



State of Wisconsin
Veterinary Examining Board

Governor Tony Evers
Dr. Robert Forbes, DVM, Chair

VETERINARY EXAMINING BOARD

Conference Line: 1-855-947-8255
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Contact: Melissa Mace 608-224-4883
April 29, 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. Full Board January 22, 2020
- B. Credentialing Committee February 19, 2020

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. Board Basics & Beyond Training – Postponed
- B. NAVLE Self-Assessment option
- C. AAVSB Call For Nominations
- D. Annual Meeting Portland Oregon September 24-26

VII. Board Guidance

VIII. Administrative Items

- A. COVID-19 Response

IX. Licensing/Exam Inquiries

- A. Addresses on licenses

X. Administrative Code Items (No items require board action – for information only)

A. Rule Status': VE 7 (CAITS) and VE-1-11 (Reorg and Telehealth)

XI. Legislative Update (No items require board action – for information only)

- A. Passed: 2019 Wisconsin Act143
- B. Failed Bills: AB 130; SB 915; AB 851

XII. Future Meeting Dates and Times

- A. July 29, 2020
- B. October 21, 2020

XIII. 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.).

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

B. Deliberation on Licenses and Certificates

- 1. Credentialing - NP

C. Deliberation on Proposed Stipulations, Final Decisions and Orders

- 1. 17 VET 023 JH
- 2. 17 VET 040 BR
- 3. 17 VET 041 MS
- 4. 18 VET 017 EP
- 5. 19 VET 001 SL
- 6. 19 VET 030 MM
- 7. 19 VET 059 PD
- 8. 19 VET 066 SR
- 9. 19 VET 070 MH

D. Review of Veterinary Examining Board Pending Cases Status Report

XIV. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

XVII. Ratification of Licenses and Certificates

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

XVIII. ADJOURNMENT

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



VETERINARY EXAMINING BOARD

MEETING MINUTES

Wednesday, January 22, 2020

MEMBERS PRESENT: Bruce Berth; Diane Dommer Martin, DVM; Robert Forbes, DVM; Kevin Kreier, DVM; Hunter Lang, DVM; Lyn Schuh (attended via conference call), CVT; Arden Sherpe; Lisa Weisensel Nesson, DVM.

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; Introductions and Discussion.

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

AGENDA

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

II. Introductions

A. Arden Sherpe – Public Member

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. Full Board October 23, 2019

MOTION: Kevin Kreier moved, seconded by Bruce Berth, to approve the minutes from the October 23, 2019 meeting. Motion carried unanimously.

B. Credentialing Committee November 14, 2019

MOTION: Kevin Kreier moved, seconded by Diane Dommer Martin, to approve the minutes from the November 14, 2019 Credentialing Committee meeting. Motion carried unanimously.

V. Comment from the Chair

Reminder for the beginning of a new year that the purpose of the VEB is to protect public safety.
Reminder for members to recuse themselves when needed.

VI. 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.

Dr. Susan Krebsbach, DVM, spoke about the veterinary-client-patient-relationship (VCPR) and telemedicine:

- She is a veterinarian working on pet behavior problems. An estimated 3-4 million cats and dogs are put down every year in shelters in the US. Behavior issues are a major cause for relinquishment to shelters and animals being put down. Conducting home consultations is not always possible because of driving distance and availability of veterinarians working on behavioral issues.
- With videoconferencing, one can observe the pet in their natural setting, see the home, meet the entire family, and witness how each family member interacts with the pet. Behavioral consultations over videoconference are better than what can be achieved in a veterinary clinic for behavioral consultation. The only thing missing is physical touch. Behavioral services are an extension of the veterinary clinic. She asked that the State consider revising the definition of VCPR to include telemedicine to improve access to veterinary care.
- She explained that she always recommends doing blood tests through the referring veterinarian prior to any pharmaceutical intervention and asks for medical records for the past year or two. About 80% of her clients are referrals. Veterinarians currently cannot make recommendations unless they have physically examined the dog but a dog training could make recommendations without examining the dog. Telemedicine could expand access to veterinary care, especially to those in poverty. She explained that she is licensed in Wisconsin so she only practices on animals in Wisconsin.

Jordan Lamb, legal counsel for the Wisconsin Veterinary Medical Association (WVMA), thanked the Board for providing guidance regarding cannabis and spoke about telemedicine:

- WVMA formed a taskforce to look at AAVSB guidance and practices in other states, which formed the basis for the letter provided to the Board. She asked that the VEB begin guidance or rulemaking to address telemedicine.

VII. Board Guidance

A. Wisconsin Veterinary Medical Association (WVMA) Request for Guidance Regarding Telemedicine

Cheryl Daniels discussed legal aspects: The VCPR definition in statute requires a recent examination. Rules could be written to include how telemedicine would fit into the definition of examination. Guidance documents alone may not be enough for this topic because it covers bigger parameters. The current VE 1-11 scope statement would not cover this topic, so telemedicine would need a separate scope statement or the VE 1-11 scope would need to be revised.

The Board would like to evaluate this topic further to determine if any pieces could be clarified in a guidance document and determine the next steps for potential rulemaking.

MOTION: Diane Dommer Martin moved, seconded by Bruce Berth, to create an administrative rules committee to work on guidance documents regarding telehealth and other guidance documents in the future. Motion carried unanimously.

- B. Cannabis Guidance Document – Final Draft for Approval
No changes to final draft based on comments submitted.

MOTION: Hunter Lang moved, seconded by Kevin Kreier, to approve the cannabis guidance document (VEB-GD-002). Motion carried unanimously.

Discussed concerns about cannabis sellers making false statements about the VEB position regarding cannabis. Department staff sent a cease and desist letter. Department staff will send a notice to licensees regarding the approved VEB guidance document.

- C. Process for Finalizing Guidance Documents
The Administrative Rules Committee could meet in between board meetings.
- D. Wisconsin Veterinary Medical Association (WVMA) Request for Guidance Regarding Dispensing of Veterinary Prescription Drugs
The Board received a question about whether a veterinarian can dispense a drug based on another veterinarian's prescription and VCPR, under ch. 89, Wis. Stats. The Board would like to evaluate this topic for a guidance document and for potential rulemaking.

MOTION: Kevin Kreier moved, seconded by Bruce Berth to create a guidance document clarifying the role of dispensing veterinary prescriptions. Motion carried unanimously.

