



**WEB/TELECONFERENCE
VETERINARY EXAMINING BOARD
Room 121C, 1400 East Washington Avenue, Madison
Contact: Tom Ryan (608) 266-2112
April 30, 2014**

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

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda**
- B) Welcome New Members**
- C) Approval of Minutes of January 29, 2014 (4-8)**
- D) Appointments/Reappointments/Confirmations**
 - 1) Diane Dommer Martin, D.V.M. **(9)**
 - 2) Sheldon Schall **(10)**
- E) Administrative Updates**
 - 1) Staff Updates
 - 2) Appointment of Professional Assistance Procedure (PAP) Liaison **(11-15)**
- F) Legislative/Administrative Rule Matters:**
 - 1) Current and Future Rule Making and Legislative Initiatives
 - 2) Administrative Rules Report
 - 3) 2013 Wisconsin Act 114 and Wis. Admin. Code ch. VE 2 and VE 3 **(16-19)**
- G) American Association of Veterinary State Boards (AAVSB) Matters**
 - 1) 2015 AAVSB Annual Conference – Site Selection Update
 - 2) Update on Neil Wiseley's Candidacy for AAVSB Board of Directors
- H) Speaking Engagement(s), Travel, or Public Relation Request(s)**
- I) Unlicensed Practice**

- J) Items Added After Preparation of Agenda:
- 1) Introductions, Announcements and Recognition
 - 2) Administrative Updates
 - 3) Education and Examination Matters
 - 4) Credentialing Matters
 - 5) Practice Matters
 - 6) Legislation/Administrative Rule Matters
 - 7) Liaison Report(s)
 - 8) Informational Item(s)
 - 9) Disciplinary Matters
 - 10) Presentations of Petition(s) for Summary Suspension
 - 11) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
 - 12) Presentation of Proposed Decisions
 - 13) Presentation of Interim Order(s)
 - 14) Petitions for Re-Hearing
 - 15) Petitions for Assessments
 - 16) Petitions to Vacate Order(s)
 - 17) Petitions for Designation of Hearing Examiner
 - 18) Requests for Disciplinary Proceeding Presentations
 - 19) Motions
 - 20) Petitions
 - 21) Appearances from Requests Received or Renewed
 - 22) Speaking Engagement(s), Travel, or Public Relation Request(s)

K) Public Comments

CONVENE TO CLOSED SESSION 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. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

L) **Presentation and Deliberation on Proposed Stipulations, Final Decisions and Orders by the Division of Legal Services and Compliance (DLSC):**

- 1) Sean Raleigh, D.V.M. – 13 VET 013 **(20-26)**
 - a) Case Advisor: Robert Spencer, D.V.M.
- 2) William A. Croft, Jr., D.V.M. – 13 VET 015 **(27-33)**
 - a) Case Advisor: Wesley Elford, D.V.M.
- 3) Frederick G. Lord, D.V.M. – 13 VET 025 **(34-39)**
 - a) Case Advisor: Philip Johnson, D.V.M.
- 4) James S. Graham, D.V.M. – 13 VET 034 **(40-45)**
 - a) Case Advisor: Sheldon Schall

M) **Presentation and Deliberation on Administrative Warnings**

- 1) 13 VET 002 (J.J.Q.) **(46-47)**
- 2) 13 VET 008 (B.E.H.) **(48-50)**

N) **Case Status Report (51)**

O) Case Closing(s)

1) 13 VET 004 (A.R. and M.O.) **(52-57)**

P) Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petition(s) for Summary Suspensions
- 7) Proposed Stipulations, Final Decisions and Orders
- 8) Administrative Warnings
- 9) Proposed Decisions
- 10) Matters Relating to Costs
- 11) Complaints
- 12) Case Closings
- 13) Case Status Report
- 14) Petition(s) for Extension of Time
- 15) Proposed Interim Orders
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

Q) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

R) Open Session Items Noticed Above not Completed in the Initial Open Session

S) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

T) Ratification of Licenses and Certificates

ADJOURNMENT

**VETERINARY EXAMINING BOARD
MEETING MINUTES
January 29, 2014**

PRESENT: Bruce Berth; Wesley Elford, D.V.M.; Robert Forbes, D.V.M.; Philip Johnson, D.V.M.; Sheldon Schall; and Neil Wiseley, D.V.M.

PRESENT VIA GOTOMEETING: Brenda Nemec, C.V.T.

STAFF: Tom Ryan, Executive Director; Pam Stach, Legal Counsel; Daniel Agne, Bureau Assistant; and other Department staff

CALL TO ORDER

Neil Wiseley, Secretary, called the meeting to order at 9:03 A.M. A quorum of seven (7) members was confirmed.

ADOPTION OF AGENDA

MOTION: Sheldon Schall moved, seconded by Philip Johnson, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 23, 2013

MOTION: Philip Johnson moved, seconded by Wesley Elford, to approve the minutes of October 23, 2013 as published. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 29, 2013

MOTION: Sheldon Schall moved, seconded by Wesley Elford, to approve the minutes of October 29, 2013 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

ELECTION OF OFFICERS

BOARD CHAIR

NOMINATION: Neil Wiseley nominated Wesley Elford for the Office of Board Chair. Nomination carried by unanimous consent.

Tom Ryan called for other nominations three (3) times.

Wesley Elford was elected as Board Chair.

VICE CHAIR

NOMINATION: Wesley Elford nominated Philip Johnson for the Office of Vice Chair. Nomination carried by unanimous consent.

Tom Ryan called for other nominations three (3) times.

Philip Johnson was elected as Vice Chair.

SECRETARY

NOMINATION: Wesley Elford nominated Neil Wiseley for the Office of Secretary. Nomination carried by unanimous consent.

Tom Ryan called for other nominations three (3) times.

Neil Wiseley was elected as Secretary.

