



Positions Statements Related to Veterinary Technicians Issued by the Veterinary Examining Board

WHAT IS THE PRIMARY SOURCE OF WISCONSIN LAW THAT GOVERNS THE REGULATION OF VETERINARIANS?

Veterinarians are licensed by the Veterinary Examining Board pursuant to [Chapter 453](#), Wisconsin Statutes. See also, [Chapters VE 1-10](#) Wisconsin Administrative Code.

WHAT CONSTITUTES THE PRACTICE OF VETERINARY MEDICINE

The practice of veterinary medicine as defined in [Wis. Stats. 453.02\(6\)](#), means to examine into the fact or cause of animal health, disease or physical condition, or to treat, operate, prescribe or advise for the same, or to undertake, offer, advertise, announce, or hold out in any manner to do any of said acts, for compensation, direct or indirect, or in the expectation thereof.

WHAT CONSTITUTES A "VETERINARIAN-CLIENT-PATIENT RELATIONSHIP"?

A "veterinarian-client-patient relationship" is defined in [Wis. Stats. 453.02\(8\)](#), and means a relationship between a veterinarian, a client and the patient in which all of the following apply:

- (a) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the patient and the patient's need for medical treatment, and the client has agreed to accept those medical judgments and to follow the related instructions of the veterinarian.
- (b) The veterinarian has sufficient knowledge of the patient to initiate a general or preliminary diagnosis of the medical condition of the patient because the veterinarian has recently examined the patient or has made medically appropriate and timely visits to the premises on which the patient is kept.
- (c) The veterinarian is readily available for follow-up treatment of the patient if the patient has an adverse reaction to veterinary treatment.

HOW LONG ARE VETERINARIANS REQUIRED TO MAINTAIN INDIVIDUAL PATIENT RECORDS?

Veterinarians are required to maintain individual patient records on every patient administered to by the veterinarian other than food and fiber patients for a period of not less than 3 years after the date of the last entry. Veterinarians are required to keep individual client records for food and fiber patients for 3 years after the date of the last entry. Standards for records are outlined in [Ch VE 7.03](#), Wisc. Admin Code.

WHAT VETERINARY MEDICAL ACTS MAY NOT BE DELEGATED?

The following acts are limited to those holding a license under s. [453.06 \(1\)](#), [453.06 \(2m\) \(a\)](#), or [453.072, Stats.](#); a permit under s. [VE 3.05](#), [5.03](#) or [6.02](#); or active status as a student at a college of veterinary medicine approved by the board, and may not be delegated to or performed by veterinary technicians or other persons not holding such license or permit (See [Ch VE 7.02\(1\)](#), Wisc Admin Code):

- (a) Diagnosis and prognosis of animal diseases and conditions.
- (b) Prescribing of drugs, medicines, treatments and appliances.
- (c) Performing surgery.

WHAT VETERINARY MEDICAL ACTS MAY BE DELEGATED TO VETERINARY STUDENTS?

Except as provided under s. [95.21 \(2\)](#), Stats., veterinarians may delegate to veterinary students the provision of veterinary medical services under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided. See [Ch VE 7.02\(2\)](#).

WHAT VETERINARY MEDICAL ACTS MAY BE DELEGATED TO CERTIFIED VETERINARY TECHNICIANS?

Except as provided under s. [95.21 \(2\)](#), Stats., veterinarians may delegate to certified veterinary technicians the provision of the following veterinary medical services under the direct supervision of the veterinarian (See [Ch VE 7.02\(3\)](#)):

- (a) Nonsurgical veterinary treatment of animal diseases and conditions, including administration of vaccines.
- (b) Observations and findings related to animal diseases and conditions to be utilized by a veterinarian in establishing a diagnosis or prognosis, including routine radiographs, nonsurgical specimen collection, drawing of blood for diagnostic purposes, and laboratory testing procedures.
- (c) Administration of sedatives and pre-surgical medications.
- (d) Obstetrical treatment.
- (e) Nutritional evaluation and counseling.

WHAT OTHER VETERINARY MEDICAL ACTS MAY BE DELEGATED TO CERTIFIED VETERINARY TECHNICIANS?

Veterinarians may delegate to certified veterinary technicians the provision of the following veterinary medical services under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided (see [Ch VE 7.0\(4\)](#)):

- (a) Administration of local or general anesthesia, including induction and monitoring.
- (b) Performing diagnostic radiographic contrast studies.
- (c) Dental prophylaxis and extractions.