Whether a Wisconsin veterinarian can dispense for a prescription from an out-of-state veterinarian: the best practice would be either for the Wisconsin veterinarian to establish a VCPR or for the client to either get the prescriptions from a human pharmacy or have the prescription mailed from the out-of-state veterinarian.

Shelter staff and prescriptions: In both scenarios the shelter veterinarian has examined the animal in the past year, which may suffice to establish the VCPR as long as the script is medically appropriate to be prescribed based on the prior exam.

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

- A. Board Basics & Beyond Training
\$250 per participant, April 17-18 in Kansas City, MO. Melissa Mace will need to know who is attending by the middle of February to allow enough time for the out-of-state travel request process.

MOTION: Lisa Weisensel Nesson moved, seconded by Kevin Kreier, to spend registration fees and associated costs for the three new board members to attend the AABSB Board Basics & Beyond training, April 17-18, 2020. Motion carried unanimously.

B. AAVSB Request for Input

Model regulation regarding opioids: no comments

Model regulation regarding veterinary technicians: can be a resource if there are pieces that are pertinent. AAVSB distinguishes between veterinary technician and veterinary technologist.

IX. Elections and Appointments

A. Election of Officers

1. Chair

NOMINATION: Diane Dommer Martin nominated Robert Forbes for the Office of Board Chair. Lisa Weisensel Nesson seconded the nomination.

Melissa Mace called for nominations three (3) times.

MOTION: Arden Sherpe moved, seconded by Kevin Kreier, to close nominations. Motion carried unanimously.

Robert Forbes was elected as Board Chair by unanimous consent.

2. Vice Chair

NOMINATION: Kevin Kreier nominated Diane Dommer Martin for the Office of Vice Chair. Hunter Lang seconded the nomination.

Melissa Mace called for nominations three (3) times.

MOTION: Robert Forbes moved, seconded by Lisa Weisensel Nesson, to close nominations. Motion carried unanimously.

Diane Dommer Martin was elected as Vice Chair by unanimous consent.

3. Secretary

NOMINATION: Robert Forbes nominated Lisa Weisensel Nesson for the Office of Secretary. Hunter Lang seconded the nomination.

Melissa Mace called for nominations three (3) times.

MOTION: Robert Forbes moved, seconded by Kevin Kreier, to close nominations. Motion carried unanimously.

Lisa Weisensel Nesson was elected as Secretary by unanimous consent.

2020 Election Results		
Office	Description of Role	Member Name
Board Chair	Highest ranking officer. Manages meetings. Delegated authority to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings.	Robert Forbes
Vice Chair	Serves as backup for the Board Chair.	Diane Dommer Martin
Secretary	Serves as secondary backup for the Board Chair.	Lisa Weisensel Nesson

B. Appointment of Liaisons

1. Education and Exams
The Board determined to eliminate this liaison. Responsibilities will be shifted to the Continuing Education Liaison.
2. Continuing Education
The Board determined to keep this liaison.
3. Legislative
The Board determined to eliminate this liaison. The DATCP legislative liaison functions in this role.
4. Administrative Rules
The Board determined to eliminate this liaison and create an administrative rules committee instead.
5. Monitoring
The Board determined to eliminate this liaison. The DATCP department monitor functions in this role.
6. Other Liaisons?
No new liaison categories in 2020.

2020 Liaison Appointments		
Liaison	Description of Role	Member Name
Continuing Education Liaison	Consultation on CE questions	Primary: Hunter Lang
		Alternate: Lyn Schuh

C. Appointment of Committees

1. Screening Committee
2. Credentialing Committee
3. Other Committees?

The Board determined to create an Administrative Rules Committee.

2020 Committee Appointments		
Committee	Description of Role	Member Name
Screening Committee	Delegated authority to open cases for investigation or closes cases inappropriate for further action. Delegated authority to consider questions related to scope of practice of veterinary medicine and veterinary technicians. The Committee may choose to approve or reject a particular practice, or bring the matter to the full Board. Chair manages Committee meetings.	Chair: Kevin Kreier
		Member: Lyn Schuh
		Member: Hunter Lang
		Member: Lisa Weisensel Nesson
		Member: Arden Sherpe
Credentialing Committee	Delegated authority to address all issues related to credentialing matters, except potential denial decisions should be referred to the full Board for final determination. Delegated authority to employ a “passive review” process for background checks, whereby if no Committee member requests a meeting on the materials within five business days after receiving them, the application would be considered cleared to proceed through the process.	Chair: Robert Forbes
		Member: Diane Dommer Martin
		Member: Hunter Lang

	Chair manages Committee meetings.	
Administrative Rules Committee	Meet in between quarterly meetings to discuss administrative rules and guidance documents. The Committee's role is to expedite the process of drafting documents. Final drafts will go to the full Board for approval. Chair manages committee meetings and is the primary contact for simpler administrative rule questions.	Chair: Robert Forbes
		Member: Diane Dommer Martin
		Member: Lyn Schuh

MOTION: Diane Dommer Martin moved, seconded by Kevin Kreier, to affirm the Chair's appointment of liaisons and committees for 2020. Motion carried unanimously.

D. Delegated Authority Motions

1. Urgent Matters

MOTION: Diane Dommer Martin moved, seconded by Lisa Weisensel Nesson, that in order to facilitate the completion of assignments between meetings, the Board delegates authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, to fill vacant appointment positions, where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

2. Screening Committee

MOTION: Kevin Kreier moved, seconded by Hunter Lang, that the Board delegates authority to the Screening Committee to open cases for investigation or close cases inappropriate for further action. Motion carried unanimously.

MOTION: Kevin Kreier moved, seconded by Diane Dommer Martin, that the Board delegates authority to the Screening Committee to consider questions related to scope of practice of veterinary medicine and veterinary technicians. The Screening Committee may choose to approve or reject a particular practice, or bring the matter to the full Board. Motion carried unanimously.

3. Credentialing Committee

MOTION: Hunter Lang moved, seconded by Kevin Kreier, that the Board delegates authority to the Credentialing Committee to address all issues related to credentialing matters, except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

MOTION: Hunter Lang moved, seconded by Bruce Berth, that the Board delegates authority to the Credentialing Committee to employ a "passive review" process for background checks, whereby if no

Committee member requests a Committee meeting on the materials within five (5) business days after receiving them, the application would be considered cleared to proceed through the process. Motion carried unanimously.