2014 ELECTION RESULTS	
Board Chair	Wesley Elford
Vice Chair	Philip Johnson
Secretary	Neil Wiseley

APPOINTMENT OF LIAISONS, ALTERNATES, AND DELEGATES

EDUCATION AND EXAMS LIAISON

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Philip Johnson as the Education and Exams Liaison, and Sheldon Schall as the Alternate. Motion carried unanimously.

WEBSITE LIAISON

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Sheldon Schall as the Website Liaison, and Robert Forbes as the Alternate. Motion carried unanimously.

CREDENTIALING LIAISON

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Philip Johnson as the Credentialing Liaison, and Robert Forbes as the Alternate. Motion carried unanimously.

LEGISLATIVE LIAISON

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Bruce Berth as the Legislative Liaison, and Neil Wiseley as the Alternate. Motion carried unanimously.

TRAVEL LIAISON

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Wesley Elford as the Travel Liaison, and Philip Johnson as the Alternate. Motion carried unanimously.

RULES LIAISON

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Neil Wiseley as the Rules Liaison, and Wesley Elford as the Alternate. Motion carried unanimously.

OTHER LIAISON(S)

MOTION: Wesley Elford moved, seconded by Sheldon Schall, to appoint Neil Wiseley as the Monitoring Liaison, and Wesley Elford as the Alternate. Motion carried unanimously.

DELEGATED AUTHORITY MOTIONS

MOTION: Neil Wiseley moved, seconded by Philip Johnson, to adopt the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet. Motion carried unanimously.

MOTION: Robert Forbes moved, seconded by Sheldon Schall, that the Board delegates authority to the Chair (or order of succession) 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 for purposes of facilitating the completion of assignments during or between meetings. The Chair delegates the authority to the Executive Director to sign the name of the Chair (or order of succession) on documents as necessary. Motion carried unanimously.

MOTION: Philip Johnson moved, seconded by Neil Wiseley, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department 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.

SCREENING PANEL

MOTION: Bruce Berth moved, seconded by Robert Forbes, to appoint Sheldon Schall, Philip Johnson, Robert Forbes, and Brenda Nemecek to the Screening Panel. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

CR 13-031 VET 1.02, 7, 8, 9 AND CR 13-032 VET 2, 3, 4, 5, 6

MOTION: Sheldon Schall moved, seconded by Philip Johnson, to authorize the Chair to approve the Adoption Order for Clearinghouse Rule Numbers CR 13-031 and CR 13-032. Motion carried unanimously.

AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS (AAVSB) MATTERS

AAVSB CALL FOR NOMINATIONS FOR 2014-2015

MOTION: Wesley Elford moved, seconded by Philip Johnson, to nominate Neil Wiseley to run for a Director position on the AAVSB Board of Directors, and to delegate the Chair or other Designee to draft a statement indicating the rationale for the nomination. Motion carried unanimously.

CLOSED SESSION

MOTION: Philip Johnson moved, seconded by Neil Wiseley, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigations with administrative warning (s. 19.85(1)(b), Stats. 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.). The Chair read the preceding aloud into the record. Roll Call Vote: Bruce Berth - yes; Wesley Elford - yes; Robert Forbes - yes; Philip Johnson - yes; Brenda Nemecek - yes; Sheldon Schall - yes; and Neil Wiseley - yes. Motion carried unanimously.

The Board convened into Closed Session at 10:07 A.M.

RECONVENE TO OPEN SESSION

MOTION: Philip Johnson moved, seconded by Sheldon Schall, to reconvene in open session at 10:55 A.M. Motion carried unanimously.

**PRESENTATION AND DELIBERATION ON PROPOSED STIPULATIONS,
FINAL DECISIONS, AND ORDERS**

**13 VET 003
SCOTT F. HARMAN, D.V.M.**

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to adopt the Findings of Fact, Conclusions of Law, Stipulation, and Order, in the matter of 13 VET 003 – Scott F. Harman, D.V.M. Motion carried unanimously.

**12 VET 018, 12 VET 026, 13 VET 016, AND 13 VET 026
MORRIS A. LINK, D.V.M.**

MOTION: Philip Johnson moved, seconded by Brenda Nemec, to adopt the Findings of Fact, Conclusions of Law, Stipulation, and Order, in the matter of 12 VET 018, 12 VET 026, 13 VET 016, and 13 VET 026 – Morris A. Link, D.V.M. Motion carried unanimously.

MONITORING MATTERS

JAMES METZ, D.V.M. – REQUEST FOR FULL LICENSE

MOTION: Robert Forbes moved, seconded by Bruce Berth, to approve the request for full licensure from James Metz, D.V.M. Motion carried unanimously.

PRESENTATION AND DELIBERATION OF ADMINISTRATIVE WARNINGS

MOTION: Robert Forbes moved, seconded by Sheldon Schall, to issue an Administrative Warning and close the case in the matter of 13 VET 036 (D.G.M.). Motion carried unanimously.

CASE CLOSING(S)

MOTION: Philip Johnson moved, seconded by Sheldon Schall, to close case 13 VET 026 (Arnold) for no violation (NV). Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

MOTION: Philip Johnson moved, seconded by Robert Forbes, to affirm all Motions made and all Votes taken in Closed Session. Motion carried unanimously.

ADJOURNMENT

MOTION: Bruce Berth moved, seconded by Neil Wiseley, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:56 A.M.



