

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE VETERINARY EXAMINING BOARD

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|                                   |   |                |
|-----------------------------------|---|----------------|
| IN THE MATTER OF THE DISCIPLINARY | : |                |
| PROCEEDINGS AGAINST               | : | FINAL DECISION |
|                                   | : | AND ORDER      |
| DANIEL HARTSELL, D.V.M.           | : | LS0404231VET   |
| RESPONDENT                        | : |                |

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

Daniel Hartsell, D.V.M.  
6282 Cnty Rd 8 NW  
Alexandria, Mn 56308

State of Wisconsin  
Veterinary Examining Board  
P.O. Box 8935  
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, Wisconsin 53708-8935

The parties in this matter, Daniel Hartsell, D.V.M., Respondent, and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, Division of Enforcement, agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Veterinary Examining Board. The Board has reviewed the Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached stipulation and makes the following:

FINDINGS OF FACT

1. That Daniel Hartsell, D.V.M., Respondent herein, (d/o/b June 10,1955) of 6282 Cnty Rd 8 NW, Alexandria, Mn 56308, is duly licensed to practice veterinary medicine in the State of Wisconsin under license number 4855 which was granted on or about August 7, 1998.
2. That Respondent is licensed to practice veterinary medicine in the State of Minnesota under license number 00382.
3. That on July 16, 2003 the Minnesota Board of Veterinary Medicine Complaint Review Committee entered into an Agreement for Corrective Action with Respondent which placed restrictions on Respondent's license to practice veterinary medicine in the State of Minnesota.
4. Those restrictions included the following requirements (among others): that Dr. Hartsell may not be employed by any facility other than a professional veterinary firm; that he may only prescribe prescription medication after establishing a valid veterinarian-client-patient relationship as defined by Minnesota statutes; that he, not the client, must determine the need for the drug; that he must enter sufficient information in the client record to show that the prescribed drug is medically appropriate; that he must enter a treatment plan into the record; that the prescribed drug shall be only in an amount necessary to treat the diagnosed condition and animal; that Dr. Hartsell shall develop treatment protocols, where appropriate, for dispensing of prescription drugs with specific terms required for the protocols; and that Dr. Hartsell shall have made a visit to the farm that related specifically to the particular medical condition that is the subject of the treatment protocol. A complete copy of the Order of the Minnesota Board of Veterinary Medicine containing all imposed conditions is attached hereto as

5. That Dr. Hartsell voluntarily agrees that he will not engage in any practice of veterinary medicine under his current license after the effective date of this Order and will not renew his license to practice veterinary medicine in the State of Wisconsin at any time in the future.

### CONCLUSIONS OF LAW

1. The Veterinary Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. secs. 453.04.
2. The Veterinary Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).

### ORDER

NOW THEREFORE IT IS ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that Daniel Hartsell, D.V.M. shall not engage in the practice of veterinary medicine under his current license after the effective date of this Order, and shall not renew his license to practice veterinary medicine in the State of Wisconsin at any time in the future.

IT IS FURTHER ORDERED that Dr. Hartsell shall not practice or attempt to practice veterinary medicine in the State of Wisconsin when not licensed.

IT IS FURTHER ORDERED that in the event Daniel Hartsell, D.V.M. wishes to resume the practice of veterinary medicine in the State of Wisconsin at some future date, he shall appear before the Veterinary Examining Board to request the right to reapply for licensure and to satisfy the Board as to his competence to resume the practice of veterinary medicine. Evidence of such competence may include, but not be limited to, any testing, evaluation, assessment or retraining the Board deems appropriate.

IT IS FURTHER ORDERED that in the event that the Veterinary Examining Board denies Dr. Hartsell's request for relicensure, or allows a limited license only, such denial or limitation shall not constitute a denial of a license within the meaning of Wis. Stats. sec. 227.01(3)(a).

IT IS FURTHER ORDERED that Daniel Hartsell, D.V.M. will pay costs in this matter in the amount of \$250.00 to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935 within thirty days of the date of this Final Decision and Order.

IT IS FURTHER ORDERED that this Order is effective upon signing.

Dated this 29<sup>th</sup> day of September, 2004.

STATE OF WISCONSIN  
VETERINARY EXAMINING BOARD

Larry Mahr  
A Member of the Board