

DATE: February 5, 2001

TO: Beata Kalies

Committee on Agriculture

FROM: John Scocos, Assembly Chief Clerk

RE: Clearinghouse Rule Referrals

The following Clearinghouse Rules(s) has/have been referred to your committee.

CLEARINGHOUSE RULE 00-144

AN ORDER to renumber and amend VE 3.05 (1); to amend VE 2.03 (1), 3.02 (2), 3.03 (intro.), 4.01 (4) (b) and 5.03 (1) (d); and to create VE 2.01 (1m) and 3.05 (1) (b), relating to the computerized veterinary examination.

Submitted by **Department of Regulation and Licensing**.

Report received from Agency on **January 25, 2001**.

To committee on **Agriculture**.

Referred on **Monday, February 5, 2001**.

Last day for action – **Wednesday, March 7, 2001**.

Under section 227.19 (4) of the Wisconsin Statutes, your committee has 30 days to take action or get an extension. The day **after** the official referral date is day one of your review period. Therefore, the 30th day should fall four weeks and two days after the referral date. For example, for Clearinghouse Rules referred on a Monday, a Wednesday would be your 30th day. For Clearinghouse Rules referred on a Tuesday, a Thursday would be your 30th day. For Clearinghouse Rules referred on a Wednesday, a Friday would be your 30th day. For Clearinghouse Rules referred on a Thursday or Friday, your 30th day would fall on a weekend. Therefore, your time would expire on the next working day (Monday) as provided for in s. 990.001 of the Wisconsin Statutes. Also, if the 30th day falls on a legal holiday, time would expire on the next working day.

Section 227.19 **requires** you to notify each member of your committee that you have received this Clearinghouse Rule. Although some committee chairs do so, you are not required to send a copy of the text of the rule to each member at this time. Your notice could state that members should contact you if they wish to receive a hard copy of the rule. (Please note that, unlike bills and amendments, the text of Clearinghouse Rules is not currently available online. I am sure that this will happen sometime in the future as state agencies standardize their computer software). Please put a copy of your official notification memo in the rule jacket.

Three copies of the Clearinghouse Rule and its accompanying documents are contained in the jacket. If you wish to have your Legislative Council attorney review the Clearinghouse Rule, send him/her a copy. I only need one copy remaining in the jacket when you report it out of committee at the end of the review period.

The identical process is happening simultaneously in the Senate. Keep track of their action on the rule.

For assistance with the Clearinghouse Rule process, please consult Ken Stigler (6-2406) or your Legislative Council attorney. If you wish to learn more on this subject, read section 227.19 of the Wisconsin Statutes or part 2 of the *Administrative Rules Procedures Manual* written by the Revisor of Statutes Bureau and the Wisconsin Legislative Council staff.

Chairman:
Agriculture Committee



Member:
Conservation & Land Use
Consumer Affairs
Natural Resources
Utilities

Al Ott

State Representative • 3rd Assembly District

**Assembly Agriculture Committee
MEMO**

TO: Members of the Assembly Agriculture Committee

FROM: Representative Al Ott, Chair 

DATE: February 7, 2001

The following clearinghouse rule has been referred to the Assembly Agriculture Committee for a thirty-day review period:

Clearinghouse Rule 00-144

Relating to the **computerized veterinary examination.**

Submitted by the Department of Regulation and Licensing.

The deadline for action on this rule is **Wednesday, March 7, 2001.** A copy of the rule is enclosed. Please contact Beata Kalies in my office (6-5831) if you have questions or wish to take action on the rule.

**STATE OF WISCONSIN
VETERINARY EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : VETERINARY EXAMINING BOARD
VETERINARY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 00-144)**

TO: Scott Jensen
Speaker of the Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the VETERINARY EXAMINING BOARD is submitting in final draft form rules relating to the computerized veterinary examination.

If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

**STATE OF WISCONSIN
VETERINARY EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : ON CLEARINGHOUSE RULE 00-144
VETERINARY EXAMINING BOARD : (s. 227.19 (3), Stats.)**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

See attached fiscal estimate report.