SCOTT WALKER
OFFICE OF THE GOVERNOR
STATE OF WISCONSIN

P.O. Box 7863
MADISON, WI 53707

GOVERNOR'S APPOINTMENT

NAME: Dr. Diane Dommer Martin

MAILING ADDRESS: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

RESIDES IN: [REDACTED]

TELEPHONE: [REDACTED]

OCCUPATION: [REDACTED]

APPOINTED TO: Veterinary Examining Board
Veterinarian 5

TERM: A term to expire July 1, 2017

SUCCEEDS: Dr. Robert R. Spencer

SENATE CONFIRMATION: Required

DATE OF APPOINTMENT: December 18, 2013

DATE OF NOMINATION: December 18, 2013



SCOTT WALKER
OFFICE OF THE GOVERNOR
STATE OF WISCONSIN

P.O. Box 7863
MADISON, WI 53707

GOVERNOR'S APPOINTMENT

NAME: Mr. Sheldon Schall

MAILING ADDRESS: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

RESIDES IN: [REDACTED]

TELEPHONE: [REDACTED]

OCCUPATION: [REDACTED]

APPOINTED TO: Veterinary Examining Board
Public member 1

TERM: A term to expire July 1, 2018

SUCCEEDS: Himself

SENATE CONFIRMATION: Required

DATE OF APPOINTMENT: July 1, 2014

DATE OF NOMINATION: January 7, 2014

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Ashley Horton Department Monitor Division of Legal Services and Compliance		2) Date When Request Submitted: December 20, 2013 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections:			
4) Meeting Date:	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Appointment of Professional Assistance Procedure (PAP) Liaison	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Appointment of 2014 PAP Liaison - see <i>Wis. Admin. Code SPS ch. 7, attached, for Liaison duties</i>			
11) 		Authorization December 20, 2013	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Chapter SPS 7

PROFESSIONAL ASSISTANCE PROCEDURE

<p>SPS 7.01 Authority and intent. SPS 7.02 Definitions. SPS 7.03 Referral to and eligibility for the procedure. SPS 7.04 Requirements for participation. SPS 7.05 Agreement for participation. SPS 7.06 Standards for approval of treatment facilities or individual therapists.</p>	<p>SPS 7.07 Intradepartmental referral. SPS 7.08 Records. SPS 7.09 Report. SPS 7.10 Applicability of procedures to direct licensing by the department. SPS 7.11 Approval of drug testing programs.</p>
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Note: Chapter RL 7 was renumbered chapter SPS 7 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671

SPS 7.01 Authority and intent. (1) The rules in this chapter are adopted pursuant to authority in ss. 15.08 (5) (b), 15.30, 146.82, 227.11 and 440.03, Stats.

(2) The intent of the department in adopting rules in this chapter is to protect the public from credential holders who are impaired by reason of their abuse of alcohol or other drugs by promoting early identification of chemically dependent professionals and encouraging rehabilitation. This goal will be advanced by providing an option that may be used in conjunction with the formal disciplinary process for qualified credential holders committed to their own recovery. This procedure is intended to apply when allegations are made that a credential holder has practiced a profession while impaired by alcohol or other drugs or whose ability to practice is impaired by alcohol or other drugs or when a credential holder contacts the department and requests to participate in the procedure. It may be used in conjunction with the formal disciplinary process in situations where allegations exist that a credential holder has committed misconduct, negligence or violations of law, other than practice while impaired by alcohol or other drugs. The procedure may then be utilized to promote early identification of chemically dependent professionals and encourage their rehabilitation. Finally, the department's procedure does not seek to diminish the prosecution of serious violations but rather it attempts to address the problem of alcohol and other drug abuse within the enforcement jurisdiction of the department.

(3) In administering this program, the department intends to encourage board members to share professional expertise so that all boards in the department have access to a range of professional expertise to handle problems involving impaired professionals.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (2), Register, July, 1996, No. 487, eff. 8-1-96; CR 10-081: am. (2) Register December 2010 No. 660, eff. 1-1-11.

SPS 7.02 Definitions. In this chapter:

(1) "Board" means any board, examining board or affiliated credentialing board attached to the department.

(2) "Board liaison" means the board member designated by the board or the secretary or the secretary's designee as responsible for approving credential holders for the professional assistance procedure under s. SPS 7.03, for monitoring compliance with the requirements for participation under s. SPS 7.04, and for performing other responsibilities delegated to the board liaison under these rules.

(2a) "Coordinator" means a department employee who coordinates the professional assistance procedure.

(2b) "Credential holder" means a person holding any license, permit, certificate or registration granted by the department or any board. For purposes of this chapter, "credential holder" includes a person with a pending application for a credential for a period not to exceed one year from the date the application for the credential was submitted to the department.

(3) "Department" means the department of safety and professional services.

(4) "Division" means the division of enforcement in the department.

(5) "Informal complaint" means any written information submitted by any person to the division, department or any board which requests that a disciplinary proceeding be commenced against a credential holder or which alleges facts, which if true, warrant discipline. "Informal complaint" includes requests for disciplinary proceedings under s. 440.20, Stats.

(6) "Medical review officer" means a medical doctor or doctor of osteopathy who is a licensed physician and who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with an individual's medical history and any other relevant biomedical information.

(7) "Procedure" means the professional assistance procedure.

(8) "Program" means any entity approved by the department to provide the full scope of drug testing services for the department.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (1), (2), (5), cr. (2a), (2b), r. (6), Register, July, 1996, No. 487, eff. 8-1-96; cr. (6) and (8), Register, January, 2001, No. 541, eff. 2-1-01; CR 10-081: am. (1) to (2b), (7) Register December 2010 No. 660, eff. 1-1-11; correction in (2), (3) made under s. 13.92 (4) (b) 6., Register November 2011 No. 671.

SPS 7.03 Referral to and eligibility for the procedure.

(1) A credential holder who contacts the department and requests to participate in the procedure shall be referred to the board liaison and the coordinator for determination of acceptance into the procedure.

(2) A credential holder who has been referred to the procedure and considered for eligibility shall be provided with an application for participation.

