

Clearinghouse Rule 14-064

STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

IN THE MATTER OF RULEMAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : VETERINARY EXAMINING BOARD
VETERINARY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Veterinary Examining Board to repeal VE 2.01 (2); renumber and amend VE 3.03 (5); to amend VE 3.03 (intro.) and VE 8.03 (1), relating to entrance to examinations.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 440.071, Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a), Stats., and 2013 Wisconsin Act 114.

Explanation of agency authority:

Pursuant to ss. 15.08 (5) (b) and 227.11 (2) (a), Stats., the Veterinary Examining Board is generally empowered by the legislature to promulgate rules that will provide guidance within the profession and interpret the statutes it administers. 2013 Wisconsin Act 114 requires the Department of Safety and Professional Services and its attached boards to allow candidates for licensure to take their examination for a credential before completing their post-secondary education. This statutory change prompted the Veterinary Examining Board to exercise its rule-making authority to amend pertinent sections of Wis. Admin. Code specifically, ss. VE 2.01, VE 3.03, and VE 8.03 in order to give guidance within the profession related to entrance to examinations.

Related statute or rule:

None.

Plain language analysis:

Before 2013 Wisconsin Act 114, applicants for veterinary credentials were required to either have graduated from a school of veterinary medicine or expected to graduate no later than 10 months after the last date of an applicable testing period before being allowed to sit for the North American Veterinary Licensing Examination (NAVLE). Act 114 removed both requirements to sit for the NAVLE. Now applicants for veterinary licensure in Wisconsin are able to take the NAVLE before completing their post-secondary education. However, applicants must continue to comply with the National Board of Veterinary Medical Examiners requirements before taking the NAVLE.

SECTION 1. repeals the requirement to have graduated or expect to graduate from a veterinary college within 10 months of the last applicable testing period before taking the NAVLE.

SECTION 2. removes the requirement for veterinarians to complete their application within 140 days of the examination.

SECTION 3. removes the requirement that a veterinarian who has not yet graduated provide a letter to the board notifying the board of an expected graduation date.

SECTION 4. removes the requirement for veterinary technicians to complete their application within 30 days of the examination.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois: Illinois has a rule similar to the current Wisconsin rule whereby applicants must have graduated or be enrolled in an approved veterinary program and certify that the applicant will graduate from that program. “If certification of graduation is not received within 90 days after the scheduled graduation date, the results of the examination shall be void.” 68 Ill Admin. Code 1500.10.

Iowa: Iowa requires applicants for veterinary licensure to meet the guidelines established by the National Board of Veterinary Medical Examiners (NBVME). The applicant sends proof of completion of the NBVME application process and the administrative fee to the Iowa Board of Veterinary Medicine. Iowa Admin. Code R 811-6.1.

Michigan: Michigan requires applicants to graduate from veterinary college before becoming licensed. Mich. Admin. Code R. 338.4902.

Minnesota: Minnesota requires a diploma, or a certificate from a college of veterinary medicine in which the applicant is enrolled certifying that the applicant will graduate at the completion of the current academic year. Minn. Stat. §156.02.

Summary of factual data and analytical methodologies:

No factual data or analytical methodologies were used in drafting the proposed rule due to the proposed rule being prompted by recent legislation.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis are attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Tom.Engels@wisconsin.gov, or by calling (608) 266-8608.

Agency contact person:

Shawn Leatherwood, Administrative Rule Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-4438; email at Shancethea.L Leatherwood@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Shawn Leatherwood, Administrative Rule Coordinator Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Shancethea.L Leatherwood@wisconsin.gov. Comments must be received on or before January 28, 2015 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. VE 2.01 (2) is repealed.

SECTION 2. VE 3.03 (intro.) is amended to read:

VE 3.03 Application procedures for veterinary applicants to take board examinations. An applicant shall file a completed application with the board ~~at least 140 days prior to the first day of the scheduled examination period.~~ All supporting documents

shall be provided in English. An application is not complete until the board receives all of the following:

SECTION 3. VE 3.03 (5) is renumbered VE 3.02 (6) and amended to read:

VE 3.02 (6) A certificate of graduation from a board approved veterinary college which shall be signed and sealed by the dean of the school and submitted directly to the board by the school. Applicants who graduated from a veterinary college which is not a board approved veterinary college shall provide a certificate of graduation which is signed and sealed by the dean of the school and submitted directly to the board by the school, and evidence of successful completion of either the educational commission for foreign veterinary graduates certification program or the Program for the Assessment of Veterinary Education Equivalence offered by the American Association of Veterinary State Boards (AAVSB) which shall be submitted directly to the board by the AVMA or the AAVSB. ~~If the applicant has not yet graduated from veterinary college, a letter signed by the dean of the school and submitted directly to the board by the school providing evidence that the applicant has an expected graduation date no later than 8 months after the last date of the applicable testing period.~~

SECTION 4. VE 8.03 (1) is amended to read:

VE 8.03 Application procedures for veterinary technician applicants. (1) An applicant for a veterinary technician certificate shall file a completed application with the board ~~at last 30 days prior to the date of the scheduled examination.~~ All supporting documents shall be in English. An application is not complete until the board receives all of the following:

SECTION 5. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Dated _____

Agency _____

Chairperson
Veterinary Examining Board