CHAPTER 89

VETERINARY EXAMINING BOARD

89.02 Definitions. As used in this chapter, unless the context requires otherwise:

19 (g) “Administer,” when used in reference to administering a drug to an animal, means directly applying the drug, whether by injection, ingestion, or any other means, to the body of the animal.

(1m) “Animal” means any animal except a human being.

(3) “Client” means the person who owns or who has primary responsibility for the care of a patient.

(3d) “Department” means the department of agriculture, trade and consumer protection.

(3g) “Dispense” means the act of delivering a drug to a person who may lawfully possess the drug, including the compounding, packaging or labeling necessary to prepare the drug for delivery.

(3r) “Drug” has the meaning given in s. 450.01 (10).

(4) “Examining board” means the veterinary examining board.

(4e) “Extra-label use” means use of a drug in a manner that is not in accordance with the directions for use that are contained on the label affixed to the container in which the drug is dispensed.

(4m) “Food-producing animal” means an animal that is raised to produce food for human consumption.

(4s) “Patient” means an animal that is examined or treated by a veterinarian.

(5) “Pesticide” has the meaning specified in s. 94.67 (25).

(5m) “Pharmacist” means an individual who is licensed as a pharmacist under ch. 450.

(6) To “practice veterinary medicine” means to examine into the fact or cause of animal health, disease or physical condition, or to treat, operate, prescribe or advise for the same, or to undertake, offer, advertise, announce, or hold out in any manner to do any of said acts, for compensation, direct or indirect, or in the expectation thereof.

(6m) “Prescription” means a written, oral or electronic order from a veterinarian to a pharmacist or to another veterinarian that authorizes the pharmacist or other veterinarian to dispense a drug, or from a veterinarian to a client that authorizes the client to make extra-label use of a drug.

(7) “Veterinarian” means a practitioner of veterinary medicine who is duly licensed by the examining board.

(8) “Veterinarian-client-patient relationship” means a relationship between a veterinarian, a client and the patient in which all of the following apply:

(a) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the patient and the patient’s need for medical treatment, and the client has agreed to accept those medical judgments and to follow the related instructions of the veterinarian.

(b) The veterinarian has sufficient knowledge of the patient to initiate a general or preliminary diagnosis of the medical condition of the patient because the veterinarian has recently examined the patient or has made medically appropriate and timely visits to the premises on which the patient is kept.

(c) The veterinarian is readily available for follow-up treatment of the patient if the patient has an adverse reaction to veterinary treatment.

(9) “Veterinary drug” means any of the following:

(a) A drug that is recognized as a drug for animal use in the official U.S. pharmacopoeia or the official national formulary or any supplement to either of them.

(b) A drug that is intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in an animal.

(c) A drug that is intended to affect the structure or function of the body of an animal, including medicated feed or a growth-promoting implant, but not including feed that does not contain a drug.

(d) A substance that is intended for use as a component of a drug described in par. (a), (b) or (c).

(e) A drug that is produced and intended for human use but that is prescribed by a veterinarian for animal use.

(10) “Veterinary over-the-counter drug” means a drug that is labeled for animal use, that may be dispensed without a prescription and that is not required to bear the label statement: “CAUTION: Federal law restricts this drug to use by or on the order of a licensed veterinarian.”

(11) “Veterinary prescription drug” means a drug that may not be dispensed without the prescription of a veterinarian.

(12) “Veterinary technician” means a person duly certified by the examining board to work under the direct supervision of a licensed veterinarian.


89.03 Rules. (1) The examining board shall promulgate rules, within the limits of the definition under s. 89.02 (6), establishing the scope of practice permitted for veterinarians and veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, certification, or temporary permit, unprofessional conduct, and disciplinary proceedings.

(2) The examining board shall promulgate rules requiring training and continuing education sufficient to assure competency of veterinarians and veterinary technicians in the practice
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(3) Any person violating this section may for the first offense be fined not more than $1,000, and for any 2nd offense within 3 years be fined not more than $3,000.