4. Document Signatures

MOTION: Arden Sherpe moved, seconded by Kevin Kreier, that the Board delegates authority to the Chair to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair has the ability to delegate this signature authority to the Board's Executive Director for purposes of facilitating the completion of assignments during or between meetings. Motion carried unanimously.

5. Monitoring Liaison and Department Monitor

MOTION: Kevin Kreier moved, seconded by Bruce Berth, to adopt the "Roles and Authorities Delegated to the Department Monitor" document with a modifications to remove the Monitoring Liaison.

X. Administrative Items

A. Follow-up on Items from October 23, 2019 Meeting:

1. Wisconsin Technical College System (WTCS) – Certified Veterinary Technician (CVT) Outreach
Lyn Schuh and Melissa Mace met with WTCS CVT program to discuss barriers to certification.
2. Strategic Planning
Strategic planning training will occur at AAVSB annual meeting in September, 2020. It would be about \$10,000 to bring the trainer in separately. Strategic planning will be added to the VEB agenda for July, 2020.
3. Board Outreach to the Wisconsin School of Veterinary Medicine on Licensing/Board Education
Ongoing, no updates.

- #### B. Establishing a Veterinary-Client-Patient Relationship (VCPR)
- The veterinarian needs to talk to the client at some point.

XI. Licensing/Exam Inquiries

XII. Administrative Code Items

- #### A. VE 7 – Complementary, Alternative and Integrative Therapies – Informational
- VE 7 CAITs was referred to the Joint Committee for Review of Administrative Rules (JCRAR) on 12/23/19. JCRAR has a 30-day passive review period that may be extended to 60 days.

- B. VE 1-11 – Reorganization – Board Approval of Preliminary Public Hearing and Comment Period and Discuss the Possibility of a Teleconference Meeting after the Hearing and Comment Period

The Joint Committee for Review of Administrative Rules (JCRAR) directed the VEB to hold a preliminary public hearing and comment period. The notice of the hearing and comment period will need to be approved by both the VEB and the DATCP Board.

MOTION: Bruce Berth moved, seconded by Lisa Weisensel Nesson, to approve the notice of preliminary public hearing and comment period notice for VE 1-11 (SS 125-19). Motion carried unanimously.

If public comments ask for revision of the scope statement, DATCP staff will work with the Administrative Rules Committee to evaluate revising the scope statement. If the proposed changes are large, the rules committee may determine to bring revisions to the full board.

XIII. Legislative Update

- A. AB-130/SB-140 – Initial License Fees
Bill was referred to committee on March 28, 2019.
- B. AB-731/SB-654 – Reciprocal Credentials
Would expand reciprocal credentials for the spouse of a service member, a service member, or former service member. DATCP is providing a fiscal estimate.

XIV. Future Meeting Dates and Times

- A. Teleconference Meeting? None currently planned.
B. April 29, 2020
C. July 29, 2020
D. October 21, 2020

XV. CONVENE TO CLOSED SESSION

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

The Board took a break from 11:20AM to 11:30AM. The doors were open for the duration of the break.

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

XVII. Deliberation on Licenses and Certificates

- A. AS Limited Order of Licensure
- B. 19 VET 090 RG

XVIII. Deliberation on Proposed Stipulations, Final Decisions and Orders

- A. 19 VET 016 JB
- B. 19 VET 018 OJ
- C. 19 VET 054 RW
- D. 19 VET 083 KC
- E. 17 VET 017 DW PM
- F. 17 VET 040 BR
- G. 18 VET 010 MH

XIX. Review of Veterinary Examining Board Pending Cases Status Report

XX. RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Hunter Lang moved, seconded by Kevin Kreier, to reconvene to open session. Motion carried unanimously. The Board reconvened at 12:21PM.

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

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

MOTION: Diane Dommer Martin moved, seconded by Kevin Kreier, to approve the limited order of licensure for AS. Motion carried unanimously.

MOTION: Hunter Lang moved, seconded by Arden Sherpe, to open a case for 19 VET 090 RG and combine it with the existing open case. Motion carried unanimously. Lisa Weisensel Nesson recused herself.

MOTION: Kevin Kreier moved, seconded by Diane Dommer Martin, to issue final decision orders and grant full licensure in the case of 19 VET 016 JB. Motion carried unanimously.

MOTION: Diane Dommer Martin moved, seconded by Hunter Lang, to issue final decision orders in the case of 19 VET 018 OJ. Motion carried unanimously.

MOTION: Kevin Kreier moved, seconded by Hunter Lang, to issue final decision order in the case of 19 VET 054 RW. Motion carried unanimously.

MOTION: Arden Sherpe moved, seconded by Kevin Kreier, to issue an administrative warnings in the cases of 19 VET 083 KC and 18 VET 010 MH. Motion carried unanimously.

MOTION: Hunter Lang moved, seconded by Kevin Kreier, to issue order granting full licensure in the case of 17 VET 017 DW. Motion carried unanimously.

MOTION: Diane Dommer Martin moved, seconded by Lisa Weisensel Nesson, to issue an administrative warning in the case of 17 VET 040 PM. Motion carried unanimously.

MOTION: Kevin Kreier moved, seconded by Hunter Lang, to issue a final decision order in the case of 17 VET 040 BR. Motion carried unanimously.

XXIII. Ratification of Licenses and Certificates

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

XXIV. ADJOURNMENT

MOTION: Bruce Berth moved, seconded by Kevin Kreier, to adjourn. Motion carried unanimously.

The meeting adjourned at 12:28PM.



**VETERINARY EXAMINING BOARD
Credentialing Committee**

MEETING MINUTES

Wednesday, February 19, 2020

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 3:02pm. A quorum of three (3) members was confirmed.

AGENDA

I. OPEN SESSION – CALL TO ORDER – ROLL CALL

II. CONVENE TO CLOSED SESSION

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 was made by individual voice vote. Roll Call Vote: Diane Dommer Martin – yes; Hunter Lang – yes; Robert Forbes – yes; Motion carried unanimously.

III. Discussion about Requirements for the Reinstatement of Certified Veterinary Technicians who have not been credentialed for over 5 Years

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 3:30pm.

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

MOTION: Diane Dommer Martin moved, seconded by Hunter Lang, to allow DO to submit an application for a Wisconsin veterinary technician certification and to take the Veterinary Technician National Exam (VTNE) and the Wisconsin state law exam. Motion carried unanimously.

