

**VETERINARY EXAMINING BOARD
MINUTES
OCTOBER 23, 2013**

PRESENT: Philip Johnson, D.V.M.; Brenda Nemec, CVT; Sheldon Schall; Robert Spencer, D.V.M.; Neil Wiseley, D.V.M.

EXCUSED: Wesley Elford, D.V.M.

STAFF: Tom Ryan, Executive Director; Karen Rude-Evans, Bureau Assistant

CALL TO ORDER

Robert Spencer, Chair, called the meeting to order at 9:34 a.m. A quorum of five (5) members was present.

ADOPTION OF AGENDA

Amendments:

- Item F – DSPS Economic Impact Report will be presented by Executive Director Tom Ryan

MOTION: Sheldon Schall moved, seconded by Neil Wiseley, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 31, 2013

MOTION: Neil Wiseley moved, seconded by Philip Johnson, to approve the minutes of July 31, 2013 as written. Motion carried unanimously.

BOARD CONSIDERATION OF LETTER IN SUPPORT OF HOLDING THE 2015 AAVSB ANNUAL MEETING IN WISCONSIN

MOTION: Philip Johnson moved, seconded by Neil Wisely, to have the Department draft a letter on behalf of the Board in support of holding the 2015 AAVSB Annual Meeting in Wisconsin and to have Robert Spencer review, approve and sign the letter. Motion carried unanimously.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

Review and Discussion of CR 13-031 Regarding VE 1.02, 7, 8 and 9 – To Define or Delete the Term “Medically-Pertinent Communications with the Client” as Set Forth in VE7.03(2)(n)

MOTION: Philip Johnson moved, seconded by Neil Wiseley, to amend the draft to delete the term “medically-pertinent communications with the client” and resubmit the draft to the Governor’s Office. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Philip Johnson, to delete “number of patients examined” from VE 7.03 (c) and resubmit the draft to the Governor’s Office. Motion carried unanimously.

Review and Discussion of CR 13-032 Regarding VE 2, 3, 4, 5 and 6

MOTION: Sheldon Schall moved, seconded by Philip Johnson, to retain the language as is on the advice of Legal Counsel. Motion carried unanimously.

CLOSED SESSION

MOTION: Philip Johnson moved seconded by Neil Wiseley, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Robert Spencer read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Philip Johnson-yes; Brenda Nemecek-yes; Sheldon Schall-yes; Robert Spencer-yes; and Neil Wiseley-yes. Motion carried unanimously.

The Board convened into closed session at 10:43 a.m.

**RECONVENE INTO OPEN SESSION IMMEDIATELY
FOLLOWING CLOSED SESSION**

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 11:24 a.m.

REAFFIRM VOTES MADE IN CLOSED SESSION

MOTION: Philip Johnson moved, seconded by Neil Wiseley, to reaffirm all votes made in closed session. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Philip Johnson moved, seconded by Neil Wiseley, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Allen L. Lande, DVM (12 VET 035)**. Motion carried unanimously.

MOTION: Philip Johnson moved, seconded by Neil Wiseley, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary

proceedings against **Mark A. Hiebert, DVM (12 VET 039)**. Motion carried unanimously.

MOTION: Brenda Nemec moved, seconded by Neil Wiseley, to reject the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Scott F. Harman, DVM (13 VET 003) and remand for further action**. Motion carried unanimously.

CASE CLOSURES

MOTION: Neil Wiseley moved, seconded by Philip Johnson, to close case **12 VET 025 for prosecutorial discretion (P1)**. Motion carried unanimously.

MOTION: Brenda Nemec moved, seconded by Neil Wiseley, to close case **13 VET 011 for no violation**. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Brenda Nemec, to close case **13 VET 017 for no violation**. Motion carried unanimously.

ADJOURNMENT

MOTION: Philip Johnson moved, seconded by Brenda Nemec, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:33 a.m.