WHAT VETERINARY MEDICAL ACTS MAY BE DELEGATED TO UNLICENSED ASSISTANTS?

Veterinarians may delegate to unlicensed assistants the provision of the following veterinary medical services under the direct supervision of the veterinarian (see [Ch VE 7.02\(5\)](#)):

- (a) Basic diagnostic studies, including routine radiographs, nonsurgical specimen collection, and laboratory testing procedures.
- (b) Monitoring and reporting to the veterinarian changes in the condition of a hospitalized animal patient.
- (c) Dispensing prescription drugs pursuant to the written order of the veterinarian.

WHAT OTHER VETERINARY MEDICAL ACTS MAY BE DELEGATED TO UNLICENSED ASSISTANTS?

Except as provided under [s. 95.21](#), Stats., veterinarians may delegate to unlicensed assistants the provision of the following veterinary medical services under the direct supervision of the veterinarian when the veterinarian is personally present on the premises where the services are provided (see [Ch VE 7.02\(6\)](#)):

- (a) Nonsurgical veterinary treatment of animal diseases and conditions, including administration of vaccines, and administration of sedatives and presurgical medications.
- (b) Observations and findings related to animal diseases and conditions to be utilized by a veterinarian in establishing a diagnosis or prognosis, including the drawing of blood for diagnostic purposes.
- (c) Dental prophylaxis.
- (d) Nutritional evaluation and counseling.

WHAT VETERINARY MEDICAL ACTS MAY BE DELEGATED IN RESPONSE TO EMERGENCY SITUATIONS?

Per [Ch VE 7.02\(7\)](#), veterinary students, certified veterinary technicians or unlicensed assistants employed by veterinarians may, under the direct supervision of the veterinarians and pursuant to mutually acceptable written protocols, perform evaluative and treatment procedures necessary to provide an appropriate response to life-threatening emergency situations for the purpose of stabilizing the patient pending further treatment.

WHAT CAN BE CONSIDERED GROUNDS FOR DISCIPLINE?

A. Per [Wis Stats. 453.07\(2\)](#), the examining board may, by order, reprimand any person holding a license, certificate or permit as a veterinarian or veterinarian technician or deny, revoke, suspend, limit or any combination thereof, the person's license, certificate or permit if the person has:

- (a) Engaged in unprofessional conduct.
- (b) Been adjudicated mentally incompetent by a court.
- (c) Been found guilty of an offense the circumstances of which substantially relate to the practice of veterinary medicine.

WHAT CONSTITUTES "UNPROFESSIONAL CONDUCT"?

Unprofessional conduct as defined in [Wis. Stats. 453.07\(1\)](#) includes but is not limited to :

- (a) Making any materially false statement or giving any materially false information in connection with an application for a license or for renewal or reinstatement of a license or in making a report to the examining board.
- (b) Violating Wis. Stat. ch. 453 or ch. 440 or any federal or state statute or rule which substantially relates to the practice of veterinary medicine.
- (c) Practicing veterinary medicine while the person's ability to practice is impaired by alcohol or other drugs or physical or mental disability or disease.
- (d) Engaging in false, misleading or deceptive advertising.
- (e) Making a substantial misrepresentation in the course of practice which is relied upon by a client.
- (f) Engaging in conduct in the practice of veterinary medicine which evidences a lack of knowledge or ability to apply professional principles or skills.
- (fm) Handling, distributing, using or disposing of pesticides in violation of ss. 94.67 to 94.71 or the rules promulgated under ss. 94.67 to 94.71.
- (g) Obtaining or attempting to obtain compensation by fraud or deceit.
- (h) Violating any order of the examining board.

Additionally, [Ch VE 7.06](#) Wisc. Admin. Code defines unprofessional conduct to include:

- (1) Conduct in the practice of veterinary medicine which evidences a lack of knowledge or ability to apply professional principles or skills.
- (2) Fraud, gross negligence or deception in the practice of veterinary medicine.
- (3) Being convicted of a crime the circumstances of which substantially relate to the practice of veterinary medicine.
- (4) Violating or aiding and abetting the violation of any law or administrative rule or regulation substantially related to the practice of veterinary medicine.

