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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

DEBBIE L. SMITH-REED, D.V.M., :
RESPONDENT. :

FINAL DECISION AND ORDER

LS0403245VET

Division of Enforcement

The parties to this proceeding for purposes of sec. 227.53, Stats., are:

Debbie L. Smith-Reed, D.V.M.
2514 McGraw Rd.
Dodgeville, WI 53533

Wisconsin Veterinary Examining Board
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

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

The parties in this matter, Debbie L. Smith-Reed, 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. That Debbie L. Smith-Reed, D.V.M., Respondent herein, of 2514 McGraw Road, Dodgeville, Wisconsin 53533, whose date of birth is January 23, 1963, is licensed and currently registered to practice veterinary medicine in the State of Wisconsin under license # 3464 which was granted on August 8, 1989.
2. A formal investigation, entitled 00 VET 17, is pending before the Wisconsin Veterinary Examining Board.
3. On March 30, 2000, a ten-month-old Beagle was presented at Verona Veterinary Medical Service because of vomiting. Respondent took an x-ray that revealed a metal staple causing an obstruction in the intestine. Respondent informed the dog's owner that she would have to do exploratory surgery.
4. During exploratory surgery by Respondent, staples and a pair of knee high nylons were discovered and removed. Fourteen to eighteen inches of intestine were surgically removed because of tissue necrosis and Respondent performed an intestinal anastomosis.
5. The dog was hospitalized for observation at the clinic. Respondent did not inform the owner that their clinic does not have the capability to provide 24-hour monitoring and did not give the owner the option of transferring the dog to an emergency 24-hour animal hospital that would have 24-hour monitoring.
6. On March 31, 2000, the dog refused to eat and was force-fed. Respondent did not place a nasoesophageal feeding tube. The dog was given subcutaneous fluids, but no IV fluids.
7. Between April 1 and April 3, 2000 no IV fluids were administered to Buddy.
8. On April 3, 2000, Respondent called the dog's owner and asked him to take the dog home because the dog might be more willing to eat in a more familiar home environment.
9. Approximately two hours after discharge, the dog's owner took the dog to the Emergency Clinic for Animals because he continued to vomit, was not eating, and was lethargic. The dog was diagnosed with dehydration and was immediately given IV fluids and IV antibiotics. CBC blood work was performed, and a nasoesophageal feeding tube was placed.

10. On April 4, 2000, radiographic contrast studies and an abdominocentesis were performed. The results of these studies led to the conclusion that there was probably a leak in the intestinal tract and that exploratory surgery was necessary. The dog was vomiting with increasing frequency despite medications that had been given to him to try to control his vomiting.

11. On April 5, 2000, exploratory surgery was done and revealed that the anastomosis had failed, that there was a leaky incision in the colon, and that there was a fresh hemorrhage in the abdomen. Moderately severe peritonitis was noted throughout the abdomen. The blood, blood clots, and necrotic omentum were all removed. The failed anastomosis site was resected and repaired. The leaky colon incision was resected and repaired.

12. During the next eight days, the dog received fluid therapy via IV fluids and nutritional support through a nasoesophageal feeding tube. However, the dog did not improve, suffered renal failure, and was euthanized on April 12, 2000.

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 proceeding by Stipulation without an evidentiary hearing pursuant to Wis. Stats. Sec. 227.44(5).
3. Respondent's conduct of failing to properly perform an intestinal anastomosis constituted a violation of Wis. Adm. Code Sec. VE 7.06(1).
4. Respondent's conduct of failing to provide adequate nutritional support, fluid therapy, and monitoring during post-op recovery constituted a violation of Wis. Adm. Code Sec. VE 7.06(1).
5. Respondent's conduct of not informing the client that the patient required 24 hour monitoring, that the clinic did not have the capability to offer 24 hour monitoring of patients, and not offering to refer the client to a veterinary clinic that did have the capability to offer 24 hour monitoring of patients constituted a violation of Wis. Adm. Code Sec. VE 7.06(1).

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Debbie L. Smith-Reed, D.V.M., is REPRIMANDED.

