

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
BYRON L. BUCHLI, D.V.M.	:	LS0403242VET
RESPONDENT	:	

Division of Enforcement Case File Nos. 99 VET 032

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

Byron L. Buchli, D.V.M.
P.O. Box 187
Deerfield, WI 53531

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. Byron L. Buchli, D.V.M., (D.O.B. 11/04/1942) is duly licensed in the state of Wisconsin to practice veterinary medicine (license # 877). This license was first granted on January 1, 1966.
2. Respondent’s latest address on file with the Department of Regulation and Licensing is P.O. Box 187, Deerfield, WI 53531.
3. On or about July 9, 1999, Respondent performed spay and declaw surgeries on a cat named Dumpster. Dumpster died under anesthesia.
4. Dr. Buchli did not record in the patient record the amount of the anesthetic drugs that he used, or the weight of the cat.
5. Dr. Buchli verbally informed a Division of Enforcement investigator that he used 10 mg Zylazine subcutaneously about 10 minutes before surgery, and then gave Ketamine 15 mg intramuscularly just before performing the surgery. Later, in a written response to the Division of Enforcement, Dr. Buchli stated that he used 15 mg each of Zylazine and Ketamine.
6. Based on the weight of the cat at death, Dr. Buchli administered more than three times the recommended dosage of the combination to this cat.
7. A necropsy was performed on the cat. Dumpster had severe chronic lesions involving both of the pulmonary arteries and branches and the airways, consistent with feline asthma and/or verminous pneumonia.
8. The drug combination, at the elevated dose given, combined with the animal’s already compromised respiratory system was the likely cause of the cat’s death.

9. 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 educational program of not less than 16 hours in veterinary anesthesia, including but not limited to anesthetic dosages, complications of anesthesia and post-surgical monitoring. The educational program shall be developed and conducted by a veterinarian. The educational 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 anesthesia 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 commencement of the program. The veterinarian conducting the educational program shall have no business or social relationship with Respondent. All costs of the program shall be the responsibility of Respondent.

3. Respondent shall participate in and successfully complete the record keeping course currently conducted by the University of Wisconsin School of Veterinary Medicine.

4. Respondent shall permit the Board or its designee to conduct a random audit of Respondent's records at least once during the year following the resumption of practice, for the purpose of determining compliance with applicable laws, and for the purpose of assessing Respondent's practice.

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

6. Respondent shall pay costs in the sum of \$736.08 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

3-24-04
Date