MOTION: Hunter Lang moved, seconded by Diane Dommer Martin, to allow MC to submit an application for a Wisconsin veterinary technician certification, utilizing MC's existing Bachelors of Science degree, and to take the Veterinary Technician National Exam (VTNE) and Wisconsin state law exam. Motion carried unanimously.

MOTION: Diane Dommer Martin moved, seconded by Hunter Lang, to require NU to complete 30 hours of Continuing Education, 18 of which must be in person, to allow for recertification as a Wisconsin veterinary technician. Motion carried unanimously.

MOTION: Hunter Lang moved, seconded by Diane Dommer Martin, to require KH to complete 45 additional hours of 60 total hours of Continuing Education, 35 of which must be in person, to allow for recertification as a Wisconsin veterinary technician. Motion carried unanimously.

VII. ADJOURNMENT

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

The meeting adjourned at 3:34pm.

Wisconsin Veterinary Examining Board

• APPEARANCE CARD •

NAME: _____

ADDRESS: _____

CITY: _____ ZIP CODE: _____

REPRESENTING: (if other than yourself) _____

SUBJECT MATTER: _____

- 1) I wish to speak on the proposal I do not wish to speak on the proposal

2) I oppose the proposal I favor part and oppose part of the proposal
 I support the proposal I take no position on the proposal
 Other _____

*** NOTE: Please be advised that this appearance is for information only. No Board action will be taken. The requirements of Wisconsin's Open Meetings law limit Board discussion and action to agenda items and topics that were noticed to the public on the Board's published agenda. The Veterinary Examining Board Chair may limit public comments to 3-5 minutes. Note that written public comments are welcomed by the Veterinary Examining Board as well. Please email them to Carrie.Saynisch@wisconsin.gov.**

Wisconsin Veterinary Examining Board

• APPEARANCE CARD •

NAME: _____

ADDRESS: _____

CITY: _____ ZIP CODE: _____

REPRESENTING: (if other than yourself) _____

SUBJECT MATTER: _____

- 1) I wish to speak on the proposal I do not wish to speak on the proposal

2) I oppose the proposal I favor part and oppose part of the proposal
 I support the proposal I take no position on the proposal
 Other _____

*** NOTE: Please be advised that this appearance is for information only. No Board action will be taken. The requirements of Wisconsin's Open Meetings law limit Board discussion and action to agenda items and topics that were noticed to the public on the Board's published agenda. The Veterinary Examining Board Chair may limit public comments to 3-5 minutes. Note that written public comments are welcomed by the Veterinary Examining Board as well. Please email them to Carrie.Saynisch@wisconsin.gov.**

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	April 29 2020
2) Requestor Name	M. MACE
3) Item Title for the Agenda	Admin Items – COVID-19 Response
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	Measures taken to date: Discussion of potential future measures

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	April 29, 2020
2) Requestor Name	M. Mace
3) Item Title for the Agenda	Addresses on Licenses
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>Pharmacy rules require that: <i><u>A manufacturer or wholesale distributor may distribute a prescription drug only to the premises listed on the person's license or authorization.</u></i></p> <p>Addresses on Veterinarian licenses are by and large the Veterinarians home address not the clinic address.</p>

DAH Rules Estimated Timelines

Future dates are estimates for the purposes of work planning.
Last Updated: 4/10/20

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 7	CAITs	SS 025-16	16-VER-7	CR 17-084	x	3/16/16	4/15/16	4/18/16	x	x	x	x	x	x	4/27/16	unknown dates	x	x	x	10/25/17	11/30/17	12/19/17	12/11/17	1/10/18, 1/11/18, 1/12/18, 1/9/18	1/31/18	x	2/13/18	3/2/18	10/3/19	10/24/19	10/31/19; 11/7/19	11/30/19; 12/9/19	12/2/19; 12/23/19	1/23/20; 1/23/20	2/7/20	2/4/20	4/1/20
VE 1-11	Reorg v3 + Tele				2/24/20	4/7/20	6/6/20	6/20/20	7/8/20	7/29/20	8/8/20	8/15/20	8/22/20	9/30/20	10/21/20	11/20/20	1/19/21	3/20/21	7/7/21	7/28/21	8/4/21	8/24/21	8/28/21	9/7/21	9/21/21	1/5/22	1/26/22	2/2/22	4/3/22	4/17/22	1/25/23	3/26/23	4/5/23	6/4/23	6/18/23	12/20/22	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	30 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 27	10 days after Step 29	60 days after Step 30	14 days after Step 31	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		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.

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	4/29/20
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Administrative Code Items
4) Should the Item be in Open or Closed Session?	Open Session
5) Are there Attachments? (If yes, include file names)	“VEB Rules Status”
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>The attachment shows the rule process timelines for VE 7 (CAITs) and VE 1-11 (Reorganization and Telehealth).</p> <p>The VE 7 CAITs final rule was published in the March register with an effective date of 4/1/20. No Board action is required.</p> <p>The VE 1-11 statement of scope was revised to include telehealth. The revised scope was submitted to the governor for approval on 4/7/20. After the governor approves, the scope will go to both the VEB and the DATCP Board for approval. If JCRAR requires an additional preliminary public hearing, the notice of the public hearing would need to be approved by both Boards, the hearing and comment period would be held, and then the Boards could each approve the statement of scope. No Board action is required at this time.</p>

**Veterinary Examining Board
Agenda Request Form**

1) Meeting Date	4/29/20
2) Requestor Name	Angela Fisher
3) Item Title for the Agenda	Legislative Update
4) Should the Item be in Open or Closed Session?	Open Session
5) Are there Attachments? (If yes, include file names)	“VEB Legis Update” “2019 Wisconsin Act 143” “AB 130” “SB 915” “AB 851”
6) Is a Public Appearance Anticipated?	No
7) Description of the Agenda Item	<p>The attached table shows the status of legislation regarding Wis. Stat. ch. 89. The remaining attachments are copies of the listed bills. AB 731 was signed into law as 2019 Wisconsin Act 143 on 3/3/20. The remaining bills failed to pass.</p> <p>This is an informational update. No Board action is needed.</p>

DAH Relevent Statutes Current Status

2019-2020 Legislative Session

Last Updated: 4/10/20

Agency	Ch.	Citation	Topic	Description	LRB #	Bill #	Recent Status Notes
DATCP	89	89.063	Initial Fees	Would remove initial license fees for veterinarians and veterinary technicians.	2457/1, 1925/1	AB-130, SB-140	4/1/20 Failed to pass.
		89.072	Reciprocal	Would establish a new procedure for granting reciprocal credentials for vets and CVTs credentialed in another state.	5922/1	SB-915	4/1/20 Failed to pass.
		89.073	Reciprocal	Would expand reciprocal credentials for service members, former service members, and their spouses.	4162/1	AB-731, SB-654	3/3/20 signed into law.
All	227	227.135, 227.14	Scope Statements	Would limit an agency to promulgating one rule per scope.	5465/2, 5560/2	AB-851, SB-796	4/1/20 Failed to pass.