(3) All informal complaints involving allegations of impairment due to alcohol or chemical dependency shall be screened and investigated pursuant to s. SPS 2.035. After investigation, informal complaints involving impairment may be referred to the procedure along with a summary of the investigative results in the form of a draft statement of conduct to be used as a basis for the statement of conduct under s. SPS 7.05 (1) (a) and considered for eligibility for the procedure or for formal disciplinary proceedings under ch. SPS 2. The credential holder shall be provided with a written explanation of the credential holder's options for resolution of the matter through participation in the procedure and of the formal disciplinary process pursuant to ch. SPS 2.

(4) Eligibility for the procedure shall be determined by the board liaison and coordinator who shall review all relevant materials including investigative results and the credential holder's application for participation. Eligibility shall be determined upon criteria developed by the coordinator in consultation with the disciplinary authority. The decision on eligibility shall be consistent with the purposes of these procedures as described in s. SPS 7.01 (2). Credential holders who have committed violations of law may be eligible for the procedure. The board liaison shall have

responsibility to make the determination of eligibility for the procedure.

(5) The credential holder shall obtain a comprehensive assessment for chemical dependency from a treatment facility or individual therapist approved under s. SPS 7.06. The credential holder shall arrange for the treatment facility or individual therapist to file a copy of its assessment with the board liaison or coordinator. The board liaison and the credential holder may agree to waive this requirement. The obtaining of the assessment shall not delay admission into the procedure.

(6) If a credential holder is determined to be ineligible for the procedure, the credential holder may be referred to the division for prosecution.

(7) A credential holder determined to be ineligible for the procedure by the board liaison or the department may, within 10 days of notice of the determination, request the credentialing authority to review the adverse determination.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (2) to (6), Register, July, 1996, No. 487, eff. 8-1-96; CR 10-081: renum. (1) and (3) to (6) to be (3) to (7) and am. (3) to (6), cr. (1), am. (2) Register December 2010 No. 660, eff. 1-1-11; correction in (3), (4), (5) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 7.04 Requirements for participation. (1) A credential holder who participates in the procedure shall:

- (a) Sign an agreement for participation under s. SPS 7.05.
- (b) Remain free of alcohol, controlled substances, and prescription drugs, unless prescribed for a valid medical purpose.
- (c) Timely enroll and participate in a program for the treatment of chemical dependency conducted by a facility or individual therapist approved pursuant to s. SPS 7.06.
- (d) Comply with any treatment recommendations and work restrictions or conditions deemed necessary by the board liaison or department.
- (e) Submit random monitored physiological specimens for the purpose of screening for alcohol or controlled substances provided by a drug testing program approved by the department under s. SPS 7.11, as required.
- (f) Execute releases valid under state and federal law to allow access to the credential holder's counseling, treatment and monitoring records.
- (g) Have the credential holder's supervising therapist and work supervisors file quarterly reports with the coordinator.
- (h) Notify the coordinator of any changes in the credential holder's employer within 5 days.
- (i) File quarterly reports documenting the credential holder's attendance at meetings of self-help groups such as alcoholics anonymous or narcotics anonymous.

(2) If the board liaison or department determines, based on consultation with the person authorized to provide treatment to the credential holder or monitor the credential holder's enrollment or participation in the procedure, or monitor any drug screening requirements or restrictions on employment under sub. (1), that a credential holder participating in the procedure has failed to meet any of the requirements set under sub. (1), the board liaison may refer the credential holder to the division. A failure to maintain abstinence is considered a relapse and shall be reviewed by the board liaison to determine whether the credential holder should be referred to the division. The board liaison may review the complete record in making this determination.

(3) If a credential holder violates the agreement and no referral to the division occurs, then a new admission under s. SPS 7.05 (1) (a) shall be obtained for relapses and for misconduct, negligence or violations of law which are substantial. If a new admission is not obtained, then a referral to the division by the coordinator shall occur.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. Register, July, 1996, No. 487, eff. 8-1-96; am. (1) (e), Register, January, 2001, No. 541, eff. 2-1-01; CR 10-081: am. (1) (e), (f), (2), (3) Register December 2010 No. 660, eff. 1-1-11;

correction in (1) (a), (c), (e), (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 7.05 Agreement for participation. (1) The agreement for participation in the procedure shall at a minimum include:

(a) A statement describing conduct the credential holder agrees occurred relating to participation in the procedure and an agreement that the statement may be used as evidence in any disciplinary proceeding under ch. SPS 2.

(b) An acknowledgement by the credential holder of the need for treatment for chemical dependency;

(c) An agreement to participate at the credential holder's expense in an approved treatment regimen.

(d) An agreement to submit to random monitored drug screens provided by a drug testing program approved by the department under s. SPS 7.11 at the credential holder's expense, if deemed necessary by the board liaison.

(e) An agreement to submit to practice restrictions at any time during the treatment regimen as deemed necessary by the board liaison.

(f) An agreement to furnish the coordinator with signed consents for release of information from treatment providers and employers authorizing the release of information to the coordinator and board liaison for the purpose of monitoring the credential holder's participation in the procedure.

(g) An agreement to authorize the board liaison or coordinator to release information described in pars. (a), (c) and (e), the fact that a credential holder has been dismissed under s. SPS 7.07 (3) (a) or violated terms of the agreement in s. SPS 7.04 (1) (b) to (e) and (h) concerning the credential holder's participation in the procedure to the employer, therapist or treatment facility identified by the credential holder and an agreement to authorize the coordinator to release the results of random monitored drug screens under par. (d) to the therapist identified by the credential holder.

(h) An agreement to participate in the procedure for a period of time as established by the board.

(2) The board liaison may include additional requirements for an individual credential holder, if the circumstances of the informal complaint or the credential holder's condition warrant additional safeguards.

