

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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LONNIE L. LAACK, D.V.M.

FINAL DECISION AND ORDER

RESPONDENT

LS0203272VET

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

Lonnie L. Laack, D.V.M.

2734 Calumet Drive

Sheboygan, Wisconsin 53083

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, Lonnie L. Laack, 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. Lonnie L. Laack, D.V.M., Respondent herein, of 2734 Calumet Drive, Sheboygan, Wi. 53083, whose date of birth is January 6, 1951, is currently licensed to practice veterinary medicine in the State of Wisconsin under license number 50-2877 which was granted on July 9, 1986.
2. An investigation, entitled 96 Vet 09 and 97 Vet 34, is pending in this matter before the Wisconsin Veterinary Examining Board.
3. On March 9, 1996, Respondent performed an ovariohysterectomy on a 2-½ year old female German Shepherd dog owned by Carrie Stoelb.
4. Subsequent to the ovariohysterectomy the Stoelb dog appeared to go through a normal heat cycle.
5. Ms. Stoelb reported a vaginal discharge to Respondent who advised the owner that it can take time for the hormone level to "normalize" following an ovariohysterectomy and recommended waiting for another heat cycle to evaluate the reason for the dog's discharge at that time.
6. In July 1997, the Stoelb dog was presented at the veterinary clinic of John Travis, D.V.M. with complaint of an injury to a paw. At that time Dr. Travis noted a bloody vaginal discharge and took a culture which revealed cornification of the cells.

7. Based on the results of the culture, Dr. Travis performed exploratory surgery and removed an intact left ovary attached to the pedicle and an infected uterine stump.
8. The Stoelb dog suffered gastric torsion and died during performance of the ovariohysterectomy procedure.
9. The investigation of Respondent also involved allegations of failure to properly perform an ovariohysterectomy procedure on another canine and inadequate and inappropriate treatment of diagnosed pyometrias in two additional canines.
10. The Respondent has 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 properly perform an ovariohysterectomy by failing to remove the left ovary thereby allowing the animal to continue heat cycles. The failure to properly perform the first ovariohysterectomy also led to the necessity of a second surgery which created an unnecessary risk of possible death to the Stoelb dog; a risk which, in fact, materialized.

#### 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 Lonnie L. Laack, D.V.M. to practice veterinary medicine shall be LIMITED on the following terms and conditions:

1. Within nine months of the effective date of this Order, Respondent shall participate in and successfully complete a course in the performance of ovariohysterectomies and the diagnosis and treatment of pyometrias in companion animals. The course shall include a discussion of the viability of prostaglandin treatments and the appropriate dosage level of Lutalyse, the appropriate procedure to avoid retained ovarian tissue during the performance of an ovariohysterectomy and recognition and treatment of complications from ovariohysterectomies including post procedure signs of estrus. The course is to be provided through the University of Wisconsin School of Veterinary Medicine. The course shall consist of clinical and, if necessary, classroom and/or home study of not more than ten hours. A description of the course content and parameters shall be submitted to the Veterinary Examining Board, or its designee, for approval prior to commencement of the program. Respondent shall permit and ensure that the person/s conducting the programs provide written evaluation of Respondent's participation in and successful completion of the course.
2. Within nine months of the effective date of this Order, Respondent shall also participate in and successfully complete a course in the maintenance of appropriate medical records which meet the requirements of Wis. Adm. Code sec. VE 7.03 to be conducted through the University of Wisconsin School of Veterinary Medicine. The course shall consist of clinical and, if necessary, classroom and/or home study of not more than four hours. A description of the course content and parameters shall be submitted to the Veterinary Examining Board, or its designee, for approval prior to commencement of the program.
3. All costs of the programs shall be the responsibility of the Respondent, Dr. Laack.
4. Within sixty days of the effective date of this Order, Respondent shall engage the services of a veterinarian who shall be preapproved by the Board, to serve as a monitor under this Order. Immediately upon completion of the educational programs, the monitor shall provide the following services:
  - a. The Monitor shall observe no less than four ovariohysterectomy procedures performed by Respondent in the first month following completion of the educational programs and no less than two procedures in each of the following two months. In the event that Respondent performs less than eight ovariohysterectomy procedures in the first three month period, the monitoring period shall be continued until eight ovariohysterectomy procedures have been observed. In the event the Monitor notes any significant concerns with performance of the procedure, the Board shall be notified in writing immediately.
  - b. It is the responsibility of the Respondent to arrange scheduling for observation of the

ovariohysterectomy procedures with the Monitor.

c. During the first three month period immediately following completion of the educational courses, the Monitor shall be notified of any surgical interventions planned by Respondent for treatment of pyometrias, except for those performed on an emergency basis. The Monitor shall observe no less than one of the procedures performed during the three month period. If no surgical procedure for the treatment of a pyometria is performed by Respondent during the three month period, the monitoring period shall be extended until observation of the surgical procedure can be accomplished. In the event the Monitor notes any significant concerns with performance of the procedure, the Board shall be notified in writing immediately.

d. At the end of the initial three months following completion of the educational programs, the Monitor shall review all of Respondent's medical records for patients diagnosed with pyometrias in that time period and shall review the treatment recommendations and implementation with Respondent to determine if the treatment is appropriate.

e. At the end of the initial three months following completion of the educational programs, the Monitor shall review no less than 15 patient records created by Respondent during that time period to determine if they meet the requirements of Wis. Adm. Code sec. VE 7.03.

f. Following the three month monitoring period, the Monitor shall immediately report in writing to the Board his/her findings with regard to the adequacy of Respondent's surgical procedure in performing ovariohysterectomies and surgical treatment of pyometrias, the review of the patient records with regard to diagnosis and treatment of pyometrias and the patient records compliance with the requirements of Wis. Adm. Code sec. VE 7.03.

g. All costs of the educational course, monitoring and reporting functions shall be the responsibility of the Respondent. Respondent shall ensure timely payment of any bills submitted to him for these services within thirty days of receipt.

IT IS FURTHER ORDERED that Respondent shall pay costs in this matter in the amount of \$500. Costs are payable to the Department of Regulation and Licensing, P.O. Box 8935, Madison, Wisconsin, 53708-8935 within thirty days of the effective date of this Order.

IT IS FURTHER ORDERED, that the pending investigation entitled 96 Vet 9 and 97 Vet 34, is closed without further proceedings.

Dated at Madison, Wisconsin this 27<sup>th</sup> day of March, 2002.

WISCONSIN VETERINARY EXAMINING BOARD

Diane Scott

A Member of the Board