State of Wisconsin



2019 Assembly Bill 731

Date of enactment: **March 3, 2020**
Date of publication*: **March 4, 2020**

2019 WISCONSIN ACT 143

AN ACT *to repeal* 89.073 (2) (e) and 440.09 (2) (e); *to renumber and amend* 89.073 (1), 89.073 (3), 440.09 (1) and 440.09 (3); *to amend* 89.073 (title), 89.073 (2) (intro.), 89.073 (2) (a), 89.073 (2) (b), 440.09 (title) and 440.09 (2) (b); and *to create* 89.073 (1) (a), 89.073 (1) (c), 89.073 (2) (f), 89.073 (2m), 89.073 (3) (b), 89.073 (4), 89.073 (5), 440.09 (1) (a), 440.09 (1) (c), 440.09 (2) (f), 440.09 (2m), 440.09 (3) (b), 440.09 (4) and 440.09 (5) of the statutes; **relating to:** reciprocal credentials for service members, former service members, and their spouses and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 89.073 (title) of the statutes is amended to read:

89.073 (title) ~~Temporary reciprocal Reciprocal credentials for the spouses of service members, former service members, and their spouses.~~

SECTION 2. 89.073 (1) of the statutes is renumbered 89.073 (1) (intro.) and amended to read:

89.073 (1) (intro.) In this section, ~~“service member”;~~
(b) “Service member” means a member of the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

SECTION 3. 89.073 (1) (a) of the statutes is created to read:

89.073 (1) (a) “Former service member” means a person who was discharged from the U.S. armed forces under conditions other than dishonorable within 4 years of the date on which the service member or the spouse of the service member applies for a license, certification, or permit under this section.

SECTION 3m. 89.073 (1) (c) of the statutes is created to read:

89.073 (1) (c) “Spouse” includes the spouse of a person who died while in service in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces.

SECTION 4. 89.073 (2) (intro.) of the statutes is amended to read:

89.073 (2) (intro.) The examining board shall grant a temporary license, certification, or permit specified under s. 89.06 to an individual who the examining board determines meets all of the following requirements:

SECTION 5. 89.073 (2) (a) of the statutes is amended to read:

89.073 (2) (a) The individual applies for a temporary credential under this section on a form prescribed by the examining board.

SECTION 6. 89.073 (2) (b) of the statutes is amended to read:

89.073 (2) (b) The individual is a service member, a former service member, or the spouse of a service member or former service member and ~~the spouse and service member temporarily reside~~ resides in this state as a result of the service member’s service in the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

SECTION 7. 89.073 (2) (e) of the statutes is repealed.

SECTION 8. 89.073 (2) (f) of the statutes is created to read:

89.073 (2) (f) The individual is in good standing with the governmental authorities in every jurisdiction outside this state that have granted the individual a credential that qualifies the individual to perform acts authorized under the appropriate credential specified under s. 89.06.

SECTION 9e. 89.073 (2m) of the statutes is created to read:

89.073 (2m) If an individual is unable to provide documentation that the individual is a service member, former service member, or the spouse of a service member or former service member, the individual may submit an affidavit to the examining board stating that the individual is a service member, former service member, or the spouse of a service member or former service member.

SECTION 9m. 89.073 (3) of the statutes is renumbered 89.073 (3) (a) and amended to read:

89.073 (3) (a) ~~A temporary credential granted under this section expires 180 days after the date the examining board issues it unless, upon application by the holder of the credential, the examining board extends the credential on the renewal date specified in s. 89.062 (1), except that if the first renewal date specified in s. 89.062 (1) after the date on which the credential is granted is within 180 days of the date on which the credential is granted, the credential expires on the 2nd renewal date specified in s. 89.062 (1) after the date on which the credential is granted.~~

SECTION 9s. 89.073 (3) (b) of the statutes is created to read:

89.073 (3) (b) The examining board shall grant a renewed license, certification, or permit specified under s. 89.06 to an applicant who pays the renewal fee specified under s. 89.063 and satisfies the renewal requirements under s. 89.062.

SECTION 10. 89.073 (4) of the statutes is created to read:

89.073 (4) The examining board shall expedite the issuance of a license, certification, or permit granted under this section.

SECTION 11. 89.073 (5) of the statutes is created to read:

89.073 (5) The examining board may promulgate rules necessary to implement this section.

SECTION 12. 440.09 (title) of the statutes is amended to read:

440.09 (title) Reciprocal credentials for the spouses of service members, former service members, and their spouses.

SECTION 13. 440.09 (1) of the statutes is renumbered 440.09 (1) (intro.) and amended to read:

440.09 (1) (intro.) In this section, “service member”;

(b) “Service member” means a member of the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

SECTION 14. 440.09 (1) (a) of the statutes is created to read:

440.09 (1) (a) “Former service member” means a person who was discharged from the U.S. armed forces under conditions other than dishonorable within 4 years of the date on which the service member or the spouse of the service member applies for a reciprocal credential under this section.

SECTION 14m. 440.09 (1) (c) of the statutes is created to read:

440.09 (1) (c) “Spouse” includes the spouse of a person who died while in service in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces.

SECTION 15. 440.09 (2) (b) of the statutes is amended to read:

440.09 (2) (b) The individual is a service member, a former service member, or the spouse of a service member, or former service member and the spouse and service member temporarily reside resides in this state as a result of the service member’s service in the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

SECTION 16. 440.09 (2) (e) of the statutes is repealed.