(3) The board or board liaison may include a promise of confidentiality that all or certain records shall remain closed and not available for public inspection and copying. Any promise is subject to s. SPS 7.08 and ends upon a referral to the division. Information and records may be made available to staff within the department on an as-needed basis, to be determined by the coordinator.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (1) (a) to (g) and (2), Register, July, 1996, No. 487, eff. 8-1-96; am. (1) (d), Register, January, 2001, No. 541, eff. 2-1-01; CR 10-081: am. (3) Register December 2010 No. 660, eff. 1-1-11; correction in (1) (a), (d), (g), (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

SPS 7.06 Standards for approval of treatment facilities or individual therapists. (1) The board or board liaison shall approve a treatment facility designated by a credential holder for the purpose of participation in the procedure if:

(a) The facility is certified by appropriate national or state certification agencies.

(b) The treatment program focus at the facility is on the individual with drug and alcohol abuse problems.

(c) Facility treatment plans and protocols are available to the board liaison and coordinator.

(d) The facility, through the credential holder's supervising therapist, agrees to file reports as required, including quarterly progress reports and immediate reports if a credential holder withdraws from therapy, relapses, or is believed to be in an unsafe condition to practice.

(2) As an alternative to participation by means of a treatment facility, a credential holder may designate an individual therapist for the purpose of participation in the procedure. The board liaison shall approve an individual therapist who:

(a) Has credentials and experience determined by the board liaison to be in the credential holder's area of need.

(b) Agrees to perform an appropriate assessment of the credential holder's therapeutic needs and to establish and implement a comprehensive treatment regimen for the credential holder.

(c) Forwards copies of the therapist's treatment regimen and office protocols to the coordinator.

(d) Agrees to file reports as required to the coordinator, including quarterly progress reports and immediate reports if a credential holder withdraws from therapy, relapses, or is believed to be in an unsafe condition to practice.

(3) If a board liaison does not approve a treatment facility or therapist as requested by the credential holder, the credential holder may, within 10 days of notice of the determination, request the board to review the board liaison's adverse determination.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. Register, July, 1996, No. 487, eff. 8-1-96; r. (1) (d) and (2) (d), renum. (1) (e) and (2) (e) to be (1) (d) and (2) (d) and am., Register, January, 2001, No. 541, eff. 2-1-01.

SPS 7.07 Intradepartmental referral. (2) The division may refer individuals named in informal complaints to the board liaison for acceptance into the procedure.

(3) The board liaison may refer cases involving the following to the division for investigation or prosecution:

(a) Credential holders participating in the procedure who fail to meet the requirements of their rehabilitation program.

(b) Credential holders who apply and who are determined to be ineligible for the procedure where the board liaison is in possession of information indicating misconduct, negligence or a violation of law.

(c) Credential holders who do not complete an agreement for participation where the board liaison is in possession of information indicating misconduct, negligence or a violation of law.

(d) Credential holders initially referred by the division to the board liaison who fail to complete an agreement for participation.

(e) Credential holders who request early termination of an agreement for participation. In making the decision if a referral should occur, the board liaison shall consider whether the credential holder's therapist approves the early termination and whether this opinion is supported by a second therapist selected by the department who shall always be consulted and shall concur.

(4) The board liaison shall refer credential holders who relapse in the context of the work setting to the division for investigation and prosecution. A credential holder referred under this subsection who has not been dismissed from the procedure may continue to participate in the procedure.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (1), (3) (a) to (d), Register, July, 1996, No. 487, eff. 8-1-96; CR 10-081: r. (1), am. (3) (a), (b), (c), cr. (3) (e), (4) Register December 2010 No. 660, eff. 1-1-11.

SPS 7.08 Records. (1) CUSTODIAN. All records relating to the procedure including applications for participation, agreements for participation and reports of participation shall be maintained in the custody of the department secretary or the secretary's designee.

(2) AVAILABILITY OF PROCEDURE RECORDS FOR PUBLIC INSPECTION. Any requests to inspect procedure records shall be made to the custodian. The custodian shall evaluate each request on a case by case basis using the applicable law relating to open records and giving appropriate weight to relevant factors in order to determine whether public interest in nondisclosure outweighs the public interest in access to the records, including the reputational interests of the credential holder, the importance of confidentiality to the functional integrity of the procedure, the existence of any promise of confidentiality, statutory or common law rules which

accord a status of confidentiality to the records and the likelihood that release of the records will impede an investigation. The fact of a credential holder's participation in the procedure and the status of that participation may be disclosed to credentialing authorities of other jurisdictions.

(3) TREATMENT RECORDS. Treatment records concerning individuals who are receiving or who at any time have received services for mental illness, developmental disabilities, alcoholism, or drug dependence which are maintained by the department, by county departments under s. 51.42 or 51.437, Stats., and their staffs and by treatment facilities are confidential under s. 51.30, Stats., and shall not be made available for public inspection.

(4) PATIENT HEALTH CARE RECORDS. Patient health care records are confidential under s. 146.82, Stats., and shall not be made available to the public without the informed consent of the patient or of a person authorized by the patient or as provided under s. 146.82 (2), Stats.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. (2), Register, July, 1996, No. 487, eff. 8-1-96; CR 10-081: am. (2) Register December 2010 No. 660, eff. 1-1-11.

SPS 7.09 Report. The board liaison or coordinator shall report on the procedure to the board at least twice a year and if requested to do so by a board.

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. Register, July, 1996, No. 487, eff. 8-1-96.

SPS 7.10 Applicability of procedures to direct licensing by the department. This procedure may be used by the department in resolving complaints against persons licensed directly by the department if the department has authority to discipline the credential holder. In such cases, the department secretary shall have the authority and responsibility of the "board" as the term is used in the procedure and shall designate an employee to perform the responsibilities of the "board liaison."

History: Cr. Register, January, 1991, No. 421, eff. 2-1-91; am. Register, July, 1996, No. 487, eff. 8-1-96.

