



State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection
Ben Brancel, Secretary

DATE: November 23, 2015

TO: The Honorable Mary Lazich
President, Wisconsin State Senate
Room 220 South, State Capitol
PO Box 7882
Madison, WI 53707-7882

The Honorable Robin Vos
Speaker, Wisconsin State Assembly
Room 211, West, State Capitol
PO Box 8952
Madison, WI 53708-895

FROM: **P.C. Johnson DVM, Chair of the Veterinary Examining Board**

SUBJECT: **Continuing Education**

Introduction

The Veterinary Examining Board is transmitting this rule for legislative committee review, as provided in s. 227.19(2) and (3), Stats. The Board will publish notice of this referral in the Wisconsin Administrative Register, as provided in s. 227.19(2), Stats. This rule repeals VE 10.03(3)(b) and (i), Adm. Code., related to continuing education.

Background

In accordance with s. 89.062(2)(a) and (b), Stats., licensed veterinarians are required to complete 30 hours of continuing education and licensed veterinary technicians are required to complete 15 hours of continuing education. Continuing education requirements for both veterinarians and veterinary technicians are found in Chapter VE 10. Recently, the Veterinary Examining Board identified several provisions within ch. VE 10 that required revising, specifically s. VE 10.03(3)(b). The Board determined that this provision allowing self-study of veterinary medical or scientific journals was obsolete due to the abundance of continuing education offered via the internet. The Board also identified s. VE 10.03(3)(i), regarding certification to use, handle, distribute and dispose of pesticides as outdated due to recent legislation, 2009 Wisconsin Act 139. Act 139 specified that the Board may not require training or continuing education concerning the use, handling, distribution, and disposal of pesticides, other than for disciplinary purposes.

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Rule Content

The proposed rule repeals VE 10.03(3)(b) and (i) so that neither self-study of veterinary medical or scientific journals nor preparation and successful completion of the examination required for certification to use, handle, distribute and dispose of pesticides will no longer be approved for continuing education.

Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations

None.

Comparison with Rules in Adjacent States

Illinois:

Illinois Administrative Code allows renewal applicants to use self-study courses offered by an approved provider (Ill. Admin. Code tit. 68, pt.1500.25 and Ill. Admin. Code tit. 68, pt. 1505.55).

Iowa:

Iowa Administrative Code allows the completion of distance education courses but does not explicitly allow for the completion of self-study courses to fulfill continuing education requirements (Iowa Admin. Code r. 811-11.1).

Michigan:

Continuing education is not required to renew a license as a veterinarian or a veterinary technician in the state of Michigan.

Minnesota:

Minnesota Administrative Code specifies that not more than ten hours of continuing education credit from noninteractive (self-study) sources may be accepted toward the 40- hour continuing education credit requirement for license renewal (Minn. R. 9100.100 subp. 5.)

Summary of Factual Data and Analytical Methodologies

The Board reviewed the continuing education rules for consistency with the Wisconsin Statutes and contemporary practices. Adjacent states' requirements were also reviewed.

Analysis and Supporting Documents used to Determine Effect on Small Business or in Preparation of an Economic Impact Analysis

The rule was posted for public comment on the economic impact of the proposed rule, including how this proposed rule may affect businesses, local government units, and individuals for a period of 14 days. No comments were received.

Effect on Small Business

These proposed rules do not have an economic impact on small businesses, as defined in 227.114 (1), Stats.

Small Business Regulatory Review Report

The Small Business Regulatory Review Board did not issue a report on this rule.

Hearings

The Board held one public hearing on this rule on November 4, 2015 in Madison. There were no attendees at the hearing. The Board did not receive any written comments.

Changes from Hearing Draft

The Board incorporated the technical corrections suggested by the Rules Clearinghouse.