89.06 Licensure. (1) Except as provided under ss. 89.072 and 89.073, veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pay the fee established under s. 89.063. An applicant for an initial license shall be a graduate of a veterinary college that has been approved by the examining board or have successfully completed either the educational commission for foreign veterinary medical candidates, a program under the American Veterinary Medical Association, or the program for the assessment of veterinary education equivalence offered by the American Association of Veterinary State Boards. Persons who qualify for examination may be granted temporary permits to practice veterinary medicine in the employment and under the supervision of a veterinarian until the results of the next examination conducted by the examining board are available. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

2m (a) Upon application, the examining board may issue a veterinary faculty license to an employee of a school of veterinary medicine in this state who has received the degree of doctor of veterinary medicine from a veterinary college approved by the examining board or if the examining board determines that the person possesses substantially equivalent qualifications. A person holding a veterinary faculty license may practice veterinary medicine on privately owned animals only within the scope of the person’s employment at the school.

(b) Upon application, the examining board may grant a veterinary postgraduate training permit to a person undertaking intern or resident training at a school of veterinary medicine in this state. The only purpose of the veterinary postgraduate training permit is to provide opportunities in this state for the postgraduate education of persons who have received the degree of doctor of veterinary medicine or an equivalent degree but who have not yet met the requirements for licensure in this state. Issuance of a postgraduate training permit does not modify in any respect the requirements for licensure to practice veterinary medicine in this state, and a permit holder may practice veterinary medicine on privately owned animals only within the scope of the permit holder’s internship or residency program. Violation of this restriction or of any applicable provision of this chapter constitutes cause for revocation of the permit.

(c) A license issued under this subsection expires upon termination of the licensee’s employment at a school of veterinary medicine in this state. A postgraduate training permit expires upon termination of the permit holder’s internship or residency program.

(3) A veterinary technician certification may be issued only to a person who is at least 18 years of age and has either:

(a) Successfully completed a 4-year program of study in animal technology or its equivalent, at a technical school or college approved by the examining board, and has passed an examination, administered by the examining board, which establishes that the applicant’s knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician; or

(b) Been an employee of a veterinarian for a total of 2 years and has passed an examination, administered by the examining board, which establishes that the applicant’s knowledge of animals and their treatment is sufficient to qualify the applicant as a veterinary technician. The 2-year employment requirement of this paragraph shall include at least 50 percent of the applicant’s
time spent in practical field experience and the remainder of the applicant’s time spent in laboratory work, office procedure, and technical veterinary training with a veterinarian. 

History: 1971 c. 213 s. 5; 1975 c. 309; 1977 c. 29, 418; 1979 c. 34 s. 2102 (58) (b); 1981 c. 125; 1985 a. 182 s. 57; 1987 a. 39; 1991 a. 39; 1995 a. 321; 2001 a. 76; 2003 a. 103; 2009 a. 396; 2015 a. 55 s. 4495; Stats. 2015 s. 89.06; 2015 a. 179; 2017 a. 365 s. 111.

Cross-reference: See also chs. VE 3, 4, 5, 6, 8, and 10, Wis. adm. code.

The examining board lacks authority to condition the renewal of licenses upon either reexamination or continuing education. 65 Atty. Gen. 35.

89.062 Renewal; continuing education. (1) RENEWAL. The renewal date for veterinary licenses and veterinary technician certifications is December 15 of each odd–numbered year, and the renewal fees for such licenses and certifications are determined by the department under s. 89.063.

(2) CONTINUING EDUCATION. (a) Except as provided in sub. (3), the examining board may not renew a veterinary license unless the applicant certifies that he or she has completed, during the preceding 2-year licensure period, at least 30 hours of continuing education programs or courses approved by the examining board.

(b) Except as provided in sub. (3), the examining board may not renew a veterinary technician certification unless the applicant certifies that he or she has completed, during the preceding 2-year licensure period, at least 30 hours of continuing education programs or courses approved by the examining board.

The passing score on examinations for licensure and certification tests knowledge and skills that cannot be measured or tested in the context of that veterinarian–client–patient relationship.

History: 2003 a. 103 ss. 2, 4; 2007 a. 20; 2015 a. 55 s. 4496; Stats. 2015 s. 89.062.

89.063 Fees. The department shall determine by rule the fees for each initial license, certification, and permit issued under ss. 89.06, 89.072, and 89.073, and, if applicable, for renewal of the license, certification, or permit, including late fees, based on the department’s administrative and enforcement costs under this chapter. The department shall notify the holder of such license, certification, or permit of any fee adjustment under this subsection that affects that license, certification, or permit holder.

History: 2015 a. 55, 179.

89.065 Examinations. (1) Examinations under this chapter shall be designed to determine whether an applicant is competent to engage in the practice of veterinary medicine and shall be administered at least once annually. Examinations shall be objective and reliable, reasonably related to the skills likely to be needed by an applicant and seek to determine the applicant’s preparedness to exercise such skills.

