

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER :
RICHARD J. BROWN, D.V.M. : LS0412017VET
RESPONDENT. :

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

Richard J. Brown, D.V.M.
3564 Carncross Drive
McFarland, Wi 53558

Veterinary Examining Board
1400 E. Washington Avenue
P.O. Box 8935
Madison, WI 53708 8935

Department of Regulation and Licensing
Division of Enforcement
1400 E. Washington Avenue
P.O. Box 8935
Madison, WI 53708 8935

The parties in this matter, Richard J. Brown, D.V.M., Respondent and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Veterinary Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Richard J. Brown, D.V.M., Respondent herein, of 3564 Carncross Drive, McFarland, Wisconsin 53558, d/o/b May 12, 1958, is currently licensed to practice veterinary medicine in the State of Wisconsin under license number 4474 which was granted on May 21, 1996.
2. An investigation, entitled 01 Vet 038, is pending in this matter before the Wisconsin Veterinary Examining Board.
3. On November 15, 2000, a 16 year old male cat owned by TB, was presented at the Crowne Pointe Veterinary Hospital Brookfield, Wi, for evaluation of weight and hair loss of approximately five month duration. After evaluation and testing, the cat was diagnosed with diabetes and treatment was initiated.
4. TB's cat received ongoing treatment from Gerald Lepar, D.V.M. from November 16, 2000 through July 30, 2001.
5. On April 27, and May 18, 2001, Respondent was serving as a relief veterinarian at the Crowne Point Veterinary Hospital and provided treatment for TB's cat.
6. On April 27, 2001, Respondent noted weight loss from the cat's previous visit in the patient record and drew blood for individual glucose evaluations, recommended a high fiber diet, increased the insulin dosage to 4 units BID and ordered a fructosamine assay with recheck in two weeks.
7. There is no indication in the patient record by Respondent of any evaluation of the weight loss or that the fructosamine assay was ever performed.
8. On May 18, 2001, Respondent again examined TB's cat, performed an individual glucose evaluation, increased the insulin dosage to 5 units BID and recommended bloodworm be repeated in 2 to 4 weeks.
9. Respondent did not note whether the fructosamine assay had been performed on, or after April 27, 2001, and did not order a recheck of the fructosamine assay on May 18.
10. During his care and treatment of TB's cat, Respondent did not perform or order performed a glucose curve.

11. Respondent had no further contact with TB's cat after May 18, 2001.
12. The Respondent has fully cooperated in the investigation and has voluntarily agreed to the Order contained herein.

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. Respondent's conduct constituted a violation of Wis. Adm. Code Sec. VE 7.06 (1) in that he failed to follow-up on the ordered fructosamine assay to determine if the test had been performed, failed to inquire into the cause of the cat's weight loss, and failed to order a glucose curve to effectively monitor the cat and therefore had insufficient knowledge of the cat's condition to make determinations of the effectiveness of the treatment that was being provided including appropriate dosage amounts of medication.

ORDER

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

IT IS FURTHER ORDERED as follows:

1. Within six months of the effective date of this Order, Dr. Brown shall participate in and successfully complete a minimum of four hours of continuing education in the diagnosis, treatment and monitoring of the diabetic cat with a focus on the importance of a blood glucose curve and fructosamine assay as diagnostic tools and the long term complications associated with diabetes..
2. Within six months of the effective date of this Order, Dr. Brown shall participate in and successfully complete a one hour record keeping course.
3. All courses taken in satisfaction of this Order shall be pre-approved by the Wisconsin Veterinary Examining Board or by the Board's designee.
4. With regard to the reeducation set forth in paragraphs one and two above, Dr. Brown shall be responsible for locating courses satisfactory to the Wisconsin Veterinary Examining Board or its designee, for providing adequate course descriptions to the Department Monitor and for obtaining pre-approval of the courses from the Wisconsin Veterinary Examining Board prior to commencement of the programs. The Board may reject in whole or in part any educational opportunity which is nominated by Dr. Brown when, in the Board's judgment, the syllabus or description of the course or other educational opportunity is insufficient to fulfill the purpose for which Dr. Brown nominates it by reason of the educational opportunity's scope, content, method of instruction, or degree of participation required of students. The Board shall not unreasonably deny an educational opportunity suggested by Dr. Brown.
5. Within 30 days after the courses identified in paragraph one above are concluded, Dr. Brown shall file with the Wisconsin Veterinary Examining Board certifications from the sponsoring organization of his attendance at the required courses. In the event the courses approved by the Board as meeting these requirements are self directed courses, Dr. Brown shall provide an Affidavit indicating that he has completed the requirements of the course/s.
6. All costs of the educational programs shall be the responsibility of the Dr. Brown.
7. Respondent shall pay costs in this matter in the amount of \$625 payable to the Department of Regulation and Licensing within sixty days of the effective date of this Order.
8. Submission of all required documentation and payment of costs shall be mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

9. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered, the Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

10. This Order is effective upon signing.

IT IS FURTHER ORDERED, that the pending investigation entitled 01 Vet 050 is hereby closed without further proceedings.

Dated at Madison, Wisconsin this 1st day of December, 2004.

WISCONSIN VETERINARY EXAMINING BOARD

Larry Mahr
A Member of the Board