

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

VE 1, Authority and Definitions

3. Subject

Amending definition of surgery and exemptions

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

The Veterinary Examining Board ("VEB") administers ch. 89, Stats., as well as the administrative rules in VE 1-10, Wis. Adm. Code. 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.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This proposed rule change is anticipated to affect all licensed veterinarians. This rule change is anticipated to have an effect on small business, as many veterinarian practices that will be subject to this definition change, are small businesses.

11. Identify the local governmental units that participated in the development of this EIA.

Local governmental units are not impacted by this rule and did not participate in development of this EIA.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The proposed rule makes minor changes to current rules and is expected to have no economic and fiscal impact.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

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.

14. Long Range Implications of Implementing the Rule

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".

15. Compare With Approaches Being Used by Federal Government

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There are no federal regulations governing the practice of veterinary medical surgeries.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

None of the surrounding states of Illinois, Indiana, Iowa, Michigan or Minnesota, have their own definition of surgery for the purpose of practicing veterinary medicine. Illinois does include animal reproductive services in the definition of the practice of veterinary medicine. Iowa does include cosmetic surgery in the practice of the veterinary medicine definition-

17. Comments Received in Response to Web Posting and DATCP Response

No comments were received in response either to the posting on the Department external website or the statewide administrative rules website.

17. Contact Name

Cheryl Furstace Daniels, VEB Legal Counsel

18. Contact Phone Number

(608) 224-5026

This document can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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