State of Wisconsin

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Alberta Darling

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John Nygren

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Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Alberta Darling
Representative John Nygren

Date: November 9, 2017

Re: s. 16.515/16.505(2), Stats. Request

Attached is a copy of a request from the Department of Administration, received November 9, 2017, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Department of Agriculture, Trade and Consumer Protection.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Wednesday, November 29, 2017,** if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

AD:JN:jm

WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR
SCOTT A. NEITZEL
SECRETARY
Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
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Date: November 9, 2017

NOV 09 2017
Jt. Finance

To: The Honorable Alberta Darling, Co-Chair
Joint Committee on Finance

The Honorable John Nygren, Co-Chair
Joint Committee on Finance

From: Scott A. Neitzel, Secretary
Department of Administration

Subject: s. 16.515/16.505(2) Request(s)

Enclosed are request(s) that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

		2017-18		2018-19	
AGENCY	DESCRIPTION	AMOUNT	FTE	AMOUNT	FTE
DATCP 20.115(2)(jm)	Veterinary examining board		1.0*		1.0*

*Project position ending November 2019.

As provided in s. 16.515, the request(s) will be approved on December 1, 2017, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Kirsten Grinde at 266-1353, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

CORRESPONDENCE/Memorandum State of Wisconsin
Department of Administration

Date: November 7, 2017

To: Waylon Hurlburt

From: Caitlin Morgan Frederick

Subject: Section 16.515/16.505(2) Request(s)

Attached is a s. 16.515/505(2) request analysis for your approval and processing. Listed below is a summary of each item:

DOA RECOMMENDATION:

AGENCY	DESCRIPTION	2017-18 AMOUNT	FTE	2018-19 AMOUNT	FTE
DATCP 20.115(2)(jm)	Veterinary examining board	$0	1.0*	$0	1.0*

* Project position ending November 2019.

AGENCY REQUEST:

AGENCY	DESCRIPTION	2017-18 AMOUNT	FTE	2018-19 AMOUNT	FTE
DATCP 20.115(2)(jm)	Veterinary examining board	$0	1.0*	$0	1.0*

* Project position ending November 2019.

WRH APPROVAL WRH (FORWARD TO GAIL TAPPEN)

WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
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Division of Executive Budget and Finance
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Date: November 7, 2017

To: Scott A. Neitzel, Secretary
Department of Administration

From: Caitlin Morgan Frederick
Executive Policy and Budget Manager

Subject: Request under s. 16.505 from the Department of Agriculture, Trade and Consumer Protection for 1.0 FTE project position.

Request:

The Department of Agriculture, Trade and Consumer Protection requests a two-year extension of a 1.0 FTE project position currently serving as staff for the Veterinary Examining Board. The position is set to expire November 17, 2017.

Revenue Sources for Appropriation(s):

This position is currently funded from the department's veterinary examining board appropriation under s. 20.115(2)(jm). Revenue for this appropriation comes from issuance fees and credential renewals for veterinarians and veterinary technicians. This appropriation is expected to collect $415,400 annually and the expected annual cost of the position is $80,600. This appropriation is a continuing, all moneys received appropriation, and expenditure authority can be increased administratively if necessary.

Background:

The 2015-17 biennial budget, 2015 Wisconsin Act 55, transferred the Veterinary Examining Board from the Department of Safety and Professional Services to the Department of Agriculture, Trade and Consumer Protection. The board is responsible for defining licensing standards and regulatory policies for veterinarians and veterinary technicians. The board also sets the educational and experience requirements for obtaining these credentials, and enforcing professional conduct standards.

With the transfer of the board, the Department of Agriculture, Trade and Consumer Protection became responsible for staffing quarterly board meetings, setting fees for initial and renewed veterinary and veterinary technician credentials, and establishing administrative rules on professional conduct. In addition, the department conducts

investigations into instances of practicing as a veterinarian or veterinary technician without a license. Individuals found engaging in a practice without the proper credentials may be subject to criminal prosecution by the Attorney General or the appropriate district attorney.

The project position provides administrative, investigative and monitoring services in support of the board and is critical to the complaint review process. In addition to those functions, the position drafts enforcement documents and monitors compliance that resulted from disciplinary orders issued from the board.