(2) The examining board may require passage of a nationally recognized examination if the examination meets basic standards of objectivity. The examining board may administer a state written examination in elements of practice that are not covered in a national examination. The examining board may administer a practical or oral examination if such an examination tests knowledge and skills that cannot be measured or tested in a written examination.

(3) The passing score on examinations for licensure and certification shall be determined by the examining board to repre- sent a standard of minimum competency in the profession, as established by the examining board by rule.

History: 1987 a. 39; 2015 a. 55 s. 4497. Stats. 2015 s. 89.065.

Cross-reference: See also ch. VE 2, Wis. adm. code.

89.068 Drugs for animal use. (1) PRESCRIBING, DISPENSING. (a) Extra–label use on animal; prescription required. No person may make extra–label use of a drug on an animal without a prescription or in any manner not authorized by that prescription.

(b) Form of prescription. A prescription shall include all of the following:

1. The name and address of the veterinarian and, if the prescription is a written order, the signature of the veterinarian.

2. The name and address of the client.

3. The species and identity of the patient for which the prescription is issued.

4. The name, strength and quantity of the drug prescribed.

5. The date on which the prescription is issued.

6. The directions for administering the drug.

7. If the patient is a food–producing animal, the withdrawal time for the veterinary drug.

8. If the prescription authorizes extra–label use, the manner in which the client may use the drug.

9. Any cautionary statements required by law.

(c) Prescribing, dispensing and administering requirements for veterinarian. A veterinarian may not do any of the following:

1. Prescribe for or dispense to a client a veterinary prescription drug or a drug for extra–label use without personally examining the patient unless a veterinary–client–patient relationship exists between the veterinarian, client and patient and the veterinarian determines that the client has sufficient knowledge to administer the drug properly.

2. Prescribe or dispense a veterinary prescription drug to a client unless the veterinarian indicates in the appropriate records described under sub. (3), within 72 hours after the prescription is issued or the drug is dispensed, that the prescription has been issued or that the drug has been dispensed.

3. Prescribe a drug to a client for extra–label use on a patient unless all of the following apply:


b. The veterinarian determines that there is no drug that is marketed specifically to treat the patient’s diagnosed condition, or determines that all of the drugs that are marketed for that purpose are clinically ineffective.

c. The veterinarian recommends procedures for the client to follow to ensure that the identity of the patient will be maintained.

d. If the patient is a food–producing animal, the veterinarian prescribes a sufficient time period for drug withdrawal before the food from the patient may be marketed.

4. Transmit a prescription electronically unless the client approves the transmission and the prescription is transmitted to a pharmacist or veterinarian designated by the client.

(2) LABELING. A veterinarian or pharmacist may not dispense a drug that has been prepared, mixed, formulated or packaged by the veterinarian or pharmacist unless the veterinarian or pharmacist affixes to the container in which the drug is dispensed a label containing all of the information specified in sub. (1) (b), except the address of the client. A veterinarian or pharmacist may not dispense a veterinary prescription drug that has been prepackaged by its manufacturer for dispensing unless the veterinarian or pharmacist affixes to the container in which the drug is dispensed a label containing all of the information speci-
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fied in sub. (1) (b), except the address of the client. A veteri-
narian or pharmacist may dispense a veterinary over—the–
counter drug without affixing any information to the container
in which the drug is dispensed if a label that has been affixed to
the container by its manufacturer provides adequate information
for its use.

(3) PRESCRIPTION RECORDS. A veterinarian shall maintain
complete records of each veterinary prescription drug that the
veterinarian receives, prescribes, dispenses or administers, and
of each prescription issued by the veterinarian that authorizes
extra-label use. Records of each veterinary prescription drug
shall include the name of each veterinary prescription drug that
is received, the name and address of the person from whom the
drug is received and the date and quantity received, the name and
address of the person to whom the drug is dispensed and the date
and quantity dispensed and, if the veterinarian prescribes or
administers the drug, the information specified in sub. (1) (b).
Records of each prescription authorizing extra-label use shall
include the information specified in sub. (1) (b). A veterinarian
shall maintain records of each veterinary prescription drug
under this subsection for not less than 3 years after the date on
which the veterinarian prescribes, dispenses or administers the
drug or extra-label use.