SPS 7.11 Approval of drug testing programs. The department shall approve drug testing programs for use by credential holders who participate in drug and alcohol monitoring programs pursuant to agreements between the department or boards and credential holders, or pursuant to disciplinary orders. To be approved as a drug testing program for the department, programs shall satisfactorily meet all of the following standards in the areas of program administration, collection site administration, laboratory requirements and reporting requirements:

(1) Program administration requirements are:

(a) The program shall enroll participants by setting up an account, establishing a method of payment and supplying pre-printed chain-of-custody forms.

(b) The program shall provide the participant with the address and phone number of the nearest collection sites and shall assist in locating a qualified collection site when traveling outside the local area.

(c) Random selection of days when participants shall provide specimens shall begin upon enrollment and the program shall notify designated department staff that selection has begun.

(d) The program shall maintain a nationwide toll-free access or an internet website that is operational 24 hours per day, 7 days per week to inform participants of when to provide specimens and is able to document the date and time of contacts by credential holders.

(e) The program shall maintain and make available to the department and treatment providers through an internet website data that are updated on a daily basis verifying the date and time each participant was notified after random selection to provide a specimen, the date, time and location each specimen was collected, the results of drug screen and whether or not the participant complied as directed.

(f) The program shall maintain internal and external quality of test results and other services.

(g) The program shall maintain the confidentiality of participants in accordance with s. 146.82, Stats.

(h) The program shall inform participants of the total cost for each drug screen including the cost for program administration, collection, transportation, analysis, reporting and confirmation. Total cost shall not include the services of a medical review officer.

(i) The program shall immediately report to the department if the program, laboratory or any collection site fails to comply with this section. The department may remove a program from the approved list if the program fails to comply with this section.

(j) The program shall make available to the department experts to support a test result for 5 years after the test results are released to the department.

(k) The program shall not sell or otherwise transfer or transmit names and other personal identification information of the participants to other persons or entities without permission from the department. The program shall not solicit from participants presently or formerly in the monitoring program or otherwise contact participants except for purposes consistent with administering the program and only with permission from the department.

(L) The program and laboratory shall not disclose to the participant or the public the specific drugs tested.

(2) Collection site administration requirements are:

(a) The program shall locate, train and monitor collection sites for compliance with the U.S. department of transportation collection protocol under 49 CFR 40.

(b) The program shall require delivery of specimens to the laboratory within 24 hours of collection.

(3) Laboratory requirements are:

(a) The program shall utilize a laboratory that is certified by the U.S. department of health and human services, substance abuse and mental health services administration under 49 CFR 40. If the laboratory has had adverse or corrective action, the department shall evaluate the laboratory's compliance on a case by case basis.

(b) The program shall utilize a laboratory capable of analyzing specimens for drugs specified by the department.

(c) Testing of specimens shall be initiated within 48 hours of pickup by courier.

(d) All positive drug screens shall be confirmed utilizing gas chromatography in combination with mass spectrometry, mass spectrometry, or another approved method.

(e) The laboratory shall allow department personnel to tour facilities where participant specimens are tested.

(4) The requirements for reporting of results are:

(a) The program shall provide results of each specimen to designated department personnel within 24 hours of processing.

(b) The program shall inform designated department personnel of confirmed positive test results on the same day the test results are confirmed or by the next business day if the results are confirmed after hours, on the weekend or on a state or federal holiday.

(c) The program shall fax, e-mail or electronically transmit laboratory copies of drug test results at the request of the department.

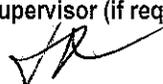
(d) The program shall provide a medical review officer upon request and at the expense of the participant, to review disputed positive test results.

(e) The program shall provide chain-of-custody transfer of disputed specimens to an approved independent laboratory for retesting at the request of the participant or the department.

History: Cr. Register, January, 2001, No. 541, eff. 2-1-01; CR 10-081: am. (1) (d), (e) Register December 2010 No. 660, eff. 1-1-11.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Shawn Leatherwood		2) Date When Request Submitted: April 21, 2014 April 21, 2014	
Items will be considered late if submitted after 12:00 p.m. and less than: ■ 8 work days before the meeting			
3) Name of Board, Committee, Council, Sections: Veterinary Examining Board			
4) Meeting Date: April 30, 2014	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 2013 Wisconsin Act 114 and VE 2 and 3	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by _____ (name) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: <p>The Board will review recently passed legislation, 2013 Wisconsin Act 114, and discuss its impact on Wis. Admin. Code ch. VE 2 and 3.</p>			
11) Shawn Leatherwood Signature of person making this request		Authorization April 21, 2014 Date	
Supervisor (if required) 		Date 4-21-14	
Bureau Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

State of Wisconsin



2013 Senate Bill 337

Date of enactment: December 19, 2013
Date of publication*: December 20, 2013

2013 WISCONSIN ACT 114

AN ACT to repeal 449.05 (intro.), 451.06 (2), 452.09 (3) (e), 454.07 (3), 454.24 (3) and 456.04 (intro.); to renumber 442.04 (4) (a), 449.05 (1m), 449.05 (2m), 451.06 (1), 456.04 (1), 456.04 (2), 456.04 (3) and 456.04 (4); to renumber and amend 441.04, 441.06 (1), 441.07 (1), 441.10 (1), 441.10 (3) (a), 442.04 (4) (bm), 442.04 (4) (c), 442.04 (5), 449.04 (1), 450.03 (2), 450.04 (3) (intro.), 450.04 (3) (a), 450.04 (3) (b) and 456.03; to amend 39.393 (1) (c), 253.10 (7), 441.15 (3) (a) (intro.), 441.16 (2), 445.045 (1) (g), 449.04 (title), 449.055 (5) and 459.26 (3); to repeal and recreate 441.07 (title); and to create 440.071, 441.07 (1c), 441.10 (3) (a) 6. and 456.03 (5) of the statutes; relating to: examination requirements for various professional credentials and powers of the Board of Nursing.

