board members could introduce themselves and answer questions, some other boards have a student non-voting member/representative.

VII. Administrative Items

A. Terms for Drs. Dommer and Nesson

Both served part of their second terms prior to being reappointed and were appointed out to 2023. This would mean five members' terms would expire in 2023. There is no way to adjust the terms unless the members choose to leave early. If a member determined to leave in 2021, it is unclear whether the governor would appoint another member from 2021 to 2025 or from 2021 to 2023.

B. Guidance Documents

1. Bull Semen Collection

Review of final draft for Board approval. The document will be submitted for state guidance document process for posting and public comment.

MOTION: Hunter Lang moved, seconded by Kevin Kreier, to approve the bull semen collection guidance document (VEB-GD-001). Motion carried unanimously.

2. Cannabis Products

Discussion of first draft: If clients are giving cannabis products to their animals of their own volition, a veterinarian cannot stop them but can tell them about concerns (such as not enough science and not FDA approved). It is fine to talk about cannabis products with clients and advise clients but a veterinarian cannot recommend cannabis products or prescribe cannabis products to treat an animal health condition. Veterinarians cannot sell cannabis products that claim to treat animal health conditions, in their clinics because that would be considered recommending it. The FDA currently classifies any product containing CBD as a drug.

For guidance document updates: Veterinarians should not be recommending any substance that contains cannabis. It remains the responsibility of anyone selling the product to ensure they understand what the product contains (such as whether it is hemp

seed oil or whether it contains CBD oil or whether it contains other additives). Legally it would not be a problem for a veterinarian to explain why they cannot recommend cannabis products. Veterinarians can discuss cannabis with clients, provide available information, and explain concerns.

Final Guidance will be brought to Jan board meeting.

C. Delegated Medical Services

IV catheter: The Board would be comfortable considering a rule change to allow CVTs to administer IV catheters under the direct supervision of veterinarian and unlicensed assistants to administer IV catheters under the direct supervision of the vet while the vet is personally present on the premises. ART lines would not be appropriate for an unlicensed assistant to put in. Delegation of IV catheters can be considered for a rule change when the VE 1-11 revised statement of scope is approved. There is not a mechanism for the board to make this change outside of rulemaking.

There was also confusion from the VE 1 surgery changes communications regarding a CVT administering injections. It has been explained that VE1 simply clarified that all injections can be delegated to a CVT under appropriate supervision.

The rule (VE 1 surgery) did not change how an owner can administer injections for their own animals.

D. Staffing Update

Dr. Darlene Konkle is the new State Veterinarian and Administrator of the Division of Animal Health.

Melissa Mace will continue as the VEB Executive Director (no longer “Acting”).

Carrie Saynisch is the new License/Permit Program Associate, replacing Sally Ballweg.

Bob Van Lanen’s position is currently a project position. The Division has requested a permanent position, which is currently in a passive review period in the Joint Committee on Finance. Board members may contact their representatives individually as constituents but cannot contact the Committee as a Board. A Limited Term Employee (LTE) position will fill a gap in the position from the time the project position expires in November.

A different LTE will start in November to help catch up with records.

The Division is considering an LTE to assist with legal tasks.

E. Outreach to WTCS – CVT Program Professors

Lyn Schuh and Melissa Mace will be doing outreach and will give an update in January.

VIII. Licensing/Exam Inquiries

A. Renewing a veterinarian license after a greater than 5-year break in licensing

Division staff received a contact from a veterinarian who has not been licensed for ten years and is seeking licensure. The Board discussed requiring 60 hours of continuing education hours, require that half of continuing education hours be in person, and require an AAVSB competency exam in area of practice if such an exam is available. The applicant would also have the option to retake the NAVLE and apply by examination. Melissa will reach out and get information related to type of practice and any relevant experience he may have had in the intervening years.

This information will be provided to the Credentialing committee for a final decision on requirements.

IX. Administrative Code Updates

A. VE 7 - Complementary, Alternative and Integrative Therapies

The final draft was approved by the Governor on October 3, 2019. The final draft will be referred to the legislature for review by committees in the Senate and Assembly and then for review by the Joint Committee for Review of Administrative Rules (JCRAR).

B. VE 1-11 – Reorganization

The statement of scope has been revised and will soon be submitted to the Governor's Office for approval. After the Governor's approval, the revised scope will need to be approved by both the VEB and the DATCP Board.

X. Legislative Update

- ### **A. Wis. Stat. Ch. 89 Legislation: Initial License Fees**
- Bill was referred to committee on March 28, 2019.

XI. Future Meeting Dates and Times

A. Schedule 2020 Quarterly Board Meetings and Discuss Possibility of Alternate Locations

January 22

April 29

July 29

October 21

The Board discussed the possibility of reaching out to the UW vet school. Parking would need to be considered. Melissa Mace will contact vet school to see if that might be a possibility.

XII. CONVENE TO CLOSED SESSION

MOTION: Kevin Kreier moved, seconded by Lisa Weisensel Nesson, 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; Kevin Kreier – yes; Diane Dommer Martin – yes; Lisa Weisensel Nesson – yes; Lyn Schuh – yes; Hunter Lang – yes; Motion carried unanimously.

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

XIV. Deliberation on Licenses and Certificates

XV. Deliberation on Proposed Stipulations, Final Decisions and Orders

- A. 14 VET 020 PB
- B. 17 VET 037 RD
- C. 18 VET 055 JA
- D. 19 VET 001 SL
- E. 19 VET 019 BM
- F. 19 VET 042 LR

XVI. Review of Veterinary Examining Board Pending Cases Status Report

XVII. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Diane Dommer Martin moved, seconded by Kevin Kreier, to reconvene to open session. Motion carried unanimously. The Board reconvened at 11:33AM.

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

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

MOTION: Kevin Kreier moved, seconded by Hunter Lang, to accept final decision orders in the cases of 18 VET 055, 19 VET 001, 19 VET 019, and 19 VET 042. Motion carried unanimously.

MOTION: Diane Dommer Martin moved, seconded by Kevin Kreier, to accept licensure with permanent restriction in the case of 14 VET 020. Motion carried unanimously.

MOTION: Hunter Lang moved, seconded by Kevin Kreier, to accept the final decision order as amended in the case of 17 VET 037. Motion carried unanimously.

MOTION: Kevin Kreier moved, seconded by Diane Dommer Martin, to grant full licensure in the cases of 18 VET 055, 19 VET 019, and 19 VET 042. Motion carried unanimously.

XX. Ratification of Licenses and Certificates

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

XXI. ADJOURNMENT

MOTION: Kevin Kreier moved, seconded by Hunter Lang, to adjourn. Motion carried unanimously.

The meeting adjourned at 11:39AM.