

**CERTIFICATE**

**STATE OF WISCONSIN**

**DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:**

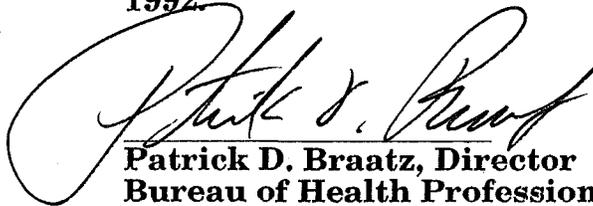
**I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Veterinary Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Veterinary Examining Board on the 9th day of January, 1992.**

**I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.**

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**JAN 10 1992**  
3:00  
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**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 9th day of January, 1992.**



**Patrick D. Braatz, Director  
Bureau of Health Professions  
Department of Regulation and  
Licensing**

JAN 10 1992

STATE OF WISCONSIN  
VETERINARY EXAMINING BOARD

Revisor of Statutes  
Bureau

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IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	VETERINARY EXAMINING BOARD
VETERINARY EXAMINING BOARD	:	ADOPTING RULES
	;	(CLEARINGHOUSE RULE 90-190)

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ORDER

An order of the Veterinary Examining Board to create VE 7.06 (22), VE 9.05 (12) and chapter VE 10 of the administrative code relating to unprofessional conduct and continuing education requirements for veterinarians and animal technicians relating to the use, handling, distribution and disposal of pesticides.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5), 227.11 (2), 453.03 (1) and 453.03 (2), Stats., as affected by 1989 Wisconsin Act 279.

Statutes interpreted: ss. 453.03 (2) and 453.07 (1) (fm), Stats., as affected by 1989 Wisconsin Act 279.

These proposed rules are the result of changes made in the law by 1989 Wisconsin Act 279 which created ss. 453.02 (5), 453.03 (2) and 453.07 (1) (fm), Stats. This law requires the Veterinary Examining Board to promulgate rules requiring training and continuing education to assure competency of veterinarians and animal technicians in the use, handling, distribution and disposal of pesticides.

In this proposed rule-making order the Veterinary Examining Board creates chapter VE 10 establishing requirements for training and continuing education in the use, handling, distribution and disposal of pesticides. Rules are also created at ss. VE 7.06 (22) and VE 9.05 (12), establishing as unprofessional conduct by veterinarians and animal technicians false representations to the board that the veterinarian or animal technician has met certification or continuing veterinary education requirements relating to the use, handling, distribution and disposal of pesticides.

TEXT OF RULE

SECTION 1. VE 7.06 (22) is created to read:

VE 7.06 (22) Falsely certifying to the board that the veterinarian is exempt from the requirements of ss. VE 10.03 and VE 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.

SECTION 2. VE 9.05 (12) is created to read:

VE 9.05 (12) Falsely certifying to the board that the animal technician is exempt from the requirements of ss. VE 10.03 and VE 10.04 or falsely certifying that the animal technician has met certification or continuing veterinary education requirements relating to the use, handling, distribution and disposal of pesticides.

SECTION 3. Chapter VE 10 is created to read:

CHAPTER VE 10 (title)

CONTINUING VETERINARY EDUCATION  
FOR VETERINARIANS AND ANIMAL TECHNICIANS

VE 10.01 AUTHORITY AND PURPOSE. The rules in this chapter are adopted by the veterinary examining board pursuant to the authority delegated by ss. 15.08 (5), 227.11 (2), 453.03 (1), 453.03 (2) and 453.07 (1) (fm), Stats., and govern the certification and biennial training requirements for veterinarians and animal technicians relating to the use, handling, distribution and disposal of pesticides.

VE 10.02 EXEMPTIONS. (1) A veterinarian or an animal technician who does not personally use or direct the use of pesticides and who does not repackage pesticides for use by others shall be exempt from the requirements of ss. VE 10.03 and VE 10.04.

(2) Each veterinarian and each animal technician claiming exemption from the requirements of ss. VE 10.03 and VE 10.04 shall at the end of the first registration period following the effective date of this chapter or at the end of the first registration period following initial registration, and shall at the end of each following registration period, include a statement on his or her application for a certificate of registration certifying that the veterinarian or animal technician does not personally use or direct the use of pesticides and does not repackage pesticides for use by others. Each veterinarian and each animal technician so certifying who is associated with or employed by a clinic holding a veterinary clinic permit issued under s. 94.702, Stats., shall include the permit number with the certification.

VE 10.03 TRAINING AND CERTIFICATION IN THE USE, HANDLING, DISTRIBUTION AND DISPOSAL OF PESTICIDES REQUIRED. Each veterinarian and each animal technician not exempt under s. VE 10.02 shall at the end of the first registration period following the effective date of this chapter or at the end of the first registration period following initial registration, include a statement on his or her application for a certificate of registration certifying that the veterinarian or animal technician has satisfactorily completed a certification program or other training program acceptable to the board in the use, handling, distribution and disposal of pesticides.

VE 10.04 CONTINUING EDUCATION IN THE USE, HANDLING, DISTRIBUTION AND DISPOSAL OF PESTICIDES REQUIRED. Each veterinarian and each animal technician not exempt under s. VE 10.02 shall at the end of the second registration period following the effective date of this chapter or at the end of the second registration period following initial registration, and shall at the end of each following registration period, include a statement on his or her application for a certificate of registration as follows:

(1) That the veterinarian or animal technician has satisfactorily completed 4 credits of acceptable continuing veterinary education in the use, handling, distribution and disposal of pesticides within the 2 year period immediately preceding the application for a certificate of registration; or,

(2) That the veterinarian or animal technician is currently certified by a certification program acceptable to the board in the use, handling, distribution and disposal of pesticides, and that the veterinarian or animal technician intends to maintain his or her certification in lieu of the biennial continuing veterinary education requirement.

VE 10.05 ACCEPTABLE TRAINING AND CONTINUING VETERINARY EDUCATIONAL PROGRAMS. Only courses and programs approved in advance by the board may be used to fulfill the requirements of ss. VE 10.03 and VE 10.04. The board shall assign credits to approved courses and programs.

VE 10.06 EVIDENCE OF COMPLIANCE; AUDIT. (1) Evidence of compliance with the requirements of ss. VE 10.03 and VE 10.04 shall be retained by each veterinarian or animal technician through the biennium following the biennium in which the credit or certification was acquired.

(2) The board may audit compliance by requiring a veterinarian or animal technician to submit his or her evidence of compliance to the board for the biennium immediately preceding the biennium in which the audit is performed.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Dated: \_\_\_\_\_

*1/9/92*

Agency \_\_\_\_\_

*J. A. Jones*  
Chairperson  
Veterinary Examining Board

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