IT IS FURTHER ORDERED that Debbie L. Smith-Reed's license to practice veterinary medicine be LIMITED in the following respects:

1. Dr. Smith-Reed shall not perform any intestinal anastomosis surgical procedures. Dr. Smith-Reed will refer any and all patients that require an intestinal anastomosis to another veterinarian.
2. Dr. Smith-Reed shall, within nine months from the date of this order, participate in and satisfactorily complete a total of four (4) hours of continuing veterinary education in the care of the critical patient. This course shall include instruction on effective hydration, and adequate nutritional support. The instruction for courses in these areas can be lecture, book or Internet based.
 - a) Dr. Smith-Reed will be responsible for locating courses satisfactory to the Wisconsin Veterinary Examining Board or its designee and for obtaining the required pre-approval of the courses from the Wisconsin Veterinary Examining Board prior to taking the courses.
 - b) Dr. Smith-Reed is responsible for providing a description of the course content to the Department Monitor prior to commencement of the program.
 - c) The Board may reject, in whole or in part, any educational opportunity which is nominated by Dr. Smith-Reed when, in the Board's judgment, the syllabus or description of the course or other educational opportunity is insufficient to fulfill the purpose for which Dr. Smith-Reed nominates it by reason of the educational opportunity's scope, content, method of instruction, or degree of participation required of students. If the Board approves an educational opportunity in fulfillment of less than the entire purpose for which Dr. Smith-Reed nominates it, Dr. Smith-Reed may either accept the Board's limited approval, or forego the opportunity entirely and select another course.
 - d) Within 60 days after the courses are concluded, Dr. Smith-Reed will file with the Wisconsin Veterinary Examining Board certifications from the sponsoring organization of her attendance at the required courses and her personal written affidavit that she has attended each course in its entirety.

e) Dr. Smith-Reed will be responsible for all of the costs of the educational programs.

IT IS FURTHER ORDERED that Dr. Smith-Reed shall permit the person/s conducting the program to provide written evaluation of her participation in and successful completion of the course.

IT IS FURTHER ORDERED that certifications, affidavits, reports or other documents required to be filed with the Wisconsin Veterinary Examining Board be filed with:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
1400 E. Washington Ave.
Madison, WI 53708

All certifications, affidavits, reports or other documents required to be filed with the Wisconsin Veterinary Examining Board will be deemed filed with the Veterinary Examining Board upon receipt by the Department Monitor.

IT IS FURTHER ORDERED that Dr. Smith-Reed will appear before the Wisconsin Veterinary Examining Board, if an appearance is requested by the Board, at the conclusion of the education program to establish that he has complied with all of the terms of this Final Decision and Order.

IT IS FURTHER ORDERED that Dr. Smith-Reed shall pay COSTS in the amount of THREE HUNDRED dollars (\$300.00). Payment shall be submitted within sixty (60) days from the date of this order. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to: Department Monitor, Division of Enforcement, Dept. of Regulation & Licensing, P. O. Box 8935, Madison, WI 53708-8935

IT IS FURTHER ORDERED THAT in the event Dr. Smith-Reed wishes to resume performance of intestinal anastomosis surgical procedures in the future, she shall participate in and successfully complete an individualized retraining program to be preapproved by the Board or its delegee. Such program shall be conducted by a veterinarian specializing in abdominal surgery and shall include six hours of instruction and observation of the surgical procedure performed by the selected veterinarian. If appropriate, the veterinarian may require Dr. Smith-Reed to perform the procedure under his/her monitoring. A description of the course parameters and the selected veterinarian's qualifications shall be submitted to the Board for approval prior to commencement of the program. Upon completion of the program, the selected veterinarian shall submit a written report to the Board regarding Dr. Smith-Reed's participation and completion of the program. Dr. Smith-Reed will be responsible for all costs of the program and reports.

Upon successful completion of the program, Dr. Smith-Reed may petition the Board for removal of the restriction set forth in paragraph 1 of this Order.

IT IS FURTHER ORDERED, that the pending investigation 00 VET 17 is closed without further proceedings.

The rights of a party aggrieved by this Final Decision and Order to petition the Wisconsin Veterinary Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 24th day of March, 2004.

WISCONSIN VETERINARY EXAMINING BOARD

Diane Scott
A Member of the Board