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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

RICHARD G. BURCHINAL, D.V.M. :
RESPONDENT. :

FINAL DECISION AND ORDER

LS0608233VET

(DOE FILE # 03 VET 011)

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

Richard G. Burchinal, DVM
2734 Calumet Drive
Sheboygan, WI 53083

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

The parties in this matter, Richard G. Burchinal, D.V.M., Respondent, personally and through his attorney, Mark A. Pennow, Denissen, Kranzush, Mahoney & Ewald, S.C., 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. Richard G. Burchinal, DVM, (D/O/B 8/31/39) is currently licensed to practice veterinary medicine in the State of Wisconsin under license #911 which was granted prior to January 1, 1967.
2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is 2734 Calumet Dr., Sheboygan, WI 53083.
3. At all times relevant to this action, Respondent was working as a veterinarian in Sheboygan, Wisconsin.
4. A formal investigation entitled 03 Vet 011 is pending before the Wisconsin Veterinary Examining Board.
5. The investigation includes allegations of failure by the Respondent to properly diagnosis and treat thoracic injury to a eight month old puppy which had been struck by a vehicle. In addition, it is alleged that the Respondent failed to provide adequate pain management for the animal.
6. Respondent has cooperated throughout this investigation and, in order to resolve this matter, has voluntarily agreed to entry of this Order.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.04, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

ORDER

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

IT IS FURTHER ORDERED, that

1. Richard G. Burchinal, D.V.M. shall, within one year of the effective date of this Order, complete the following education:

A. 8 hours of education in the diagnosis and treatment of critical care patients with an emphasis on thoracic trauma.

B. 8 hours of education in pain and shock management in companion animals. The Board recognizes the following courses, already completed by Respondent, as meeting four (4) hours of this requirement :

1. Maintenance Anesthesia and How to Make Patient Pain Free During Post-Op Period, Dr. Jeff Ko, D.V.M., Anesthesiologist, Oklahoma State University Veterinary School (2 Cr. Hrs.)

2. Shock: Fill the Vessels and Treat the Pain; Rebecca Kirby, DVM, Milwaukee Veterinary Medical Association (1 Cr. Hr.)

3. Previcox, Not Just Another NSAID, Peter Hanson, D.V.M., Milwaukee Veterinary Medical Association (1 Cr. Hr.)

The Board will also recognize participation in the following courses, if selected by Dr. Burchinal, as completing this education requirement:

4. Anesthesia and Pain, Jamie Gaynor, D.V.M., WVMA Annual Convention, October 21, 2006.

5. Pain Management Techniques (Wetlab), Jamie Gaynor, D.V.M., WVMA Annual Convention, October 22, 2006.

Courses conducted via the internet or by other electronic means of communication or courses conducted by correspondence or through a home study program may be considered if, in the opinion of the Board or its delegate, the courses are adequate to meet the ordered reeducation. The 16 credit hours required under this Order may not be used in satisfaction of the biennial continuing education requirement for continued licensure. Any credits obtained in addition to the 16 credit hours through the courses submitted for consideration herein, may be applied to the biennial continuing education requirement for continued licensure.

2. Dr. Burchinal shall be responsible for locating the course/s required under this Order, for providing adequate course descriptions to the Department Monitor and for obtaining pre-approval of the course/s 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. Burchinal 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. Burchinal 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. Burchinal.

3. Within 30 days after the course/s identified in paragraph one above are concluded, Dr. Burchinal shall file with the Wisconsin Veterinary Examining Board certifications from the sponsoring organization of his attendance at the required course/s.

4. All costs of the educational programs shall be the responsibility of Dr. Burchinal.

5. 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 Dr. Burchinal shall pay costs in this matter of One Thousand Thirty dollars (\$1030.00) within ninety (90) days of the effective date of this Order.

IT IS FURTHER ORDERED, that the pending investigation 03 VET 011 is hereby closed.

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 or fails to comply with the ordered continuing education the Respondent's license (#911) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order is effective on the date of its signing.

Dated at Madison, Wisconsin this 23rd day of August, 2006.

WISCONSIN VETERINARY EXAMINING BOARD

Larry D. Mahr DVM
A Member of the Board