



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #173

Veterinary Examining Board Staff (Agriculture, Trade and Consumer Protection – Regulatory Programs)

[LFB 2021-23 Budget Summary: Page 68, #7]

CURRENT LAW

The Veterinary Examining Board (VEB) is responsible for the credentialing, regulation, and disposition of complaints related to veterinarians and veterinary technicians in Wisconsin. Effective July 1, 2015, the Board was transferred from the Department of Safety and Professional Services to the Department of Agriculture, Trade and Consumer Protection (DATCP). The Board meets quarterly and consists of five licensed veterinarians, one veterinary technician, and two public members. Transfer of the Board included creation of a program revenue continuing appropriation, authorized to expend all monies received from credentialing of veterinarians and veterinary technicians.

DISCUSSION POINTS

1. A two-year project position was provided to support the Board beginning in November, 2015, and was renewed for an additional two years in November, 2017. Since the November, 2019, expiration of the project position, the Department has supported VEB activities through a limited-term employee with a dual appointment. In addition, DATCP reports the appropriation incurs costs related to legal counsel, policy development, and credentialing and compliance supported by portions of positions housed in other areas of the Department.

2. DATCP reports common compliance issues considered by VEB include unlicensed veterinary providers, negligence, abuse of controlled substances, poor quality care, and unprofessional conduct. DATCP reports the workload associated with complaints has grown over time, with 70 complaints in 2017, 91 in 2018, 147 in 2019, and 113 in 2020. Further, DATCP suggests clinic closures and reduced activities during the COVID-19 pandemic likely resulted in the decrease

in complaints in 2020, and the Department expects the increase in complaints to continue.

3. Assembly Bill 68/Senate Bill 111 would provide 1.0 PR position with \$69,500 PR in 2021-22 and \$87,300 PR in 2022-23 to support the Board. The position would support enforcement actions by the Board through monitoring of compliance, development of investigation procedures, and conducting investigations. A typical investigation includes: (a) initial preliminary investigation, including contacting involved parties and obtaining records; (b) presentation of preliminary information to Board members for consideration to open an investigation; (c) formal investigation, including clinic visits, records inspections, and interviewing involved parties; (d) preparation of formal orders or other legal action; and (e) resolution through agreements with involved parties and presentation to Board members.

4. The table shows the appropriation condition since VEB was transferred to DATCP. Revenues vary each year because veterinarians and veterinary technicians must renew their license on a biennial basis, by December 15 of each odd-numbered year. As of June 30, 2020, the appropriation had a closing balance of \$1,295,400. Based on current trends in revenues and expenditures, it is expected there will be sufficient funding to support the proposed position.

Veterinary Examining Board Appropriation Condition

	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>
Opening Balance	\$742,300	\$557,900	\$219,900	\$808,300	\$613,200
Revenues	127,800	90,800	956,200	100,000	1,026,500
Expenditures	<u>-312,200</u>	<u>-428,800</u>	<u>-367,800</u>	<u>-295,100</u>	<u>-344,300</u>
Closing Balance	\$557,900	\$219,900	\$808,300	\$613,200	\$1,295,400

5. Given the availability of funding and increasing workload of the Board over time, the Committee could consider providing 1.0 PR permanent position with \$69,500 PR in 2021-22 and \$87,300 PR in 2022-23 [Alternative 1]. If the Committee were concerned about ongoing availability of funding for the position, it could consider providing a two- or four-year project position [Alternatives 2a or 2b]. The Committee could also take no action [Alternative 3]. Without an authorized position, DATCP would likely continue to allocate limited-term staffing to VEB regulatory duties.

ALTERNATIVES

1. Provide 1.0 PR permanent position with \$69,500 PR in 2021-22 and \$87,300 PR in 2022-23 to support the Veterinary Examining Board.

ALT 1	Change to Base	
	Funding	Positions
PR	\$156,800	1.00

2. Provide 1.0 PR project position with \$69,500 PR in 2021-22 and \$87,300 PR in 2022-23 to support the Veterinary Examining Board, and authorize the position for:

ALT 2	Change to Base	
	Funding	Positions
PR	\$156,800	1.00

- a. Two years; or
 - b. Four years.
3. Take no action.

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