

Wisconsin Veterinary Examining Board

Regulatory Flexibility Analysis

Rule Subject: Authority and Definitions
Adm. Code Reference: VE 1
Rules Clearinghouse #: Not assigned
DATCP Docket #: 16-VER-1

Rule Summary

The Wisconsin Veterinary Examining Board (VEB) proposes a rule revision for ch. VEB 1, Wis. Adm. Code, to broaden the definition of surgery removing the limitation in s. VEB 1.02 (9), Wis. Adm. Code, to procedures that are for therapeutic purposes, and also specifying additional procedures exempted from the definition.

Currently, in s. VE 1.02 (9), Wis. Adm. Code, the definition of surgery, for veterinary medical practice, is limited to procedures that are for therapeutic purposes. This leaves uncertainty for the profession and the VEB, as to whether surgeries for other purposes, including reproduction and cosmetic changes, are included. A change to the definition is important to clarify that surgical procedures are broader than for therapeutic purposes, only, but also specifying additional procedures not considered surgery. This will ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

Small Businesses Affected

This rule change is anticipated to have an effect on small business, as many veterinary practices that will be subject to this definition change, are small businesses. To the extent that the proposed rule will clarify what is included in the practice of veterinary medicine, this may have a positive impact in giving certainty to veterinarians concerning the regulation of surgery for reproductive, cosmetic and other purposes that do not fall clearly within the notion of "therapeutic".

Reporting, Bookkeeping and other Procedures

The rule would not require any additional reporting, bookkeeping, or other procedures.

Professional Skills Required

The proposed rule does not require any new professional skills.

Accommodation for Small Business

While this rule change is anticipated to have an effect on small business, as many veterinary practices are small business, it is anticipated that the effect will be positive in giving more certainty to veterinarians as to clarifying what is considered veterinary surgery. Therefore, no accommodation is required.

Conclusion

The provisions in this proposed rule will benefit those affected clarify that veterinary surgical procedures are broader than just for therapeutic purposes, but also specifying additional procedures not considered surgery. This will ensure all persons, who are subject to these rules, are on notice as to practice conduct falling within the VEB's jurisdiction.

This rule will not have a significant adverse effect on "small business" and is not subject to the delayed "small business" effective date provided in s. 227.22(2)(e), Stats.

Dated this _____ day of _____, 2016.

STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

By _____
Cheryl Furstace Daniels
VEB Legal Counsel