

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN

BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

WILLIAM H. SWEENEY, D.V.M.

FINAL DECISION AND ORDER

RESPONDENT

(LS 9911291 VET)

(99 VET 36)

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

William H. Sweeney, D.V.M.
3460 Highway JG
Mt. Horeb, Wisconsin 53572

State of Wisconsin
Veterinary Examining Board
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

The parties in this matter, William H. Sweeney, D.V.M., Respondent, personally and through his attorney, Barbara A. Neider, and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, Division of Enforcement, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Veterinary Examining Board. The Board has reviewed the Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached stipulation and makes the following:

FINDINGS OF FACT

1. That William H. Sweeney, Respondent herein, 3460 Highway JG, Mt. Horeb, Wisconsin 53572, is duly licensed to practice veterinary medicine in the State of Wisconsin under license number 948 which was granted on or about January 1, 1967.
2. That Respondent was licensed to practice veterinary medicine in the State of Minnesota under license number 0-60-67.

3. That on May 13, 1998, the Minnesota Board of Veterinary Medicine suspended the license of Respondent to practice veterinary medicine in that State for a period of three years, with the suspension stayed after one year and his license reinstated with limitations, based upon the following findings:

- a) Respondent prescribed veterinary prescription drugs without the establishment of a veterinarian-client-patient relationship.
- b) Respondent engaged in conduct that fell below the minimum standard of acceptable and prevailing practice for the delivery of veterinary care to dairy, swine and beef herds and engaged in veterinary medical practice that was professionally incompetent.
- c) Respondent demonstrated a willful or careless disregard for the health, welfare or safety of patients.
- d) Respondent failed to meet minimum standards for record keeping.
- e) Respondent failed to meet the minimum standards for a mobile veterinary practice.
- f) Respondent wrote prescriptions that did not contain identification of the species for which the drug was prescribed or ordered, the name of the drug, the quantity of the drug, directions for use or withdrawal time.
- g) Respondent authorized his agent to dispense prescription drugs with labels which did not provide adequate directions for use of appropriate cautionary statements.
- h) Respondent represented conflicting interests without full disclosure of his dual relationship to and consent thereto by all parties to the transaction.

all of which are violations of Minnesota laws and statutes governing the practice of veterinary medicine in that State as set forth in the attached Exhibit A which is incorporated herein.

4. Respondent contests the accuracy of several of the findings of the Minnesota Board but admits that his license was suspended. Respondent did not contest the disputed findings at the time of entry of the Minnesota Order due to the fact that he was recovering from serious injuries incurred in an automobile accident.

CONCLUSIONS OF LAW

- 1. The Wisconsin Veterinary Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. sec. 453.04.
- 2. The Wisconsin Veterinary Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).
- 3. That having one's license to practice veterinary medicine suspended by another licensing authority constitutes unprofessional conduct within the meaning of Ch. VE 7.06(6) Wis. Adm. Code.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties, as attached hereto, is accepted.

IT IS FURTHER ORDERED, that the license of William H. Sweeney, D.V.M. shall be SUSPENDED for a period of one year, said suspension to be retroactive and run concurrent with the suspension imposed by the State of Minnesota.

IT IS FURTHER ORDERED that the license of William H Sweeny, D.V.M. is hereby LIMITED on the following terms and conditions:

- 1. Respondent's practice shall be permanently limited to the specialty area of equine veterinary medicine with the exception set forth in paragraph 2 below.
- 2. Respondent shall be permitted to provide vaccination and worming services only, to small animals regularly kept on the premises of Respondent's equine clients and owned by the client or an employee of the client. Respondent shall also be permitted to provide any emergent services required to address any complications as a result of the administration of the vaccines and wormers. Such treatment is limited to that required to

counteract the immediate complication and/or necessary to stabilize the animal prior to transfer to another veterinarian. If confronted with a veterinary medical situation which requires emergency intervention, Respondent may provide such emergency treatment as is necessary to stabilize the animal until arrival of or transport to a small animal practitioner for medical treatment. These exceptions are contingent upon Respondent successfully passing an oral examination to be conducted by a member of the Veterinary Examining Board. This examination shall include questions involving the examination of animals prior to providing vaccinations or worming services, possible complications and appropriate treatment, and the provision of treatment in emergent medical situations to stabilize a small animal until treatment of the condition is available. In the event Respondent does not successfully complete the oral examination he agrees to restrict his practice to equine medicine only.

3. Respondent shall take and pass the statutes and rules test administered by the Department of Regulation and Licensing on behalf of the Veterinary Examining Board.

4. Respondent shall participate in and successfully complete a one half day record keeping course to be conducted by the University of Wisconsin School of Veterinary Medicine. All costs associated with this program shall be the sole responsibility of Respondent.

5. All terms set forth in paragraphs two through four above requiring education and examination shall be completed by July 1, 2000

6. Respondent shall permit the Department of Regulation and Licensing, Division

of Enforcement to conduct a random audit of his medical records and labeling procedures once every 6 months for a period of two years commencing July 1, 2000. The audits shall be limited to records created on or after July 1, 2000.

IT IS FURTHER ORDERED that William H. Sweeney, D.V.M. shall permit the person/s conducting the programs/examinations to provide written or oral evaluation of his participation as requested by the Veterinary Examining Board or Division of Enforcement.

Dated at Madison, Wisconsin this 29th day of February, 2000.

WISCONSIN VETERINARY EXAMINING BOARD

Diane Scott, D.V.M.

A Member of the Board