SECTION 17. 440.09 (2) (f) of the statutes is created to read:

440.09 (2) (f) The individual is in good standing with the governmental authorities in every jurisdiction outside this state that have granted the individual a license, certification, registration, or permit that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board.

SECTION 18e. 440.09 (2m) of the statutes is created to read:

440.09 (2m) If an individual is unable to provide documentation that the individual is a service member, former service member, or the spouse of a service member or former service member, the individual may submit an affidavit to the department or credentialing board, as appropriate, stating that the individual is a service member, former service member, or the spouse of a service member or former service member.

SECTION 18m. 440.09 (3) of the statutes is renumbered 440.09 (3) (a) and amended to read:

440.09 (3) (a) A reciprocal credential granted under this section expires ~~180 days after the date the department or credentialing board issues the reciprocal credential unless, upon application by the holder of the reciprocal credential, the department or credentialing board extends the reciprocal credential on the applicable renewal date specified in s. 440.08 (2) (a), except that if the first renewal date specified in s. 440.08 (2) (a) after the date~~

on which the credential is granted is within 180 days of the date on which the credential is granted, the credential expires on the 2nd renewal date specified in s. 440.08 (2) (a) after the date on which the credential is granted.

SECTION 18s. 440.09 (3) (b) of the statutes is created to read:

440.09 (3) (b) The department or credentialing board, as appropriate, shall grant a renewed reciprocal credential to an applicant who pays the renewal fee specified under s. 440.05 (2) and satisfies the requirements that apply for renewing that credential.

SECTION 19. 440.09 (4) of the statutes is created to read:

440.09 (4) The department or credentialing board, as appropriate, shall expedite the issuance of a reciprocal credential granted under this section.

SECTION 20. 440.09 (5) of the statutes is created to read:

440.09 (5) The department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.

SECTION 21. Initial applicability.

(1) APPLICATIONS FOR VETERINARY RECIPROCAL CREDENTIALS. The treatment of s. 89.073 (2) (b), (e), and (f) first applies to an application for a license, certification, or permit specified in s. 89.06 received by the veterinary examining board on the effective date of this subsection.

(2) EXPIRATION OF VETERINARY RECIPROCAL CREDENTIALS. The treatment of s. 89.073 (3) first applies to a license, certification, or permit granted under s. 89.073 that is valid on the effective date of this subsection.

(3) APPLICATIONS FOR RECIPROCAL CREDENTIALS. The treatment of s. 440.09 (2) (b), (e), and (f) first applies to an application for a reciprocal credential, as defined in s. 440.01 (2) (d), received by the department of safety and professional services on the effective date of this subsection.

(4) EXPIRATION OF RECIPROCAL CREDENTIALS. The treatment of s. 440.09 (3) first applies to a reciprocal credential, as defined in s. 440.01 (2) (d), that is valid on the effective date of this subsection.



2019 ASSEMBLY BILL 130

March 25, 2019 - Introduced by Representatives KURTZ, BRANDTJEN, BROOKS, KNODL, SKOWRONSKI, THIESFELDT and TITTL, cosponsored by Senator JACQUE. Referred to Committee on Regulatory Licensing Reform.

1 **AN ACT to amend** 89.063 of the statutes; **relating to:** eliminating first-time
2 license fees for veterinary licenses and veterinary technician certificates.

Analysis by the Legislative Reference Bureau

This bill exempts applicants for veterinary licenses and veterinary technician certificates from the fee for an initial license or certification.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 89.063 of the statutes is amended to read:
4 **89.063 Fees.** The department may not charge a fee for an initial license,
5 certification, or permit issued under s. 89.06, 89.072, or 89.073. The department
6 shall determine by rule the fees for ~~each initial~~ renewal of a license, certification, and
7 or permit issued under ss. 89.06, 89.072, and 89.073; and, if applicable, for renewal
8 of the license, certification, or permit, including late fees. The department shall

ASSEMBLY BILL 130

SECTION 1

1 determine the fees under this section based on the department's administrative and
2 enforcement costs under this chapter. The department shall notify the holder of each
3 such license, certification, or permit of any fee adjustment under this subsection that
4 affects that license, certification, or permit holder.

5 (END)



2019 ASSEMBLY BILL 851

February 3, 2020 - Introduced by Representatives NEYLON, BALLWEG and OTT, cosponsored by Senators NASS, CRAIG and STROEBEL. Referred to Committee on Government Accountability and Oversight.

1 **AN ACT** *to amend* 227.135 (5); and *to create* 227.135 (6), 227.135 (7) and 227.14
2 (6) (c) 1. c. of the statutes; **relating to:** statements of scope for administrative
3 rules.

Analysis by the Legislative Reference Bureau

Under current law, in order to promulgate a rule, an agency must submit a statement of scope for the proposed rule for review by the Department of Administration and approval by the governor. Once the governor approves the statement, the agency must send the approved statement of scope to the Legislative Reference Bureau for publication in the Wisconsin Administrative Register before continuing with the rule promulgation process. A statement of scope expires after 30 months, after which the agency may not promulgate any rule based on that statement of scope that has not been submitted for legislative review by the expiration date. This bill does the following:

1. Limits an agency to promulgating one permanent and one emergency rule per statement of scope.

2. Allows an agency to formally withdraw a statement of scope prior to its expiration date by sending a withdrawal notice for the statement to the LRB for publication in the Wisconsin Administrative Register. Once a statement of scope has been withdrawn, the agency may not promulgate a rule based upon that statement of scope and all proposed rules based upon that statement of scope that are in the process of being promulgated are automatically withdrawn.

ASSEMBLY BILL 851

3. Clarifies that, when a statement of scope expires, an agency also may not promulgate an emergency rule based upon that statement of scope.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 227.135 (5) of the statutes is amended to read:

2 227.135 (5) A statement of scope shall expire on the date that is 30 months after
3 the date on which it is published in the register. After a statement of scope expires,
4 an agency may not submit a proposed permanent rule based upon that statement of
5 scope to the legislature for review under s. 227.19 (2), and any such rule that has not
6 been submitted to the legislature for review before that date shall be considered
7 withdrawn on that date as provided in s. 227.14 (6) (c) 1. a. After a statement of scope
8 expires, an agency may not promulgate a proposed emergency rule based upon that
9 statement of scope. For purposes of this subsection, a revised statement of scope
10 prepared under sub. (4) shall expire on the date that is 30 months after the date on
11 which the revised statement is published in the register.

