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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF :
 :
ALLEN DIXON DUNBAR, D.V.M. : FINAL DECISION AND ORDER
 : FOR REMEDIAL EDUCATION
 : LS0808062VET

[Division of Enforcement Case #'s 04 VET 046 & 05 VET 026]

The parties to this proceeding for purposes of Wis. Stat. § 227.53 are:

Allen Dixon Dunbar, D.V.M.
121 Packerland Drive
Green Bay, WI 54303

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

Wisconsin Veterinary Examining Board
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Wisconsin Veterinary Examining Board (“Board”). The Board has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Allen Dixon Dunbar, D.V.M., (“Licensee”), date of birth November 24, 1954, is duly licensed to practice veterinary medicine in the state of Wisconsin (license #2054). This license was first granted on June 19, 1980.
2. Licensee’s address of record with the Veterinary Examining Board is 121 Packerland Drive, Green Bay, WI 54303.
3. At all times relevant to this action, Licensee practiced veterinary medicine at Packerland Veterinary Center, Ltd. (“PVC”), in Green Bay, Wisconsin.
4. On October 12, 2004, Ms. A adopted an 8-week-old unaltered male kitten from the Brown County Humane Society. The Humane Society’s policy at that time required all pets to be spayed or neutered before being released to adoptive owners.
5. On October 13, 2004, Ms. A met with a PVC assistant to review surgical options. Ms. A declined IV fluids and laser and opted for minimal blood work, pain medications and e-collar. Ms. A signed a consent form for admission,

medical or surgical treatment.

6. On October 14, 2005, the Humane Society transported the kitten to PVC at 8:00 a.m. The kitten had no history of previous illness and upon arrival at PVC, was active, well fleshed and had no sneezing or ocular discharge. Upon examination, Dr. Van Rossum, one of the veterinarians at PVC, noted that the kitten had gas in the intestine which was attributed to intestinal parasites. Deworming was recommended and given. Blood work showed ALT, Creat, and Tprot WNL. HCT was mildly low at 25% (30-40 normal). The kitten's mucous membranes were pink, moist and CRT normal. The mild anemia was attributed to internal parasitism.

7. Dr. Van Rossum performed the surgery that day, following standard protocol. The kitten was monitored with pulse ox and manual observation. Spo2, heart rate and respiratory rate were normal throughout the procedure. The surgery was completed with no complications and the kitten's vitals were monitored in the recovery room for another hour until he was up and walking. The kitten's recovery was uneventful and he was discharged to Ms. A that afternoon with specific post-op instructions.

8. On October 16, 2004, Ms. A called PVC to report that the kitten was sneezing and had runny eyes. Because the kitten likely had a respiratory infection which was common for animals coming from the Humane Society, Respondent, who was the veterinarian in the office that day, prescribed antibiotics without talking to Ms. A or seeing the kitten.

9. On October 17, 2004, the kitten's condition appeared worse. Ms. A called PVC after hours and left a message to have someone call her back. At approximately 8:30 p.m., Licensee called Ms. A. Ms. A told him that the kitten had not moved all day and would not eat or drink. Licensee told Ms. A to monitor him overnight and to call the next day if there was no progress.

10. At about 9:00 a.m. on October 18, 2004, Ms. A brought the kitten back to PVC. Ms. A reported that the kitten had only eaten about 2 tablespoons of cat food over the weekend and had vomited the previous night. Dr. Van Rossum examined the kitten and found him to be lethargic and severely dehydrated. The kitten was sneezing, had ocular discharge, was pale, weak and had lost weight. The kitten was vocalizing upon abdominal palpation and his temperature was only 93.0.

11. Dr. Van Rossum diagnosed the kitten with shock, likely low glucose due to prolonged anorexia, possible pneumonia, severe upper respiratory infection and possible GI obstruction/disease causing vocalization. Dr. Van Rossum immediately treated the kitten for shock. He was placed under a warm air blanket and given oral nutritional and max cal for nutrition. Due to dehydration and hypothermia, his peripheral veins were very constricted and likely would not hold a catheter. Dr. Van Rossum gave the kitten 25cc SQ fluids with plans to place an IV when he was warm and stable. The kitten was continuously monitored. Although he rested quietly and his temperature slowly rose, after less than 90 minutes after arriving at PVC, the kitten died.

12. Dr. Van Rossum's differential diagnoses included severe upper respiratory infection with possible pneumonia and/or GI disease. Dr. Van Rossum claimed that there had been many severe upper respiratory infections and pneumonia in kittens in less than 4 months old in the area, noting that several had died from complications despite intensive therapy, including oxygen. Survival rate had been about 30%. These included kittens that had surgery as well as an equal number of those that had not. Most had recently been adopted or purchased.

13. On February 11, 2005, because Ms. B's regular veterinarian was unavailable, Ms. B called PVC to report that her cat Hercules, an obese six-year-old male tabby, had been constipated for two days and had vomited that day. Ms. B was advised to bring Hercules to the clinic. At 1:45 p.m., Ms. B brought Hercules in and met with Dr. Van Rossum. They discussed Hercules' constipation and Ms. B asked Dr. Van Rossum to also look at a small lump that was on Hercules' back. Before leaving the clinic, Ms. B advised Dr. Van Rossum that Hercules was very nervous and that it was her regular veterinarian's practice to anesthetize him before an exam.

