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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
RUSSELL L. SCHNEPPER DVM : FINAL DECISION AND ORDER
RESPONDENT. : (LS # 0806042VET)
 :
 :

(DOE CASE 04 VET 008)

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

Russell L. Schnepfer, DVM
3210 County Rd. B
Platteville, WI 53818

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

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

PROCEDURAL HISTORY

The Notice of Hearing and Complaint were filed in this matter on June 4, 2008. Prior to the hearing on the formal complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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. Russell L. Schnepfer DVM, Respondent herein, whose date of birth is December 19, 1931, is currently licensed to practice veterinary medicine in the State of Wisconsin under license number 596 which was initially granted on July 1, 1959.
2. Respondent's last address reported to the Department of Regulation and Licensing is 3210 County Road B, Platteville, WI 53818.
3. At all times relevant to this matter, Respondent was licensed to practice veterinary medicine in the State of Michigan.
4. On November 21, 2006, the Michigan Board of Veterinary Medicine entered an Order finding Respondent to be in violation of sec. 16221 (a) of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 et. seq., to wit: Respondent prescribed and sold prescription drugs to four clients who owned dairy farms in Michigan without establishing a valid veterinarian-client-patient relationship. Respondent's license was placed on probation for a period of one year requiring that Respondent submit information to the Michigan Board on a quarterly basis concerning prescriptions dispensed, sold, and prescribed in Michigan as part of his veterinary practice. A copy of the Michigan Order is attached hereto as Exhibit A.
5. At all times relevant to this matter, Respondent was licensed to practice veterinary medicine in the State of

Iowa.

6. On March 21, 2008, The Iowa Board of Veterinary Medicine entered a Settlement Agreement and Final Order finding Respondent in violation of Iowa Code sec. 169.13(4) and 811 Iowa Administration Code 10.6 (10) as a result of his failure to report a license revocation, suspension or other disciplinary action by the disciplinary authority in Michigan within thirty days of the final action of such licensing authority. A copy of the Iowa Order is attached hereto as Exhibit B.

7. On April 28, 2009, the Michigan Board of Veterinary Medicine entered an Order finding Respondent to be in violation of the previous Board order entered on November 21, 2006 in violation of 1996 AACRS, R 338.1632 and 16221 (h). A copy of the Michigan Order is attached hereto as Exhibit C.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. sec. 453.07(2), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. sec. 227.44(5).

2. Having a veterinary license or federal veterinary accreditation limited, suspended, or revoked, or having been subject to any other discipline or restriction, constitutes unprofessional conduct within the meaning of sec. 453.07 Wis. Stats and Wis. Adm. Code sec. VE 7.06(6).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that Respondent, Russell L. Schnepfer, D.V.M., is REPRIMANDED by the Board..

IT IS FURTHER ORDERED THAT Respondent's license to practice veterinary medicine in the State of Wisconsin shall be LIMITED on the following terms and conditions:

1. Respondent shall comply with all terms of the State of Michigan Department of Community Health Bureau of Health Professions Board of Veterinary Medicine Disciplinary Subcommittee Order entered April 28, 2009.
2. Within six (6) months of the date of this Order, Respondent shall obtain three (3) hours of continuing education in record keeping with an emphasis on creating and maintaining food and fiber client/patient records. The courses attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure in the State of Wisconsin.
3. Respondent shall be responsible for obtaining the courses required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Wisconsin Veterinary Examining Board, or its designee, prior to commencement of the programs.
4. Within thirty (30) days following completion of the courses identified in paragraph 2 above, Respondent shall file with the Department Monitor certifications from the sponsoring organization(s) verifying his attendance at the required courses.
5. All costs of the educational programs shall be Respondent's responsibility.
6. Respondent shall complete and maintain client patient records that meet the requirements set forth in Wis. Admin. Code VE 7.03. In creating and maintaining these records, Respondent shall, along with all other requirements, enter sufficient information into the client records about the history of the conditions, symptoms, diagnoses and any diagnostic procedures and examination findings, if any, to show a sufficient basis for the treatment prescribed and that prescribing, administering, dispensing, or authorizing the dispensing of the prescription drug is medically appropriate. Respondent shall enter the prescription or note the administration, dispensing, or authorization to dispense in the client records or maintain a copy of the prescription in the client records.
7. Within thirty (30) days following completion of the courses identified in paragraph 2 above, Respondent shall file with the Department Monitor copies of five client records which he created subsequent to completion of the record keeping course/s.
8. Prior to diagnosing and treating any veterinary medical condition in the State of Wisconsin, including the dispensing, administering or prescribing of any prescription drug, Respondent shall establish and maintain a valid veterinarian client patient relationship as defined in Wis. Stats. sec. 453.02 (8). In establishing this relationship, Respondent shall make a minimum of two medical visits per annum, and not less than 120 days apart, to the premises where the animal patients for whom the treatment is recommended are kept. Respondent shall confer with the animal caretakers and examine the animals as appropriate and sufficient to make a medical diagnosis of the animal's/s' condition/s and the need for the recommended treatment, including drug therapy. Nothing in this provision shall invalidate the requirement that Respondent make more frequent visits to the farm, confer with the animal caretakers and examine the animals where the standard of care in the profession for evaluation or the condition which is being diagnosed and treated requires such medical visits and examinations.
9. Respondent shall provide all diagnoses and treatment recommendations, including protocols for ongoing

treatment, in writing to the animal caretaker.

10. Respondent shall be readily available in the geographic area for follow up treatment to the animals in the event of treatment failure or adverse reaction to the therapy. Respondent may, in the alternative, arrange for such follow up evaluation and treatment through a written agreement with a veterinarian licensed in the State of Wisconsin who is located in the geographic area. Such veterinarian shall: a) take responsibility for providing such follow up care, b) be familiar with the diagnosis made and treatment provided by Respondent to the animal/s c) maintain medical records for the care and treatment provided the animal/s and provide Respondent with a copy of such treatment records. The agreement shall be signed by both parties and a copy provided to the Department Monitor.

11. Respondent shall comply with the requirements of Wis. Adm. Code sec. VE 7.06 (23), (the informed consent rule), which became effective November 1, 2008.

IT IS FURTHER ORDERED that:

12. Respondent shall, no later than December 31, 2009, pay costs of this proceeding in the amount of four thousand five hundred (\$4,500.00) dollars. Payment shall be made to the Wisconsin Department of Regulation and Licensing, and mailed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935
Fax (608) 266-2264
Telephone (608) 267-3817

13. In the event that Respondent fails to pay costs as ordered, or complete the educational program as ordered, Respondent's license (#596) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order regarding payment of costs.

IT IS FURTHER ORDERED that this Order is effective on August 5, 2009.

Wisconsin Veterinary Examining Board

By: Marthinah Greer DVM
A Member of the Board

8/5/09
Date