Since January 1, 2016, the department has closed 91 complaints, which included reprimand, limited license, testing/competency determination treatment, as well as other disciplinary action. The board has received 96 new complaints since that time, of which 32 percent are open for investigation and are under review.

Analysis:

During deliberations on the 2015-17 biennial budget, staff at the Department of Safety and Professional Services indicated that approximately 2,630 staff hours were devoted to activities related to the Veterinary Examining Board. In fiscal year 2013-14, there were 329 initial and 3,220 renewal veterinary medicine license applications, and 416 initial and 1,623 renewal veterinary technician license applications. In addition to processing license applications, the Department of Safety and Professional Services conducted investigations.

The department originally estimated approximately 50 complaints annually with half requiring an investigation, based on the experience of the Department of Safety and Professional Services. These complaints must be reviewed, even in cases that do not result in an enforcement action. At the present time, the number of complaints exceeds the original estimate.

By continuing this position an additional two years, it would allow the department to continue to address immediate needs of the board while determining whether existing positions within the department could staff the board on a permanent basis. Fees from credentials issued by the board will be sufficient to cover costs associated with the position.

Recommendation:

Approve the request.

State of Wisconsin
Governor Scott Walker

Department of Agriculture, Trade and Consumer Protection

Date: September 13, 2017

To: The Honorable John Nygren, Co-Chair
Joint Committee on Finance

The Honorable Alberta Darling, Co-Chair
Joint Committee on Finance

From: Jeff Lyon, Interim Secretary
Department of Agriculture, Trade and Consumer Protection

Subject: Request under Wis. Stat. §16.505 for continuation of a 1.0 FTE PR two-year project position under Wis. Stat. §20.115(2)(jm), Veterinary Examining Board.

REQUEST:

The Department of Agriculture, Trade and Consumer Protection (DATCP) requests a two year extension of a 1.0 FTE PR project position, expiring on November 17, 2017. The 1.0 Regulatory Specialist-Senior (#339547) is authorized under Wis Stat. §20.115(2)(jm), Veterinary Examining Board. The estimated annual cost for the position is $80,600.

Appropriation Wis. Stat. § 20.115(2)(jm) receives revenue from issuing and renewing credentials for veterinarians and veterinary technicians and has sufficient revenue to support the position extension.

BACKGROUND:

The 2015 Wisconsin Act 55 transferred the Veterinary Examining Board (VEB) from the Department of Safety and Professional Services (DSPS) to DATCP. The VEB, attached to DATCP for limited purposes under Wis. Stat. §§ 15.03 and 15.135, consists of eight members (five licensed veterinarians, one veterinarian technician and two public members) appointed for staggered four-year terms. The Act established an appropriation under s. 20.115 (2)(jm), to collect all moneys received from issuing and renewing credentials of veterinarians and veterinary technicians. No positions were transferred from DSPS to DATCP for administration of the program, and a project position was authorized in November 2015 to administer the program.

The VEB meets quarterly and is authorized to promulgate administrative rules defining the professional standards and the regulatory policies governing the occupation and activities of veterinarians and veterinary technicians. In addition, the VEB determines the education and experience required for obtaining a credential, developing and evaluating credentialing examinations and establishing and enforcing standards of professional conduct.

ANALYSIS:

The Regulatory Specialist-Sr. will continue to provide administrative, investigative, and monitoring services that support effective enforcement actions by the board. The position reviews intake complaints, begins investigation of the complaints, prepares files for review by VEB, assists with drafting enforcement documents and preparation for hearings, and monitors compliance with VEB disciplinary orders. The outcome of these investigations can result in setting the standards of practice in the professions affected, on a statewide basis.

Since January 1, 2016, DATCP has closed 91 complaints formally. Disciplinary actions have included reprimand, limited license, testing/competency determination treatment, supervision or monitoring/auditing, suspensions, fines, forfeitures, revocation, surrender with a finding and summary suspensions. Since January 1, 2016, DATCP has received 96 new complaints regarding veterinary doctors and technicians. Of those complaints, 31 (32%) are open for investigation and 23 required Formal Board Orders, but all complaints must be reviewed to gain an understanding of the parties and issues identified by the complainant.

SUMMARY:

DATCP requests continuation of a 1.0 FTE PR two year project position, authorized under s. 20.115(2)(jm), Veterinary Examining Board, which expires on November 17, 2017. The position will continue to support workload associated with the program.