(4) ENFORCEMENT. (a) Inspections. Except as provided in
par. (b), if the examining board has reason to believe that a per-
son is violating or has violated this section, the examining board,
the attorney general or the district attorney of the proper county
may do any of the following:

1. Inspect the premises on which the person possesses, pre-
scribes, dispenses, labels or administers veterinary drugs.
2. Inspect pertinent records, equipment, materials, contain-
ers or facilities that are relevant to determining whether the per-
son is violating or has violated this section.
3. Collect relevant samples of veterinary drugs.
(b) Records exempt from inspection. The examining board,
attorney general or district attorney may not inspect a person’s
financial, pricing, personnel or sales records under this subsec-
tion, other than the records described under sub. (3).

History: 1991 a. 306; 1997 a. 27; 2015 a. 55 s. 4498; Stats. 2015 s. 89.068.

89.07 Discipline. (1) In this section, “unprofessional con-
duct” includes, but is not limited to:

(a) Making any materially false statement or giving any
materially false information in connection with an applica-
tion for a license or for renewal or reinstatement of a license or in
making a report to the examining board.
(b) Violating this chapter or any federal or state statute or rule
that substantially relates to the practice of veterinary medicine.
(c) Practicing veterinary medicine while the person’s ability
to practice is impaired by alcohol or other drugs or physical or
mental disability or disease.
(d) Engaging in false, misleading or deceptive advertising.
(e) Making a substantial misrepresentation in the course of
practice which is relied upon by a client.
(f) Engaging in conduct in the practice of veterinary medici-
ne which evidences a lack of knowledge or ability to apply pro-
fessional principles or skills.
(fm) Handling, distributing, using or disposing of pesticides
in violation of s. 94.67 or 94.71 or the rules promulgated under
ss. 94.67 to 94.71.
(g) Obtaining or attempting to obtain compensation by fraud
or deceit.
(h) Violating any order of the examining board.

(2) Subject to subch. II of ch. 111, the examining board may,
by order, reprimand any person holding a license, certificate, or
permit under this chapter or deny, revoke, suspend, limit, or any
combination thereof, the person’s license, certification, or per-
mit if the person has:

(a) Engaged in unprofessional conduct.
(b) Been found guilty of an offense the circumstances of
which substantially relate to the practice of veterinary medicine.
(c) Been adjudicated mentally incompetent by a court.
(d) Violated any order of the examining board.

(3) In addition to or in lieu of a reprimand or denial, limitation,
suspension, or revocation of a license, certification, or permit
under sub. (2), the examining board may assess against the
applicant for or the holder of the license, certification, or permit
a forfeiture of not more than $5,000 for each violation of s.
89.068.

89.068.

Cross-reference: See also ch. VE 7 and 9, Wis. adm. code.

89.071 Administrative warnings. (1) If the examining
board determines during an investigation of a complaint against
a person holding a license, certification, or permit issued under
s. 89.06, 89.072, or 89.073 that there is evidence that the creden-
cial holder committed misconduct, the examining board may
close the investigation by issuing an administrative warning to
the credential holder if the examining board determines that no
further disciplinary action is warranted, the complaint involves
a first occurrence of a minor violation, and the issuance of an
administrative warning adequately protects the public.

(2) A credential holder may obtain review of an administra-
tive warning through a personal appearance before the examin-

(3) (a) An administrative warning does not constitute an
adjudication of guilt or the imposition of discipline and, except
as provided in par. (b), may not be used as evidence that the cre-
dential holder is guilty of the alleged misconduct.
(b) If the examining board receives a subsequent complaint of
misconduct by a credential holder against whom the examin-

ing board issued an administrative warning, the examining
board may reopen the matter that gave rise to the administrative
warning and commence disciplinary proceedings against the
credential holder, and the administrative warning may be used
as evidence in a subsequent disciplinary proceeding that the cre-
dential holder had actual notice that the misconduct that was the
basis for the administrative warning was contrary to law.

(4) The record that an administrative warning was issued
shall be a public record. The contents of the administrative
warning shall be private and confidential.

History: 2015 a. 179.

89.0715 Assessment of costs. (1) In this section, “costs
of the proceeding” means all of the following:

(a) Compensation and reasonable expenses of hearing exam-
iners and prosecuting attorneys for the department and examin-

(b) A reasonable disbursement for the service of process or
other papers.
(c) Amounts actually paid out for certified copies of records
in any public office and for postage, telephoning, adverse exam-
inations and depositions, copies, expert witness fees, and wit-
ness fees and expenses.
(d) Compensation and reasonable expenses of experts and
investigators.

