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**STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD**

**IN THE MATTER OF THE DISCIPLINARY
PROCEEDING AGAINST**

**GURGYAN S. VIRK, B.V.S.,
RESPONDENT**

**ORDER DENYING REQUEST
FOR EXTENTION OF TIME
AND ORDER REVOKING
STAY OF SUSPENSION
LS0404282VET**

Gurgyan S. Virk, B.V.S.
9813 West Oklahoma Avenue
Milwaukee, WI 53227

The Veterinary Examining Board considered this matter at it meeting on September 29, 2004.

BACKGROUND

On April 28, 2004, the Veterinary Examining Board issued its Final Decision and Order in the above-captioned matter, in which respondent's license was suspended for an indefinite time. The suspension was stayed, conditioned upon respondent's compliance with the conditions and limitations set for in paragraph 3 of the Board's Final Decision and Order. Paragraph 3 of the Final Decision and Order reads as follows:

3. The license of Gurgyan S. Virk (license # 4468) to practice veterinary medicine in the State of Wisconsin is LIMITED pursuant to Wis. Stat. § 453.07, as follows.

- (a) Within three months of the date of this Order, Respondent shall provide documentation sufficient to satisfy the Board that he has obtained and is maintaining the following supplies and equipment and any ancillary equipment and training necessary for the use of the following supplies and equipment: endotrachial tubes and oxygen.
- (b) Within six months of the date of this Order, Respondent shall provide documentation sufficient to satisfy the Board that he has obtained and is maintaining the following supplies and equipment and any ancillary equipment and training necessary for the use of the following supplies and equipment: equipment for taking and developing x-rays.
- (c) Within three months of the date of this Order, Respondent shall provide documentation sufficient to satisfy the Board that he has successfully completed approved educational programs of not less than 10 hours each, in each of the following areas: anesthesia (including but not limited to the use of endotracheal tubes and oxygen in anesthesia), complications of anesthesia, care of the critical care patient, and basic radiology, and not less than 5 hours each in controlled substance law and controlled substance record keeping. The educational programs shall be developed and conducted by a veterinarian approved by the board. The educational programs shall consist of approved readings and personal instruction requiring Respondent to meet with the 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 the subject areas listed above and shall certify to the Board that the Respondent understands the assigned readings. The names(s) of the veterinarian(s) conducting the educational programs and a description of the programs, 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(s) conducting the educational program shall have no business or social relationship with Respondent. All costs of the program shall be the responsibility of Respondent.

(d) Within three months of the date of this Order, Respondent shall provide documentation sufficient to satisfy the Board that he has successfully completed the record keeping course currently conducted by the University of Wisconsin School of Veterinary Medicine.

(e) Within three months of the date of this Order, Respondent, at his own expense, shall have undergone and passed an assessment of his overall veterinary skills, consisting of an examination by the National Board of Veterinary Medical Examiners called the Species Specific Examination-Companion Animals. Respondent need only answer questions relating to cats. The National Board of Veterinary Medical Examiners shall score only those questions relating to cats and shall report that score to the Board. Respondent must answer at least 65% of those questions correctly in order to pass the test. Arrangements for this test should be made by contacting the Exam Center of the Department of Regulation and Licensing. Respondent may re-take the test if necessary.

(f) Respondent shall limit his practice to the practice of feline veterinary medicine. Within three months of the date of this Order, Respondent shall ensure that all advertising, signage, and other representations regarding his practice clearly state that Respondent treats only cats.

On July 28, 2004, Dr. Virk, by his attorney, submitted a letter to the Department Monitor stating that he had complied with the requirements set forth in paragraph 3, items A, B and F, of the Board's Final Decision and Order. In his letter, Dr. Virk also requested an extension of time to comply with the requirements in paragraph 3, items C, D and E. On September 7, 2004, the Department Monitor sent a letter to respondent's attorney requesting documentation of completion of the requirements set forth in paragraph 3, A, B and F of the Board's Final Decision and Order. As of September 29, 2004, respondent had not submitted the documentation.

On September 29, 2004, the Board considered Dr. Virk's request for an extension of time to comply with the requirements in paragraph 3 of its Final Decision and Order. Based upon all information of record herein, the Board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that the respondent's request for an extension of time to comply with paragraph 3, of the Board's April 28, 2004 Final Decision and Order be, and hereby is, denied.

IT IS FURTHER ORDERED that based upon respondent's failure to comply with paragraph 3 of the Board's Final Decision and Order, dated April 28, 2004, the stay of suspension of respondent's license (4468) be, and hereby is, removed.

This order is effective on the date it is signed by a designee of the Board.

REQUEST FOR HEARING

PLEASE NOTE that you have a right to a hearing on the denial of your request for an extension of time to comply with the Board's April 28, 2004 Final Decision and Order and the removal of the stay of suspension. Your request must be submitted in writing to the VETERINARY EXAMINING BOARD at:

Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, Wisconsin 53708-8935

The request must contain your name and address, a specific description of the mistake in fact or law that you assert was made in the denial of your request for an extension and the removal of the stay of suspension, and a concise statement of the essential facts which you intend to prove at the hearing. You will be notified of the Board's decision.

Dated this 10th of October, 2004.

Veterinary Examining Board

Larry Mahr
A Member of the Board