

Wisconsin Department of Safety and Professional Services
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Scott Walker, Governor
Dave Ross, Secretary

VETERINARY EXAMINING BOARD
Room 121C 1400 E. Washington Avenue, Madison
Contact: Shawn Leatherwood (608) 261-4438
January 28, 2015
9:00 A.M.

Public Hearing on Administrative Rule to repeal VE 2.01 (2); to renumber and amend VE 3.03 (5); to amend VE 3.03 (intro.) and VE 8.03 (1), relating to entrance to examinations.

ALL HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed in conjunction with hearings are approximate and depend on the length of discussion and testimony. In order to confirm a hearing or to request a complete copy of rules relating to this hearing, please call the listed contact person. All hearings are held at 1400 East Washington Avenue; Madison Wisconsin, unless otherwise noted. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

IN THE MATTER OF RULEMAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : VETERINARY EXAMINING BOARD
VETERINARY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE14-064)

PROPOSED ORDER

An order of the Veterinary Examining Board to repeal VE 2.01 (2); renumber and amend VE 3.03 (5); to amend VE 3.03 (intro.) and VE 8.03 (1), relating to entrance to examinations.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 440.071, Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a), Stats., and 2013 Wisconsin Act 114.

Explanation of agency authority:

Pursuant to ss. 15.08 (5) (b) and 227.11 (2) (a), Stats., the Veterinary Examining Board is generally empowered by the legislature to promulgate rules that will provide guidance within the profession and interpret the statutes it administers. 2013 Wisconsin Act 114 requires the Department of Safety and Professional Services and its attached boards to allow candidates for licensure to take their examination for a credential before completing their post-secondary education. This statutory change prompted the Veterinary Examining Board to exercise its rule-making authority to amend pertinent sections of Wis. Admin. Code specifically, ss. VE 2.01, VE 3.03, and VE 8.03 in order to give guidance within the profession related to entrance to examinations.

Related statute or rule:

None.

Plain language analysis:

Before 2013 Wisconsin Act 114, applicants for veterinary credentials were required to either have graduated from a school of veterinary medicine or expected to graduate no later than 10 months after the last date of an applicable testing period before being allowed to sit for the North American Veterinary Licensing Examination (NAVLE). Act 114 removed both requirements to sit for the NAVLE. Now applicants for veterinary licensure in Wisconsin are able to take the NAVLE before completing their post-secondary education. However, applicants must continue to comply with the National Board of Veterinary Medical Examiners requirements before taking the NAVLE.

SECTION 1. repeals the requirement to have graduated or expect to graduate from a veterinary college within 10 months of the last applicable testing period before taking the NAVLE.

SECTION 2. removes the requirement for veterinarians to complete their application within 140 days of the examination.

SECTION 3. removes the requirement that a veterinarian who has not yet graduated provide a letter to the board notifying the board of an expected graduation date.

SECTION 4. removes the requirement for veterinary technicians to complete their application within 30 days of the examination.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois: Illinois has a rule similar to the current Wisconsin rule whereby applicants must have graduated or be enrolled in an approved veterinary program and certify that the applicant will graduate from that program. "If certification of graduation is not received within 90 days after the scheduled graduation date, the results of the examination shall be void." 68 Ill Admin. Code 1500.10.

Iowa: Iowa requires applicants for veterinary licensure to meet the guidelines established by the National Board of Veterinary Medical Examiners (NBVME). The applicant sends proof of completion of the NBVME application process and the administrative fee to the Iowa Board of Veterinary Medicine. Iowa Admin. Code R 811-6.1.

Michigan: Michigan requires applicants to graduate from veterinary college before becoming licensed. Mich. Admin. Code R. 338.4902.

Minnesota: Minnesota requires a diploma, or a certificate from a college of veterinary medicine in which the applicant is enrolled certifying that the applicant will graduate at the completion of the current academic year. Minn. Stat. §156.02.

Summary of factual data and analytical methodologies:

No factual data or analytical methodologies were used in drafting the proposed rule due to the proposed rule being prompted by recent legislation.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis are attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Agency contact person:

Shawn Leatherwood, Administrative Rule Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-4438; email at Shancethea.L Leatherwood@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Shawn Leatherwood, Administrative Rule Coordinator Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Shancethea.L Leatherwood@wisconsin.gov. Comments must be received on or before January 28, 2015 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. VE 2.01 (2) is repealed.

SECTION 2. VE 3.03 (intro.) is amended to read:

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:

SECTION 3. VE 3.03 (5) is renumbered VE 3.02 (6) and amended to read:

VE 3.02 (6) 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.~~

SECTION 4. VE 8.03 (1) is amended to read:

VE 8.03 Application procedures for veterinary technician applicants. (1) An applicant for a veterinary technician certificate shall file a completed application with the board ~~at last 30 days prior to the date of the scheduled examination.~~ All supporting documents shall be in English. An application is not complete until the board receives all of the following:

SECTION 5. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____ Agency _____
Chairperson
Veterinary Examining Board

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

VE 2, 3, 8

3. Subject

Entrance to examinations

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165 (1)(g)

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

Recently passed legislation, 2013 Wisconsin Act 114 requires the Department of Safety and Professional Services, and its attached boards, to allow applicants for licensure to take their examination for a credential before they complete their post-secondary education. This proposed rule will address this change in policy by bringing current rules into conformity with the new legislation.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

The proposed rule will primarily affect licensed veterinarians and licensed veterinary technicians. The rule was posted on the Department of Safety and Professional Service's website for 14 days in order to solicit comments from the public regarding the rule. No comments were received from the public regarding the rule.

11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units participated in the development of this EIA.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This proposed will not have an economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the proposed rule is to bring the current rules in conformity with recent legislation, specifically 2013 Wisconsin Act 114.

14. Long Range Implications of Implementing the Rule

The long range implications of implementing the rule include greater consistency in examination requirements within the profession.

15. Compare With Approaches Being Used by Federal Government

None.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

Illinois: Illinois has a rule similar to the current Wisconsin rule whereby applicants must have graduated or be enrolled in an approved veterinary program and certify that the applicant will graduate from that program. “If certification of graduation is not received within 90 days after the scheduled graduation date, the results of the examination shall be void.” 68 Ill Admin. Code 1500.10.

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Minnesota: Minnesota requires a diploma, or a certificate from a college of veterinary medicine in which the applicant is enrolled certifying that the applicant will graduate at the completion of the current academic year. Minn. Stat. §156.02.

17. Contact Name

Shawn Leatherwood

18. Contact Phone Number

608-261-4438

This document can be made available in alternate formats to individuals with disabilities upon request.