

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	:	
	:	FINAL DECISION
CHARLES F. WOODWARD, D.V.M.	:	AND ORDER
RESPONDENT	:	LS0411291VET

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

Charles F. Woodward, D.V.M.
640 Oak Avenue
Onalaska, WI 54650

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

PROCEDURAL HISTORY

A formal complaint has been filed in this matter and a disciplinary hearing scheduled.

The parties in this matter, Charles F. Woodward, 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 Charles F. Woodward, D.V.M., Respondent herein, (d/o/b/ April 3, 1949) of 620 Oak Ave. North, Onalaska, WI 54650, is duly licensed to practice veterinary medicine in the State of Wisconsin under license number 1748 which was granted on June 17, 1977.

2. That Respondent is licensed to practice veterinary medicine in the State of Iowa under license number 6546. Respondent did not renew his license in Iowa due to lack of business opportunities and the license is currently inactive.

3. That on April 26, 2001, the Iowa Board of Veterinary Medicine suspended the license of Respondent to practice veterinary medicine in that state for a period of six months, effective April 26, 2001 to October 26, 2001. Upon termination of the suspension, Respondent's license was placed in probationary status for a period of five years requiring him to prescribe drugs and immunization products only when a valid veterinarian/client/patient relationship exists and to requiring him to comply with Iowa Administrative Code provisions regulating the extra label use of veterinary drugs and immunization products. Respondent further was required to submit to random unannounced visits to his place of employment to determine compliance with the Order requirements. A copy of the Iowa Order is attached as Exhibit A and is incorporated herein.

4. On October 22, 2001, The United State Department of Health and Human Services, Food and Drug Administration issued a warning letter to Respondent citing his failure to provide the appropriate meat and milk withholding information on the label of Banamine, a prescription drug intended for extra label use, as a violation of 21 CFR 530. The animal receiving the Banamine was ultimately slaughtered and flunixin meglumine residues were found in the meat intended for human food. Respondent corrected the labeling to meet legal requirements and subsequently received notification from the USDA noting reinspection and compliance achieved.

5. Respondent currently practices in Wisconsin as a nutritional and feed consultant in addition to his general veterinary practice.

6. Respondent's records for his clients and animal patients consist of a prescription, drug order form and the general records kept by farm employees in the treatment of their animals. Respondent does not maintain records which comply with the requirements of Wis. Admin. Code sec. VE 7.03.

7. Respondent has cooperated during the course of this investigation and voluntarily agrees to entry of 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. That having one's license to practice veterinary medicine suspended and restricted by another licensing authority constitutes unprofessional conduct within the meaning of Wis. Admin. Code sec. VE 7.06(6).

ORDER

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

IT IS FURTHER ORDERED, that the license of CHARLES F. WOODWARD, DVM to practice veterinary medicine in the State of Wisconsin shall be LIMITED on the following terms and conditions:

1. Respondent shall immediately establish and maintain a veterinarian-client-patient relationship as defined in Wis. Stats. secs. 453.02 (8) and 453.068 with any client and animal for whom he is providing veterinary services. Respondent's records shall include, but not be limited to, detail of the farm visits, animal examinations, testing, discussions, diagnoses and treatment recommendations and outcome, which form the basis of that relationship and meet the requirements of the statutory sections set forth herein.

2. Respondent shall not prescribe, dispense, sell or otherwise distribute any prescription drug for animal use. Respondent may personally administer prescription drugs directly to the animal patient. In the event Respondent believes the animal's condition requires further treatment by the client or the client's designee with a prescription drug, Respondent shall so advise the client and suggest referral to another veterinarian. This limitation is permanent.

3. No later than June 1, 2005, Respondent shall participate in and successfully complete a one half day record keeping course to be conducted by the University of Wisconsin School of Veterinary Medicine. All costs associated with this program shall be the sole responsibility of Respondent.

4. No later than July 1, 2005, Respondent shall develop record keeping and labeling systems which comply with the requirements of Wis. Admin. Code sec. VE 7.03, Wis. Stats. sec. 453.068 and all other federal and state requirements for veterinary practice. Samples of his proposed recordkeeping and labeling shall be submitted to the Veterinary Examining Board or its designee for approval prior to implementation in his practice. Respondent will make any recommended changes

to the proposed systems. Such approval or requested changes shall be provided to Respondent within three weeks of receipt of the samples in the Department.

5. Respondent shall permit the Department of Regulation and Licensing, Division of Enforcement to conduct a random audit of his medical records and labeling procedures between August 1, 2005 and October 1, 2005. The audit shall be limited to records created on or after July 1, 2005. Respondent shall identify for the Department's designee all records created between July 1 and the date of the audit and the designee shall collect copies of ten randomly selected records and five samples of labels created by Respondent. The collected records and labels shall be reviewed by the Veterinary Examining Board or its designee to determine compliance with recordkeeping and labeling legal requirements. Respondent shall provide any additional information requested by the Board or the Department with regard to those records and labels.

6. Respondent shall pay costs in this matter in the amount of \$500 payable to the Department of Regulation and Licensing in two payments of \$250 due on August 1, 2005 and January 1, 2006 respectively.

7. 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

IT IS FURTHER ORDERED that in the event CHARLES F. WOORDWARD D.V.M. wishes to resume the prescribing and dispensing of prescription drugs under his veterinary license in the State of Wisconsin at a future date, he may petition the Veterinary Examining Board for removal of the limitation no sooner than one year from the effective date of this Order. In considering this request, Respondent shall appear before the Board to satisfy the Board as to his competence to resume prescribing or dispensing of prescription drugs. Evidence of competence may include, but not be limited to, any testing, evaluation, assessment, retraining or restrictions, the Board deems appropriate for the protection of the public prior to granting any petition by Respondent.

IT IS FURTHER ORDERED that in the event that the Veterinary Examining Board denies the request of CHARLES F. WOODWARD D.V.M. for removal or this limitation or allows removal with restrictions, such denial or restriction shall not constitute a denial of a license within the meaning of Wis. Stats. sec. 227.01(3) (a).

IT IS FURTHER ORDERED that 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.

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

Dated this 23rd day of February, 2005.

STATE OF WISCONSIN
VETERINARY EXAMINING BOARD

Larry Mahr
A Member of the Board