12 **SECTION 2.** 227.135 (6) of the statutes is created to read:

13 227.135 (6) (a) Except as provided in par. (b), an agency may withdraw a
14 statement of scope by sending a withdrawal notice for the statement to the legislative
15 reference bureau for publication in the register. The notice may include a statement
16 regarding the reasons the agency is withdrawing the statement of scope. The agency
17 shall also notify the presiding officer of each house of the legislature and the
18 legislative council staff of the withdrawal. When an agency withdraws a statement
19 of scope as provided in this paragraph, each proposed rule based upon that statement
20 of scope that has not been filed under s. 227.20 and that has not otherwise already



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5922/1
KP/KRP:cjs

2019 SENATE BILL 915

March 26, 2020 - Introduced by Senators JACQUE and WANGGAARD, cosponsored by Representatives MURPHY and WICHGERS. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

1 **AN ACT** *to renumber* 440.09 (2); *to renumber and amend* 440.09 (2m), 440.09
2 (3) (a), 440.09 (3) (b), 440.09 (4) and 440.09 (5); *to amend* 101.022, 101.874 (2),
3 101.874 (3) (intro.) and 440.09 (title); and *to create* 89.072 (3), 101.874 (4),
4 440.09 (1) (title), 440.09 (1m), 440.09 (2e) (title) and 440.09 (3m) of the statutes;
5 **relating to:** reciprocal credentials and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill establishes a process for credential holders from other states to obtain reciprocal credentials to practice their professions in Wisconsin. Under the bill, a person who applies to the Department of Safety and Professional Services, a credentialing board, or the Veterinary Examining Board, as appropriate, must be granted a reciprocal credential if the person holds a license, certification, registration, or permit granted by another state that qualifies the person to practice the profession authorized under the analogous credential granted by DSPS or the appropriate board. In order to receive the reciprocal credential, an applicant must reside in Wisconsin and satisfy certain other requirements, including that 1) the applicant has held a license, certification, registration, or permit analogous to the credential in another state for at least one year; 2) when the applicant was granted the license, certification, registration, or permit, minimum education and, if applicable, work experience and clinical supervision requirements applied; 3) the applicant has not had a license, certification, registration, or permit revoked; 4) the applicant does not have a complaint, allegation, or investigation pending before a

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regulating entity in another state or country relating to unprofessional conduct; 5) the applicant passes a criminal background check that applies to applicants for the analogous credential; and 6) the applicant passes an examination on the laws governing practice of the profession in Wisconsin, if such an examination is required for the analogous credential.

The bill generally applies to credentials granted by the Veterinary Examining Board, DSPS, and credentialing boards in DSPS, but does not apply to credentials related to transportation network companies, private colleges, boxing and martial arts, body art and tanning facilities, private detectives, and security guards.

Additionally, a person who applies for a reciprocal credential under the bill during the first year after it takes effect is not required to pay any fee for the credential.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 89.072 (3) of the statutes is created to read:

2 89.072 (3) (a) The examining board shall grant a license or certification under
3 s. 89.06 to a person who the examining board determines meets all of the following
4 requirements:

5 1. The person applies for a license or certification under this chapter on a form
6 prescribed by the examining board.

7 2. The person holds a license, certification, registration, or permit that was
8 granted by another state that qualifies the person to perform the acts authorized
9 under the license or certification granted by the examining board and all of the
10 following apply:

11 a. The person has held that license, certification, registration, or permit for at
12 least one year.

13 b. When the person was granted the license, certification, registration, or
14 permit, there were minimum education requirements in effect, and the other state

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1 verifies that the person met those requirements in order to receive that license,
2 certification, registration, or permit.

3 3. The person establishes residence in this state.

4 4. The person previously passed all examinations required for the license,
5 certification, registration, or permit in the other state, if required by the other state.

6 5. The person has not had his or her license, certification, registration, or
7 permit revoked and has not voluntarily surrendered a license, certification,
8 registration, or permit in another state or country while under investigation for
9 unprofessional conduct.

10 6. The person has not had discipline imposed by a regulating entity in another
11 state or country, except that if a regulating entity in another state or country has
12 taken disciplinary action against the person, the examining board shall determine
13 if the cause for the action was corrected and the matter resolved, and if the matter
14 has been resolved, the examining board shall issue the license or certification if the
15 other requirements in this paragraph are satisfied.

16 7. The person does not have a complaint, allegation, or investigation pending
17 before a regulating entity in another state or country that relates to unprofessional
18 conduct. If the individual has any complaint, allegation, or investigation pending,
19 the examining board shall suspend the application process and may not issue or deny
20 a license or certification to the person until the complaint, allegation, or
21 investigation is resolved.

22 8. The person does not have an arrest record, as defined in s. 111.32 (1), or a
23 conviction record, as defined in s. 111.32 (3), that would disqualify the person from
24 being granted a license or certification under this chapter.

SENATE BILL 915**SECTION 1**

1 9. The person passes an examination on the laws and rules related to practicing
2 under a license or certification under this chapter.

3 10. The person pays the fee established under s. 89.063.

4 (b) The examining board shall promulgate rules to implement par. (a) but may
5 not require any requirements other than those specified in par. (a) to be satisfied in
6 order for a person to be granted a license or certification under par. (a).

7 **SECTION 2.** 101.022 of the statutes is amended to read:

8 **101.022 Certain laws applicable to occupational licenses.** Sections
9 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),
10 440.075, 440.09 (2), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15, 440.19, 440.20
11 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the requirements imposed
12 on the department under those statutes, apply to occupational licenses, as defined
13 in s. 101.02 (1) (a) 2., in the same manner as those statutes apply to credentials, as
14 defined in s. 440.01 (2) (a).

15 **SECTION 3.** 101.874 (2) of the statutes is amended to read:

16 101.874 (2) The department may enter into a reciprocal agreement with
17 another state under which credentials issued to electricians, electrical apprentices,
18 electrical contractors, and electrical inspectors by either state are recognized as
19 comparable credentials by the other state. ~~Under~~ Except as provided under sub. (4),
20 under the agreement, the department may recognize credentials from the other state
21 only if the education, experience, and examination requirements in the other state
22 are at least equivalent to the education, experience, and examination requirements
23 for being issued credentials under this subchapter.

