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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 04-125

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 2002.]**

#### 1. Statutory Authority

When reading s. VE 10.02 (8) (b) in conjunction with s. VE 10.03 (3) (b), it appears that the board intends to grant continuing education credit to veterinarians or veterinary technicians who report having read medical or scientific journals on their own, not as part of a correspondence course or in any way supervised by anyone other than the veterinarian or veterinary technician applying for license renewal. Is this the intent of the rule? If so, has the board considered whether this meets the statutory requirement that the board may not renew a veterinary license or veterinary technician certification unless the applicant certifies that he or she has completed the required number of hours of continuing education *programs or courses* approved by the board (emphasis added)?

#### 2. Form, Style and Placement in Administrative Code

a. In s. VE 7.055 (intro.) and (2), relating to the renewal of licenses, the use of the term “credential” to refer to a license is confusing and unnecessary. Only the term “license” should be used to refer to a license. This comment also applies to the use of the term credential when referring to a certificate in s. VE 9.035 (intro.) and (2).

b. Section VE 10.02 (1) should be restructured to read as follows:

**VE 10.02 Continuing education.** (1) (a) Except as provided in subs. (3) and (4), a veterinarian shall complete.... The 30 hours of continuing education shall include all of the following:

1. Except as provided in s. VE 10.04 (1), at least 4 hours of continuing education that relate to the use, handling, distribution, and disposal of pesticides.
2. At least 25 hours of continuing education that relate to scientific topics pertinent to veterinary medicine.
  - (b) All 30 continuing education hours required in this subsection shall be documented. A minimum of 25 hours of continuing education shall be documented by an approved continuing education provider.
  - (c) A continuing education hour shall consist of 50 minutes of contact time.

This comment also applies to s. VE 10.02 (2).

### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. It appears that s. VE 7.06 should be amended to specify that it is unprofessional conduct for a licensee to falsely certify that he or she is exempt from the requirements of s. VE 10.02 or falsely certify that the veterinarian has completed the required continuing education. This comment applies as well to s. VE 9.05, relating to unprofessional conduct of veterinary technicians.

b. The rule should specify what the board will accept as “documentation” under s. VE 10.02 (1) (c) and (2) (c). Also, must documentation be provided to the board? Is the documentation referred to in s. VE 10.02 (1) and (2) different than the documentation referred to in s. VE 10.02 (8)? Since s. VE 10.03 (1) (b) requires each continuing education program or course provider to furnish a certificate of attendance to each participant, has the board considered requiring each applicant for license or certification renewal to provide a copy of a certificate received for each class attended when applying for a license renewal?

c. Section VE 10.02 (5) requires that continuing education requirements be completed during the two-year licensure period. However, s. VE 9.035, which provides for reinstatement of an expired license, states that an expired license may be renewed if, among other requirements, the continuing education requirements under ch. VE 10 are fulfilled. The rule should specify how a person whose license has expired can renew a license when the person fails to take the required classes during the two-year period.

d. In s. VE 10.02 (5), it is unclear which licensing period the rule refers to. Should the rule specify that hours must be completed during the two-year licensure or certification period immediately preceding the renewal date?

e. Should s. VE 10.03 (3) (e) to (g) provide more specificity, such as minimum length or content requirements, for the items for which the board will grant five hours of continuing education credit under those paragraphs?

f. In s. VE 10.03 (4) (intro.), “accepts” should be changed to “shall accept.”