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

SECTION 1. 39.393 (1) (c) of the statutes is amended to read:

39.393 (1) (c) A program in this state that confers a 2nd degree that will make the person eligible to sit for examination licensure under s. 441.04 441.06 or 441.10.

SECTION 2. 253.10 (7) of the statutes is amended to read:

253.10 (7) AFFIRMATIVE DEFENSE. No person is liable under sub. (5) or (6) or under s. 441.07 (1) (g) (f), 448.02 (3) (a), or 457.26 (2) (gm) for failure under sub. (3) (c) 2. d. to provide the printed materials described in sub. (3) (d) to a woman or for failure under sub. (3) (c) 2. d., e., f., fm., or g. to describe the contents of the printed materials if the person has made a reasonably diligent effort to obtain the printed materials under sub. (3) (e) and s. 46.245 and the department and the county department under s. 46.215, 46.22, or 46.23 have not made the printed materials available at the time that the person is required to give them to the woman.

SECTION 3. 440.071 of the statutes is created to read:
440.071 No degree completion requirement to sit for examination. (1) Except as provided under sub. (2), the department or a credentialing board or other board in the department may not require a person to complete any postsecondary education or other program before the person is eligible to take an examination for a credential the department or credentialing board or other board in the department grants or issues.

(2) This section does not apply to an examination for a real estate appraiser certification under s. 458.06 or license under s. 458.08.

SECTION 4. 441.04 of the statutes is renumbered 441.06 (1) (a) and amended to read:

441.06 (1) (a) ~~Requisites for examination as a registered nurse. Any person who has graduated The applicant graduates~~ from a high school or its equivalent as determined by the board, ~~does~~.

(b) ~~The applicant does~~ not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, ~~helds~~.

(c) ~~The applicant holds~~ a diploma of graduation from an accredited school of nursing and, if the school is

* 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."

Chapter VE 2

EXAMINATIONS

VE 2.01 Administration.
VE 2.02 Competency tested.
VE 2.03 Passing scores.

VE 2.04 Examination review.
VE 2.05 Claim of examination error.

Note: Chapter VE 2 as it existed on September 30, 1989 was repealed and a new chapter VE 2 was created effective October 1, 1989.

VE 2.01 Administration. (1) The board or its designee shall administer the examinations required of applicants for licensure as a veterinarian by s. VE 3.02 and of applicants for certification as a veterinary technician by s. VE 8.02 at least once each year.

(1m) Prior to November 1, 2000, the board shall accept as its licensure examinations the national board examination and the clinical competency test. On and after November 1, 2000, the board shall accept as its licensure examination the north American veterinary licensing examination.

(2) To be qualified to sit for the North American Licensing Veterinary Examination, an applicant must either have graduated from or have an expected graduation date no later than 8 months after the last date of the applicable testing period at a school of veterinary medicine approved by the board or a foreign school of veterinary medicine listed by the AVMA. To be qualified to sit for the examination on state laws and rules, an applicant must meet the requirements of s. VE 3.03.

(3) The department shall mail an admission card to the applicant at the address on file with the board. The applicant shall present the card at the door of the examination room with the identification specified on the admission card.

(4) The board or its designee shall provide rules of conduct at the beginning of the examination. Time limits may be placed on each portion of the examination.

(5) The board may deny release of grades or issuance of a license or certificate if the board determines that the applicant violated rules of conduct or otherwise acted dishonestly.

Note: Qualified applicants with disabilities shall be provided with reasonable accommodations.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. (1) and (2), Register, September, 1990, No. 417, eff. 10-1-90; am. (1) and (2), Register, December, 1998, No. 516, eff. 1-1-99; am. (2), Register, March, 2000, No. 531, eff. 4-1-00; cr. (1m), Register, May, 2001, No. 545, eff. 6-1-01; CR 04-018; am. (2) Register January 2005 No. 589, eff. 2-1-05; EmR1103: emerg. am. (2), eff. 11-1-11; CR 11-025; am. (2) Register October 2011 No. 670, eff. 11-1-11.

VE 2.02 Competency tested. (1) Examinations administered under this chapter test entry level competency and seek to determine that an applicant's knowledge of animals and their treatment is sufficient to protect public health and safety.

(2) The board shall furnish to individuals, upon request, general information describing the competencies upon which the examination is based.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89.

VE 2.03 Passing scores. (1) Passing scores for veterinary applicants for the national board examination and the clinical competency test, and for the north American veterinary licensing examination, shall be based on the board's determination of the level of examination performance required for minimum acceptable competence in the profession. The board shall make the determination after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics, and shall set the passing score for the examination at that point that represents minimum acceptable competence in the profession. The board

may accept the recommendation of the national examination provider.

(2) The passing score for veterinary technician applicants on the written national examination shall be based on the board's determination of the level of examination performance required for minimum acceptable competence in the profession. The board shall make the determination after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics, and shall set the passing score for the examination at that point that represents minimum acceptable competence in the profession. The board may accept the recommendation of the national examination provider.

(3) The passing score for an examination on state laws and rules related to the practice of veterinary medicine or veterinary technology shall be based on the board's determination of the level of examination performance required for minimum acceptable competence in the profession. The board shall make the determination after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics, and shall set the passing score for the examination at that point that represents minimum acceptable competence in the profession.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. Register, December, 1998, No. 516, eff. 1-1-99; am. (1), Register, May, 2001, No. 545, eff. 6-1-01.

VE 2.04 Examination review. (1) An applicant who fails the examination on state laws and rules may request a review of that examination by filing a written request with the board within 30 days of the date on which examination results were mailed.

(2) Examination reviews are by appointment only.

(3) The time for review shall be limited to one hour.

(4) The applicant may not be accompanied during the review by any person other than the proctor.

(5) The applicant shall be provided with a copy of the questions, a copy of the applicant's answer sheet and a copy of the master answer sheet.