24 **SECTION 4.** 101.874 (3) (intro.) of the statutes is amended to read:

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1 101.874 (3) (intro.) Upon entering into an agreement under this section, the
2 department may issue a credential under the agreement only if all of the following
3 apply:

4 **SECTION 5.** 101.874 (4) of the statutes is created to read:

5 101.874 (4) Notwithstanding any agreement the department enters into under
6 this section, the department shall grant a reciprocal credential under s. 440.09 (3m)
7 to an individual who meets the requirements under s. 440.09 (3m).

8 **SECTION 6.** 440.09 (title) of the statutes, as affected by 2019 Wisconsin Act 143,
9 is amended to read:

10 **440.09** (title) **Reciprocal credentials for service members, former**
11 **service members, and their spouses.**

12 **SECTION 7.** 440.09 (1) (title) of the statutes is created to read:

13 440.09 (1) (title) DEFINITIONS.

14 **SECTION 8.** 440.09 (1m) of the statutes is created to read:

15 440.09 (1m) RECIPROCAL CREDENTIALS; GENERALLY. In addition to any provisions
16 allowing an individual to be granted a reciprocal credential, an individual may be
17 granted a reciprocal credential under sub. (2e) or (3m). Subject to sub. (2e) (c), an
18 individual who is granted a reciprocal credential under sub. (2e) or (3m) shall
19 otherwise be considered to hold the applicable credential under, and be subject to, the
20 applicable provisions governing that credential.

21 **SECTION 9.** 440.09 (2) of the statutes, as affected by 2019 Wisconsin Act 143,
22 is renumbered 440.09 (2e) (a).

23 **SECTION 10.** 440.09 (2e) (title) of the statutes is created to read:

24 440.09 (2e) (title) RECIPROCAL CREDENTIALS FOR SERVICE MEMBERS, FORMER
25 SERVICE MEMBERS, AND THEIR SPOUSES.

SENATE BILL 915**SECTION 11**

1 **SECTION 11.** 440.09 (2m) of the statutes, as created by 2019 Wisconsin Act 143,
2 is renumbered 440.09 (2e) (b) and amended to read:

3 440.09 (2e) (b) If an individual is unable to provide documentation under this
4 subsection that the individual is a service member, former service member, or the
5 spouse of a service member or former service member, the individual may submit an
6 affidavit to the department or credentialing board, as appropriate, stating that the
7 individual is a service member, former service member, or the spouse of a service
8 member or former service member.

9 **SECTION 12.** 440.09 (3) (a) of the statutes, as affected by 2019 Wisconsin Act
10 143, is renumbered 440.09 (2e) (c) 1. and amended to read:

11 440.09 (2e) (c) 1. A reciprocal credential granted under this ~~section~~ subsection
12 expires on the applicable renewal date specified in s. 440.08 (2) (a), except that if the
13 first renewal date specified in s. 440.08 (2) (a) after the date on which the credential
14 is granted is within 180 days of the date on which the credential is granted, the
15 credential expires on the 2nd renewal date specified in s. 440.08 (2) (a) after the date
16 on which the credential is granted.

17 **SECTION 13.** 440.09 (3) (b) of the statutes, as created by 2019 Wisconsin Act 143,
18 is renumbered 440.09 (2e) (c) 2. and amended to read:

19 440.09 (2e) (c) 2. The department or credentialing board, as appropriate, shall
20 grant a renewed reciprocal credential under this subsection to an applicant who pays
21 the renewal fee specified under s. 440.05 (2) and satisfies the requirements that
22 apply for renewing that credential.

23 **SECTION 14.** 440.09 (3m) of the statutes is created to read:

24 440.09 (3m) **RECIPROCAL CREDENTIALS FOR OUT-OF-STATE CREDENTIAL HOLDERS.**

25 (a) Except as provided in par. (b), the department and each credentialing board shall

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1 grant a reciprocal credential to an individual who the department or credentialing
2 board determines meets all of the following requirements:

3 1. The individual applies for a reciprocal credential under this section on a form
4 prescribed by the department or credentialing board.

5 2. The individual holds a license, certification, registration, or permit that was
6 granted by another state that qualifies the individual to perform the acts authorized
7 under the appropriate credential granted by the department or credentialing board
8 and all of the following apply:

9 a. The individual has held that license, certification, registration, or permit for
10 at least one year.

11 b. When the individual was granted that license, certification, registration, or
12 permit, there were minimum education requirements and, if applicable, work
13 experience and clinical supervision requirements in effect, and the other state
14 verifies that the individual met those requirements in order to receive that license,
15 certification, registration, or permit.

16 3. The individual establishes residence in this state.

17 4. The individual previously passed all examinations required for the license,
18 certification, registration, or permit in the other state, if required by the other state.

19 5. The individual has not had a license, certification, registration, or permit
20 revoked and has not voluntarily surrendered a license, certification, registration, or
21 permit in another state or country while under investigation for unprofessional
22 conduct.

23 6. The individual has not had discipline imposed by a regulating entity in
24 another state or country, except that if a regulating entity in another state or country
25 has taken disciplinary action against the individual, the department or the

SENATE BILL 915**SECTION 14**

1 credentialing board shall determine if the cause for the action was corrected and the
2 matter resolved, and if the matter has been resolved, the department or the
3 credentialing board shall grant the reciprocal credential if the other requirements
4 in this paragraph are satisfied.

5 7. The individual does not have a complaint, allegation, or investigation
6 pending before a regulating entity in another state or country that relates to
7 unprofessional conduct. If the individual has any complaint, allegation, or
8 investigation pending, the department or credentialing board shall suspend the
9 application process and may not grant or deny a reciprocal credential to the
10 individual until the complaint, allegation, or investigation is resolved.

11 8. The individual does not have an arrest record, as defined in s. 111.32 (1), or
12 a conviction record, as defined in s. 111.32 (3), that would disqualify the individual
13 from being granted that credential under the applicable provisions governing that
14 credential.

15 9. The individual passes an examination on the laws of this state, if required
16 for other applicants for that credential under the applicable provisions governing
17 that credential.

18 10. The individual pays all applicable fees, including the fee specified under s.
19 440.05 (2).

20 (b) 1. Paragraph (a) does not apply to any credentials or other forms of
21 permission granted pursuant to an interstate compact or to the extent that its
22 application conflicts with an interstate compact.

23 2. Paragraph (a) does not apply to the extent that its application conflicts with
24 any federal law.