IV. STATEMENT EXPLAINING NEED:

In this rule-making order the Veterinary Examining Board amends its rules relating to the application deadline date for the examination required for licensure as a veterinarian. The current national examination for veterinarians is a paper and pencil examination. The National Board Examination Committee for Veterinary Medicine will computerize the national examination beginning in November, 2000, which examination has now been added to the rules. The board must notify the examination service of eligible candidates 50 days in advance of an examination window. The rules currently require an applicant to complete his or her application at least 60 days prior to the next scheduled examination. Therefore, this rule includes the date as to when applications need to be completed.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on November 27, 2000. Rachel C. Rothschild, Assistant Dean, representing the UW-Madison School of Veterinary Medicine, Madison, Wisconsin, appeared in support of the rules. There were no other appearances nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

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1/24/01

FISCAL ESTIMATE

ORIGINAL UPDATE CORRECTED

Rule No. VE 2.01, 2.01, 2.03, 3.02 3.03, 3.05, 4.01, 5.03

Subject: Computerized examinations to practice veterinary medicine.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation
- Increase Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget Yes No
- Decrease Existing Appropriation
- Decrease Existing Revenues
- Decrease Costs
- Create New Appropriation

Local: No local government costs

- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory
- 3. Increase Revenue
 - Permissive Mandatory
- 3. Decrease Revenue
 - Permissive Mandatory
- 5. Types of local government units affected:
 - Towns Villages Cities
 - Counties Others _____
 - School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS
- SEG-S

Affected Ch. 20 Appropriations

20.165 (1) (i)

Assumptions Used in Arriving at Fiscal Estimate

This rule decreases both agency revenues and expenditures in the Examination appropriation. The agency will no longer purchase examination booklets to administer the Veterinary Examination to candidates. The agency will also no longer pay to administer the examination. There will also be a loss in GPR-Earned revenue.

Long-Range Fiscal Implications

The fiscal estimate shall include the major assumptions used in its preparation and a reliable estimate of the fiscal impact of the proposed rule, including:

1. The anticipated effect on county, city, village, town, school district, technical college district and sewerage district fiscal liabilities and revenues.
2. A projection of the anticipated state fiscal effect during the current biennium and a projection of the net annualized fiscal impact on state funds.

If a proposed rule interpreting or implementing a statute has no independent fiscal effect, the fiscal estimate prepared under this subsection shall be based on the fiscal effect of the statute.

Agency/Prepared by:

Department of Regulation and Licensing
Gail M. Riedasch
(608) 266-0746

Authorized Signature


William J. Conway, Deputy Secretary
267-2435

Date

8/2/2000

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

ORIGINAL UPDATE
 CORRECTED SUPPLEMENTAL

<p>Rule No. VE 2.01, 2.01, 2.03, 3.02 3.03, 3.05, 4.01, 5.03</p>

Subject

Computerized examinations to practice veterinary medicine.

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$ -3,424
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs		-32,710
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$	\$ -36,135
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-36,135
SEG/SEG-S		-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Costs	Decreased Costs
GPR Taxes	\$	\$ -
GPR Earned		- 3,613
FED		-
PRO/PRS		-36,134
SEG/SEG-S		-
TOTAL State Revenues	\$	\$ -39,747

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ -36,134	
NET CHANGE IN REVENUES	\$ -39,747	

Agency/Prepared by: Department of Regulation and Licensing Gail M. Riedasch (608) 266-0746	Authorized Signature William J. Conway, Deputy Secretary 267-2435	Date 8/2/2000
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STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : VETERINARY EXAMINING BOARD
VETERINARY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 00-144)

PROPOSED ORDER

An order of the Veterinary Examining Board to renumber and amend VE 3.05 (1); to amend VE 2.03 (1), 3.02 (2), 3.03 (intro.), 4.01 (4) (b) and 5.03 (1) (d); and to create VE 2.01 (1m) and 3.05 (1) (b), relating to the computerized veterinary examination.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 453.03 (1), Stats.

Statutes interpreted: s. 453.065, Stats.

