

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
VETERINARY EXAMINING BOARD

Veterinary Examining Board, Complainant
v. Russell L. Schnepfer, D.V.M., Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER

The Veterinary Examining Board filed a complaint against Dr. Russell L. Schnepfer alleging unprofessional and/or dishonorable conduct in the practice of veterinary medicine. The complaint was served upon Respondent by the Board, and pursuant to due notice, a hearing was held on the complaint on July 28, 1976, at Madison before the Board and the Board being fully advised of the facts and law involved, makes the following

FINDINGS OF FACT

1. Russell L. Schnepfer is a veterinarian licensed by the Veterinary Examining Board of the State of Wisconsin and is engaged in the practice of veterinary medicine in Lancaster, Wisconsin.

2. On April 1, 1974, Dr. Schnepfer falsely recorded that he had completed a required tuberculin test on 70 head of cattle. Dr. Schnepfer certified that such tests had been

properly taken and found negative when, in fact, such tests had not been completed in that the required 72 hours had not elapsed between injection and certification. Subsequently, Dr. Schnepfer issued false Wisconsin Interstate and Export Health Certificates on such cattle.

CONCLUSIONS OF LAW

The Board concludes that:

1. A rule of the Board, 8 Wis. Adm. Code VE 3.02, provides that:

"The following acts constitute unprofessional or dishonorable conduct by a veterinarian and are prohibited:

"* * *

"(7) Failure to comply with any provisions of Chapter 95, Wisconsin Statutes, or Chapter Ag 10 of the Wisconsin Administrative Code."

Section 95.38 (1), Wis. Stats., provides that:

"It shall be unlawful for any person to in any manner change any test record, falsely record any test, misrepresent the identification of any animal or any other material fact on any test record, interstate health certificate, vaccination record, claim for indemnity, or any other disease control report to the department."

2. Dr. Schnepfer is guilty of falsely recording a test and misrepresenting a material fact on interstate health certificates in violation of 8 Wis. Adm. Code VE 3.02 (7) and sec. 95.38, Wis. Stats.

3. Section 453.07, Wis. Stats., authorizes the Board to order the suspension or revocation of a license to practice veterinary medicine for violation of a rule of the Board.

4. A rule of the Board, 8 Wis. Adm. Code VE 3.03, provides that:

"The board may deny, suspend, or revoke the license of any person to practice veterinary medicine who engages in any of the acts prohibited in section VE 3.02."

DECISION

It is the decision of the Board that Dr. Schnepfer should be disciplined for his violation of 8 Wis. Adm. Code VE 3.02 (7).

ORDER

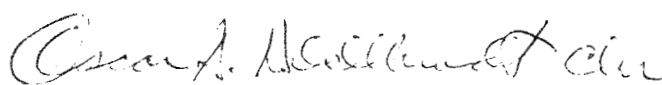
The Veterinary Examining Board hereby orders:

1. That the license of Russell L. Schnepfer, D.V.M., to practice veterinary medicine be and is hereby suspended for twenty-one calendar days beginning on October 1, 1976, and ending on October 21, 1976.

2. That prior to October 1, 1976, Russell L. Schnepfer, D.V.M., surrender his license to the Veterinary Examining Board at Room 173D, 1400 East Washington Avenue, Madison, Wisconsin, to be held by the Board for the period of his suspension.

Dated this 10 day of September, 1976.

BY THE BOARD


Oscar A. Hildebrandt, Chairman