

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## **Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE VETERINARY EXAMINING BOARD

---

IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

TIMOTHE C. BLAIR, D.V.M.  
RESPONDENT

FINAL DECISION  
AND ORDER

LS 040324 VET

---

Division of Enforcement Case File Nos. 01 VET 054

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Timothe C. Blair, D.V.M.  
4022 Bannon Road  
Marshall, WI 53559

Veterinary Examining Board  
PO Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
PO Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation, subject to the approval of the 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. Timothe C. Blair, D.V.M., (D.O.B. 03/15/1947) is duly licensed in the state of Wisconsin to practice veterinary medicine (license # 1272). This license was first granted on January 1, 1973.
2. Respondent's latest address on file with the Department of Regulation and Licensing is W7334 County CC, Tomahawk, WI 54487.
3. On or about November 8, 2001, the Veterinary Examining Board received an anonymous complaint from a group of veterinary technicians, some of whom currently worked with the Respondent, and some of whom had worked with the Respondent in the past, indicating that the Respondent had abused animals.

4. Subsequent investigation revealed some evidence that the following incidents took place:

- (a) Respondent grabbed an uncooperative cat with both hands and slammed it down on the table, choking it somewhat, and jabbed a needle fully into its throat when the blood draw did not go well.
- (b) Respondent began treating a dog before it was completely under anesthesia. The dog tried to get up several times, and each time Respondent slammed its head onto the table in a punishing way.
- (c) Respondent slammed a puppy onto an x-ray table when it struggled.
- (d) Respondent twisted the hind legs of an uncooperative dog until the dog cried and gave up struggling.
- (e) Respondent sent an animal home when he was still under anesthesia because he did not want to wait for him to awaken.
- (f) Respondent often gritted his teeth and yelled at animals.
- (g) Respondent dragged cats on the floor with choker leashes.
- (h) Respondent smacked and yanked animals.

5. Respondent is effectively retired from the active practice of veterinary medicine.

6. Respondent holds no active license to practice veterinary medicine from any other licensing authority.

7. Respondent consents to issuance of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Veterinary Examining Board has jurisdiction to act in this matter, pursuant to sec. 453.07, Wis. Stats.

2. The Board is authorized pursuant to sec. 227.44(5), Wis. Stats. to enter into the attached Stipulation and Order and impose the following terms and conditions.

3. Respondent's conduct described above falls below the standards of a minimally competent veterinarian and constitutes grounds for action within the meaning of sections 453.07(2)(a) and Wis. Adm. Code sections VE 7.06(1).

#### **ORDER**

THEREFORE, IT IS ORDERED:

1. The stipulation of the parties is approved.

2. Within six months of the date of this order, Respondent shall certify to the Board the successful completion of an approved anger management program for veterinarians of not less than 10 hours, which shall include training in appropriate restraint techniques. Prior to attending the program, the Respondent shall submit for approval the course name, outline, instructor's name and institution's name to the Veterinary Examining Board or its designee. If the Respondent is unable to locate and attend an appropriate institutional program within six months, the Respondent may propose a general anger management program not specifically designed for veterinarians of at least 8 hours, but in addition Respondent must arrange for and participate in a program of not less than 8 hours in animal restraint techniques for veterinarians. This program shall consist of approved readings and personal instruction requiring Respondent to meet with a veterinarian conducting the program to discuss the results of the reading. At the conclusion of the program, the veterinarian conducting the program shall examine Respondent's knowledge of restraint techniques and shall certify to the Board that the Respondent understands the assigned readings. The names of the veterinarian(s) conducting the educational program and a description of the program, and a summary of the required readings shall be submitted to the Veterinary Examining Board, or its designee, for pre-approval prior to the commencement of the program. The veterinarian conducting the restraint technique program shall have no business or social relationship with Respondent. All costs of the programs shall be the responsibility of Respondent.

3. Respondent shall bear all costs incurred as a result of satisfying this Order.

6. Respondent shall pay costs in the sum of \$936.33 to the Department of Regulation and Licensing within 30 days of the date of this Order.

7. Failure to timely comply with the provisions of this Order shall result in the immediate suspension of Respondent's license to practice veterinary medicine in the State of Wisconsin, without further notice or hearing.

8. The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

9. This Order shall become effective upon the date of its signing.

VETERINARY EXAMINING BOARD

By

Diane Scott, DVM  
A Member of the Board

March 24, 2004  
Date

STATE OF WISCONSIN  
BEFORE THE VETERINARY EXAMINING BOARD

---

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
	:	
TIMOTHE C. BLAIR, D.V.M.	:	LS _____
RESPONDENT	:	

---

Division of Enforcement Case File No. 01 VET 054

It is hereby stipulated between Timothe C. Blair, D.V.M., personally on his own behalf; and Jeanette Lytle, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of the licensure of Respondent by the Division of Enforcement (Case 01 VET 054). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint or hearing.
2. Respondent understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Respondent is aware of his right to seek legal representation and has had the opportunity to consult with legal counsel prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Veterinary Examining Board. Both parties to this Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Board in open or closed session without the presence of the Respondent for the purposes of speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.


7. The Case Advisor in this matter may participate freely in any discussion and deliberation of the Board regarding this Stipulation and the proposed Final Decision and Order, may relate to the Board any knowledge and view of the case acquired during the investigation, and may vote on any question relating to acceptance of this Stipulation and Final Decision and Order.

8. Respondent is informed that should the Board adopt this stipulation, the Board's final decision and order is a public record and may be subject to publication, according to standard Department procedures.

9. The Division of Enforcement joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Timothe C. Blair, D.V.M.

3-2-2004  
Date

  
Jeanette Lytle, Attorney  
Division of Enforcement

3/8/07  
Date