In this rule-making order the Veterinary Examining Board amends its rules relating to the application deadline date for the examination required for licensure as a veterinarian. The current national examination for veterinarians is a paper and pencil examination. The National Board Examination Committee for Veterinary Medicine will computerize the national examination beginning in November, 2000, which examination has now been added to the rules. The board must notify the examination service of eligible candidates 50 days in advance of an examination window. The rules currently require an applicant to complete his or her application at least 60 days prior to the next scheduled examination. Therefore, this rule includes the date as to when applications need to be completed.

TEXT OF RULE

SECTION 1. VE 2.01 (1m) is created to read:

VE 2.01 (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.

SECTION 2. VE 2.03 (1) is amended to read:

VE 2.03 (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.

SECTION 3. VE 3.02 (2) is amended to read:

VE 3.02 (2) ~~Has~~ Prior to November 1, 2000, has passed the national board examination and clinical competency test ~~as evidenced by documents submitted directly to the board by the department's office of examinations or by the professional examination service.~~ On or after November 1, 2000, has passed the north American veterinary licensing examination.

SECTION 4. VE 3.03 (intro.) is amended to read:

VE 3.03 Application procedures for veterinary applicants to take board examinations. (intro.) An applicant shall file a completed application with the board at least 60 days prior to the date ~~on which the applicant sits for~~ of the scheduled examination. All supporting documents shall be provided in English. An application is not complete until the board receives all of the following:

SECTION 5. VE 3.05 (1) is renumbered VE 3.05 (1) (a) and amended to read:

VE 3.05 (1) (a) ~~An~~ 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.

SECTION 6. VE 3.05 (1) (b) is created to read:

VE 3.05 (1) (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.

SECTION 7. VE 4.01 (4) (b) is amended to read:

VE 4.01 (4) (b) ~~Evidence~~ Before November 1, 2000, evidence that the applicant has successfully completed the national board examination and the clinical competency test. On or after November 1, 2000, evidence that the applicant has successfully completed the north American veterinary licensing examination.

SECTION 8. VE 5.03 (1) (d) is amended to read:

VE 5.03 (1) (d) ~~Evidence~~ Before November 1, 2000, evidence that the applicant has successfully completed the national board examination and the clinical competency test, or is scheduled to take the national board examination and clinical competency test for the first time, or is awaiting results of the national board examination and clinical competency test. On or after November 1, 2000, evidence that the applicant has successfully completed the north American veterinary licensing examination for the first time, or is scheduled to take the north American veterinary licensing examination for the first time, or is awaiting the results of the north American veterinary licensing examination.

(END OF TEXT OF RULE)

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.

Dated _____ Agency _____
Chairperson
Veterinary Examining Board

FISCAL ESTIMATE
(Attached)

FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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1/24/01

WISCONSIN LEGISLATIVE COUNCIL STAFF



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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 00-144

AN ORDER to renumber and amend VE 3.05 (1); to amend VE 2.03 (1), 3.02 (2), 3.03 (intro.), 4.01 (4) (b) and 5.03 (1) (d); and to create VE 2.01 (1m) and 3.05 (1) (b), relating to the computerized veterinary examination.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

10-11-00 RECEIVED BY LEGISLATIVE COUNCIL.

11-07-00 REPORT SENT TO AGENCY.

RNS:MM:jal;tlu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO

WISCONSIN LEGISLATIVE COUNCIL STAFF

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CLEARINGHOUSE RULE 00-144

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

In s. VE 2.01 (1m), "accepts" should be changed to "shall accept" in both sentences. [See s. 1.01 (2), Manual.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The analysis states that the rule-making order amends the rules relating to the "application deadline date." This sentence should clarify that the date referred to is the application deadline date for the examination required for licensure as a veterinarian.

b. The analysis states that the rules currently require applicants to complete applications at least 30 days prior to the next scheduled examination, and that the rule revises this date. However, the current rule, s. VE 3.03 (intro.), requires an applicant to file a completed application with the board at least 60 days prior to the date of examination. Furthermore, the rule does not change that date. This discrepancy should be addressed.

c. The analysis should explain why there is a change in the name of the examination which is required. The current rule refers to the "national board examination and clinical competency test" while the new rule refers to the "north American veterinary licensing examination."