

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

CAREY JOHNSON, D.V.M. :
RESPONDENT. :

FINAL DECISION AND ORDER
LS0412018VET

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

Carey Johnson, D.V.M.
1720 Highway 45 North
Eagle River, WI 54521

Veterinary Examining Board
1400 E. Washington Avenue
P.O. Box 8935
Madison, WI 53708 8935

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

The parties in this matter, Carey Johnson, 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. Carey Johnson, D.V.M., Respondent herein, of 1720 Highway 45 North, Eagle River, WI 54521, d/o/b March 6, 1954, is currently licensed to practice veterinary medicine in the State of Wisconsin under license number 3917 which was granted on September 9, 1992.
2. An investigation, entitled 01 Vet 050, is pending in this matter before the Wisconsin Veterinary Examining Board.
3. On September 17, 2001, a 10 year old male cat owned by KS presented at Respondent's clinic as an emergency for evaluation of symptoms which included gagging, pawing at the throat and vomiting of phlegm.
4. Respondent examined the animal and performed a chest x-ray which revealed the stomach as air filled and displaced behind the diaphragm and a slightly elevated trachea.
5. Respondent administered hydrogen peroxide to induce vomiting which produced only foam. Respondent then injected ketamine/xylazine and ace promazine to induce vomiting and only a small amount of clear fluid was obtained.
6. Respondent did not record the dosage amounts of the drugs administered to the cat in either the controlled substances log or the patient record.
7. The Respondent determined further exploration was advisable and placed an endotracheal tube to protect the airway which performing an oral examination.
8. During the placement of the endotracheal tube, Respondent inflated the balloon cuff to the point that rupture of the trachea may have occurred.
9. Subsequent radiographs taken by Respondent reveal an over inflated balloon cuff.
10. Respondent did not recognize the over inflation upon review of the radiograph.
11. KS's cat developed a pneumothorax and expired early the following morning.
12. The Respondent has fully cooperated in the investigation and has voluntarily agreed to the Order contained herein.

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 matter by stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).
3. Respondent's conduct constituted a violation of Wis. Adm. Code Sec. VE 7.06 (1) in that she failed to properly manage the patient's airway by failing to properly inflate the balloon cuff on the endotracheal tube and that she failed to recognize on subsequent radiograph the over inflation which may have resulted in rupture of the trachea.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties, as attached hereto, is accepted.

IT IS FURTHER ORDERED as follows:

1. Within nine months of the effective date of this Order, Dr. Johnson shall participate in and successfully complete six hours of continuing education in anesthesia, specifically in the areas of airway management and recognition of and response to complications affecting the airway. The courses attended in satisfaction of this requirement shall be courses that require the physical presence of the attendees at the location where the course is being conducted. Courses conducted via the internet or by other electronic means of communication or courses conducted by correspondence or through a home study program shall not satisfy this requirement.
2. Within nine months of the effective date Dr. Johnson shall participate in and successfully complete a one hour record keeping course that specifically addresses the recording of the inventory and administration of controlled substances, including entry of the amount of anesthesia provided an animal.
3. All courses taken in satisfaction of this Order shall be pre-approved by the Wisconsin Veterinary Examining Board or by the Board's designee.
4. With regard to the reeducation set forth in paragraphs one and two above, Dr. Johnson shall be responsible for locating courses satisfactory to the Wisconsin Veterinary Examining Board or its designee, for providing adequate course descriptions to the Department Monitor and for obtaining pre-approval of the courses from the Wisconsin Veterinary Examining Board prior to commencement of the programs. The Board may reject in whole or in part any educational opportunity which is nominated by Dr. Johnson 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. Johnson nominates it by reason of the educational opportunity's scope, content, method of instruction, or degree of participation required of students. The Board shall not unreasonably deny an educational opportunity suggested by Dr. Johnson.
5. Within 30 days after the courses identified in paragraph one above are concluded, Dr. Johnson shall file with the Wisconsin Veterinary Examining Board certifications from the sponsoring organization of her attendance at the required courses. In the event the courses approved by the Board as meeting these requirements are self directed courses, Dr. Johnson shall provide an Affidavit indicating that she has completed the requirements of the course/s.
6. All costs of the educational programs shall be the responsibility of the Dr. Johnson.
7. Respondent shall pay costs in this matter in the amount of \$550 payable to the Department of Regulation and Licensing within sixty days of the effective date of this Order.
8. Submission of all required documentation and payment of costs shall be mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

9. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose

additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to pay costs as ordered, the Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

10. This Order is effective upon signing.

IT IS FURTHER ORDERED, that the pending investigation entitled 01 Vet 050 is hereby closed without further proceedings.

Dated at Madison, Wisconsin this 1st day of December, 2004.

WISCONSIN VETERINARY EXAMINING BOARD

Larry Mahr
A Member of the Board