(e) Compensation and reasonable expenses of a reporter for
recording and transcribing testimony.

(2) In any disciplinary proceeding against a holder of a
license, certification, or permit issued under s. 89.06, 89.072, or
89.073 in which the examining board orders suspension, limita-
tion, or revocation of the credential or reprimands the credential
holder, the examining board may, in addition to imposing discri-
plinary, assess all or part of the costs of the proceeding against
the credential holder. Costs assessed under this subsection are pay-
able to the department. Interest shall accrue on costs assessed
under this subsection at a rate of 12 percent per year beginning on
the date that payment of the costs are due as ordered by the
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individual may submit an affidavit to the examining board stating that the individual is a service member, former service member, or the spouse of a service member or former service member.

(3) (a) A credential granted under this section expires on the renewal date specified in s. 89.062 (1), except that if the first renewal date specified in s. 89.062 (1) after the date on which the credential is granted is within 180 days of the date on which the credential is granted, the credential expires on the 2nd renewal date specified in s. 89.062 (1) after the date on which the credential is granted.

(b) The examining board shall grant a renewed license, certification, or permit specified under s. 89.06 to an applicant who pays the renewal fee specified under s. 89.063 and satisfies the renewal requirements under s. 89.062.

(4) The examining board shall expedite the issuance of a license, certification, or permit granted under this section.

(5) The examining board may promulgate rules necessary to implement this section.

History: 2015 a. 179; 2019 a. 143.

89.075 Access to health care records. The owner of any animal patient of a veterinarian, or any other person who submits to the veterinarian a statement of written informed consent signed by the owner, may, upon request to the veterinarian:

(1) Receive a copy of the animal patient’s health care records upon payment of reasonable costs.

(2) Have the animal patient’s X-rays referred to another veterinarian of the owner’s choice upon payment of reasonable costs.

History: 1987 a. 39; 2015 a. 55 s. 4501; Stats. 2015 s. 89.075.

89.078 Background investigations. (1) The examining board may conduct an investigation to determine whether an applicant for a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 satisfies any of the eligibility requirements specified for the license, certification, or permit, including, subject to ss. 111.321, 111.322, and 111.335, whether the applicant does not have an arrest or conviction record. In conducting an investigation under this subsection, the examining board may require an applicant to provide any information that is necessary for the investigation.

(2) A person holding a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 who is convicted of a felony or misdemeanor anywhere shall send a notice of the conviction by 1st class mail to the examining board within 48 hours after the entry of the judgment of conviction. The examining board shall by rule determine what information and documentation the person holding the credential shall include with the written notice.

(3) The examining board may investigate whether an applicant for or holder of a license, certification, or permit issued under s. 89.06, 89.072, or 89.073 has been charged with or convicted of a crime.

History: 2015 a. 55, 179.

89.079 Unauthorized practice. (1) The department may conduct investigations, hold hearings, and make findings as to whether a person has engaged in a practice or used a title without a credential required under this chapter.

(2) If, after holding a public hearing, the department determines that a person has engaged in a practice or used a title without a required credential, the department may issue a special order enjoining the person from continuing the practice or use a title.

(3) In lieu of holding a public hearing, if the department has reason to believe that a person has engaged in a practice or used a title without a required credential, the department may petition the court for a temporary restraining order or an injunction as provided in ch. 813.
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(4)  (a) Any person who violates a special order issued under sub. (2) may be required to forfeit not more than $10,000 for each offense. Each day of continued violation constitutes a separate offense. The attorney general or any district attorney may commence an action in the name of the state to recover a forfeiture under this paragraph.

(b) Any person who violates a temporary restraining order or an injunction issued by a court upon a petition under sub. (3) may be fined not less than $25 nor more than $5,000 or imprisoned for not more than one year in the county jail or both.

History: 2015 a. 55.

89.08  **Injunctive relief.**  If it appears upon complaint to the examining board by any person, or if it is known to the examining board, that any person is practicing veterinary medicine without a license, the examining board, the attorney general or the district attorney of the proper county may investigate and may, in addition to any other remedies, bring an action in the name and on behalf of the state against the person to enjoin the person from such practice.

History: 1987 a. 39; 2015 a. 55 s. 4502; Stats. 2015 s. 89.08.