14. Results of pre-anesthesia blood work were normal. Dr. Van Rossum tank induced Hercules with isoflurane and gave him 0.02 mg of Torbutrol (butorphanol tartrate) for pain control. A large, hard stool was manually removed from the cat's colon and he was given an enema. The lump on his back was examined and was found to be a small abscess. Dr. Van Rossum's notes read:

“Hercules had poor respiratory rate and SPO2 occasionally fell into the 80’s during anesthesia with ISO only. Recovery uneventful. MM (mucus membranes) pink, growling and hissing after (sic) recovery. Caution with anesthesia. Possibly obesity is decreasing air exchange.”

15. At 4:00 p.m., Ms. B called the clinic to check on Hercules and spoke with Dr. Van Rossum. Dr. Van Rossum told Ms. B that Hercules had not completely recovered yet from the anesthesia but that he would be fully recovered soon.

16. Before noon on February 12, 2005, Ms. B came to the clinic to pick up Hercules and pay her bill. The billing document included a statement that PVC offered 24-hour emergency services. A PVC staff person handed Hercules, who was in his crate, to Ms. B. Ms. B noticed immediately that Hercules was groggy and glassy-eyed. She asked if Hercules had been given more gas to get him into his crate and was told that Hercules had not been given any gas all day. The staff person told Ms. B that Hercules was fine but was probably just upset and would be better when he got home.

17. Later examination of the veterinary records revealed that there was no notation indicating that Hercules had been evaluated before his release, no indication of whether or not he had urinated before discharge and no description of his condition.

18. After arriving at home, Hercules continued to have problems including trouble breathing. At 1:45 p.m., Ms. B called PVC and spoke with Licensee, who was the veterinarian in the office at that time. Licensee told her that the effects of the gas should have worn off and that she should just watch Hercules for a day to see if he continues to have problems. Licensee did not personally see Hercules.

19. The next morning, on February 13, 2005, Ms. B noticed that Hercules’ breathing was worse. At 7:30 a.m., she called PVC and received a recording which instructed callers to leave a message and that a vet would be paged and would call back shortly. Ms. B left a message but received no call back. Ms. B called again at 8:00 a.m., 8:25 a.m., 9:15 a.m. and 10:00 a.m. before giving up and calling another clinic, the Green Bay Animal Emergency Center (“GBAEC”) at 10:25 a.m. Staff at GBAEC told Ms. B that Hercules should be seen and that she should bring him in.

20. Hercules was now seriously distressed. Concerned that GBAEC would not have Hercules’ medical records available, Ms. B tried again to call PVC at 10:30 and 11:15 a.m. with no response.

21. Hercules died on the way to GBAEC.

22. Upon arriving home at 1:30 p.m., Ms. B checked her Caller ID and saw that someone from PVC had called at 12:25 p.m. Licensee said he received a page from Ms. B just before noon and that he called her back but got no answer.

CONCLUSIONS OF LAW

1. **The Wisconsin Veterinary Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 453.07(2).**

2. **The Wisconsin Veterinary Examining Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).**

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Licensee shall, within 6 months of the date of this Final Decision And Order, take and complete:
 - a. 10 hours of continuing education relating to compromised patients, with an emphasis on the neonatal patient, and proper assessment of the critical state.

- b. 10 hours of continuing education relating to post-surgical/anesthetic complications in the patient.
- c. 2 hours of continuing education on doing a proper examination, with an emphasis on the post-surgical patient.

2. Each course attended in satisfaction of this Order must be preapproved by the Veterinary Examining Board or its designee. Licensee shall be responsible for locating courses satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee shall, within 60 days of completion of this educational requirement, file an affidavit with the Board stating under oath that he has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance shall be filed with:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, Wisconsin 53708-8935

All certifications, affidavits or other documents required to be filed with the Board will be deemed filed upon receipt by the Department Monitor.

3. Licensee shall be responsible for paying the full cost of attendance at these courses. Licensee shall not apply any of the continuing education credits earned in satisfaction of this Order toward satisfaction of his Wis. Stat. § 453.062(2)(a) biennial training requirements.

IT IS FURTHER ORDERED:

4. Licensee shall, within 60 days from the date of this Order, pay costs of this proceeding in the amount of \$700.00. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

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

5. In the event Licensee fails to timely pay costs as ordered or fails to comply with the ordered continuing education, Licensee's license SHALL BE SUSPENDED, without further notice or hearing, until Licensee has complied with the terms of this Order. The Board or its designee shall remove the suspension, if provided with sufficient information that Licensee is in compliance with the Order and that it is inappropriate for the suspension to remain in effect. The Board in its discretion may impose additional conditions and limitations for a violation of any of the terms of this Order.

6. Licensee is responsible for compliance with all of the terms and conditions of this Final Decision and Order.

7. This Order is effective on the date of its signing.

WISCONSIN VETERINARY EXAMINING BOARD

By: Robert Spencer
A Member of the Board

8/6/08
Date

Allen Dixon Dunbar, D.V.M.

Date

Licensee

121 Packerland Drive

Green Bay, WI 54303

Sandra L. Nowack

Date

Attorney for Complainant

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