- (5) Advertising in a manner which is false, fraudulent, misleading or deceptive, or knowingly maintaining a professional association with another veterinarian or veterinary firm that advertises in a manner which is false, fraudulent, misleading or deceptive.
- (6) Having a veterinary license or federal veterinary accreditation limited, suspended or revoked, or having been subject to any other discipline or restriction.
- (7) Practicing or attempting to practice, while the veterinarian has a physical or mental impairment, including impairment related to drugs or alcohol which is reasonably related to the applicant's ability to adequately undertake the practice of veterinary medicine in a manner consistent with the safety of a patient or the public.
- (8) The personal use, misuse, or sale, other than for medical treatment of patients, of the drugs listed in the U.S. Controlled Substances Act of 1979, as amended, or ch. 961, Stats., except personal use of drugs prescribed by a physician for individual use by the veterinarian.
- (9) Prescribing, ordering, dispensing, administering, supplying, selling or giving of any amphetamine, its salts, isomers and salts of its isomers or related sympathomimetic amine drug designated as a Schedule II drug in ch. 961, Stats., except for the treatment of narcolepsy or hyperkinesia in animals who do not respond to other methods of treatment, or for clinical research of these compounds as approved by the board. A written description of the intended research project proposed shall be filed with the board prior to conducting the research.
- (10) Selling veterinary prescription drugs without establishing and maintaining a veterinary–patient–client relationship.
- (11) Failure to include on the label of a prescription drug the generic or brand name of the drug dispensed, the name and address of the clinic or veterinarian dispensing the drug, the directions for use and caution statements required by law. In case of companion animals, the prescription shall bear the name or identification of the patient.
- (12) Prescribing, ordering, dispensing, administering, supplying, selling or giving any controlled substance solely for training or racing purposes and not for a medically sound reason.
- (13) Allowing a veterinary student to treat a patient without the veterinarian giving direct supervision.
- (14) Failure of the veterinarian to advise the client that the person assisting is a veterinary student or unlicensed assistant.
- (15) Failure to maintain records as required by [s. VE 7.03](#).
- (16) Refusal, upon request, to cooperate in a timely manner with the board's investigation of complaints lodged against the veterinarian. Persons taking longer than 30 days to provide requested information shall have the burden of demonstrating that they have acted in a “timely manner.”
- (17) Failure to keep the veterinary facility and all equipment, including mobile units, in a clean and sanitary condition while practicing as a veterinarian.
- (18) Failure of a veterinarian to permit the board or its agents to enter and inspect the veterinarian's practice facilities, vehicle, equipment and records during office hours and other reasonable hours.

(19) Engaging in unsolicited communications to members of the board regarding a matter under investigation by the board other than to the investigative member of the board.

(20) Practicing under an expired license.

(21) Exceeding the scope of veterinary practice, as defined in s. 453.02 (6), Stats., by providing medical treatment to humans or distributing, prescribing or dispensing for human use prescription drugs, as defined in s. 450.01 (20), Stats., or any drug labeled for veterinary or animal use only.

(22) Falsely certifying to the board that the veterinarian is exempt from the requirements of ss. VE 10.03 and 10.04 or falsely certifying that the veterinarian has met certification or continuing veterinary education requirements relating to the use, handling, distribution and disposal of pesticides.

DOES THE EXAMINING BOARD HAVE THE AUTHORITY TO ASSESS FORFEITURES IN DISCIPLINARY PROCEEDINGS?

Yes. Per [Wis. Stats. 453.07\(3\)](#), in addition to or in lieu of a reprimand or denial, limitation, suspension or revocation of a license, certificate or permit, the examining board may assess against the applicant for or the holder of the license, certificate or permit a forfeiture of not more than \$5,000 for each violation of Wis. Stat. § 453.068.

WHAT TYPES OF SERVICES CAN AN UNLICENSED FACILITY OFFER? IS “GENERAL CONDITIONING” ALLOWED?

As long as a facility is not practicing veterinary medicine as defined in [Wis Stats 453.02\(6\)](#) and is not advertising to practice veterinary medicine or advertising any title or name that would convey the impression that they are licensed as a veterinarian (see [Wis. Stats. 453.05\(1\)](#)), an unlicensed facility may offer services such as general conditioning

IS WRITTEN CONSENT FROM AN OWNER SUFFICIENT FOR THE RELEASE OF MEDICAL RECORDS TO A THIRD PARTY?

Yes, per [Wis. Stats. 453.075](#), any person who submits to a veterinarian written informed consent signed by the owner may access animal patient health care records.