(6) The applicant may review the examination in the presence of a proctor. The applicant shall be provided with a form on which to write comments, questions or claims of error regarding any items in the examination. Bound reference books shall be permitted. Applicants shall not remove any notes from the area. Notes shall be retained by the proctor and made available to the applicant for use at a hearing, if desired. The proctor shall not defend the examination nor attempt to refute claims of error during the review.

(7) An applicant may not review the examination more than once.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. (1) and (3), Register, December, 1998, No. 516, eff. 1-1-99.

VE 2.05 Claim of examination error. (1) An applicant wishing to claim examination error shall file a written request for board review in the board office within 30 days of the date the examination was reviewed. The request shall include all of the following:

Chapter VE 3

LICENSURE BY EXAMINATION FOR VETERINARIANS

VE 3.01	Definitions.
VE 3.02	Qualifications for licensure.
VE 3.03	Application procedures for veterinary applicants to take board examinations.

VE 3.05	Temporary permits.
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Note: Chapter VE 3 as it existed on September 30, 1989 was repealed and a new Chapter VE 3 was created effective October 1, 1989.

VE 3.01 Definitions. As used in this chapter:

(1) "Preceptor" means a veterinarian who agrees to supervise a holder of a temporary permit.

(2) "Temporary permit" means a document issued to a person who has qualified to take the state board examination, is enrolled to take the next examination and who shall be employed to practice veterinary medicine under the supervision of a preceptor.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89.

VE 3.02 Qualifications for licensure. The board may issue a license to practice veterinary medicine to an applicant who satisfies all of the following:

(1) Has met the requirements of s. 453.06 (1), Stats.

(2) Prior to November 1, 2000, has passed the national board examination and clinical competency test. On or after November 1, 2000, has passed the north American veterinary licensing examination.

(4) Has successfully completed an examination on state laws and rules related to the practice of veterinary medicine.

(5) Does not have a conviction record or pending criminal charge relating to an offense the circumstances of which substantially relate to the practice of veterinary medicine. An applicant who has a conviction record or pending criminal charge shall request appropriate authorities to provide information about the record or charge directly to the board in sufficient specificity to enable the board to make a determination whether the record or charge substantially relates to the practice of veterinary medicine.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. (3), Register, September, 1990, No. 417, eff. 10-1-90; am. (intro.), (1), (2) and (4), r. (3), Register, December, 1998, No. 516, eff. 1-1-99; am. (2), Register, May, 2001, No. 545, eff. 6-1-01.

VE 3.03 Application procedures for veterinary applicants to take board examinations. An applicant shall file a completed application with the board at least 140 days prior to the first day of the scheduled examination period. All supporting documents shall be provided in English. An application is not complete until the board receives all of the following:

(1) An application form provided by the board and completed by the applicant which includes the applicant's notarized signature.

Note: Applications are available upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(3) The fees required under s. 440.05 (1), Stats.

Note: A list of all current examination fees may be obtained at no charge from the Office of Examinations, Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

(4) Verification of licensure records and status which has been sent directly to the board by every state or country in which the applicant has ever held a license or certificate to practice veterinary medicine.

(5) A certificate of graduation from a board approved veterinary college which shall be signed and sealed by the dean of the school and submitted directly to the board by the school. Applicants who graduated from a veterinary college which is not a

board approved veterinary college shall provide a certificate of graduation which is signed and sealed by the dean of the school and submitted directly to the board by the school, and evidence of successful completion of either the educational commission for foreign veterinary graduates certification program or the Program for the Assessment of Veterinary Education Equivalence offered by the American Association of Veterinary State Boards (AAVSB) which shall be submitted directly to the board by the AVMA or the AAVSB. If the applicant has not yet graduated from veterinary college, a letter signed by the dean of the school and submitted directly to the board by the school providing evidence that the applicant has an expected graduation date no later than 8 months after the last date of the applicable testing period.

History: Cr. Register, September, 1989, No. 405, eff. 10-1-89; am. Register, June, 1994, No. 462, eff. 7-1-94; am. (intro.), (1), (3), (4) and (5), r. (2), Register, December, 1998, No. 516, eff. 1-1-99; am. (intro.), Register, March, 2000, No. 531, eff. 4-1-00; am. (intro.), Register, May, 2001, No. 545, eff. 6-1-01; EmR1103: emerg. am. (intro.) and (5), eff. 11-1-11; CR 11-025: am. (intro.) and (5) Register October 2011 No. 670, eff. 11-1-11.

VE 3.05 Temporary permits. (1) (a) Prior to November 1, 2000, an applicant may be granted a temporary permit before the board receives notice of successful completion of the national board examination and clinical competency test, if the applicant provides evidence that the applicant is either scheduled to take the national board examination and the clinical competency test for the first time, or is awaiting results of the national board examination and clinical competency test.

(b) On or after November 1, 2000, an applicant may be granted a temporary permit before the board receives notice of successful completion of the north American veterinary licensing examination, if the applicant provides evidence that the applicant is either scheduled to take the north American veterinary licensing examination for the first time, or is awaiting results of the north American veterinary licensing examination.

(2) An applicant shall complete an application for temporary permit and submit the fee required under s. 440.05 (6), Stats.

(3) The board shall receive written verification of employment signed and sent directly to the board by the preceptor.

(4) The application and verification required by subs. (2) and (3) shall be received by the board office at least 2 weeks prior to the date the applicant intends to begin work.

(5) In order to provide supervision for a holder of a temporary permit, a preceptor shall do all of the following:

(a) Delegate only those tasks commensurate with demonstrated abilities of the temporary permit holder.

(b) Be available for direct communication with the temporary permit holder when the temporary permit holder is providing veterinary services. Direct communication shall be either verbal, by telephone or by 2-way radio communication.

(6) A temporary permit shall expire upon any of the following:

(a) Notification of failure of any examination.

(b) Failure to take the next scheduled examination.

(c) Issuance of a license.