

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 AND ORDER
ANDREW J. RUNTE, D.V.M.	:	
RESPONDENT.	:	LS0610252VET
	:	

(DOE FILE # 03 VET 012 and 03 VET 037)

The parties to this action for the purposes of Wis. Stat. § 227.53, are:

Andrew J. Runte, DVM
5400 W. Plainfield Ave.
Milwaukee WI 53220

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, Andrew J. Runte, D.V.M., Respondent, personally and by his attorney, Joseph M. Wirth, Piper & Schmidt; 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 these matters, 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. Andrew J. Runte, DVM, (D/O/B 04/30/73) is currently licensed to practice veterinary medicine in the State of Wisconsin under license #4870 which was first granted on August 24, 1998.
2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is 5400 W. Plainfield Ave., Milwaukee, WI 53220.
3. At all times relevant to this action, Respondent practiced veterinary medicine in Franklin, Wisconsin.
4. Formal investigations entitled 03 Vet 012 and 03 Vet 037 are pending before the Wisconsin Veterinary Examining Board.
5. Respondent disputes the allegations in these cases, but in the interests of resolution of this matter agrees to entry of this Order.
6. On April 17, 2003, a twelve year old female standard poodle owned by Deborah Gonwa presented at Respondent's clinic with complaints of vomiting and a history of clear vomiting since 10 p.m. the prior evening, shaking and heavy panting, and inappetence. There was no known exposure to toxins and no diarrhea.
7. Examination by Respondent revealed a rectal temperature of 101.7 and a weight of 51.3#. There was mild to moderate tartar and the rest of the physical examination was within normal limits.
8. Respondent hospitalized the dog for observation and assessment/ rule out of primary gastrointestinal disease, metabolic disease or an infectious process.
9. Respondent drew blood for a superchem panel and CBC at an out of clinic site, and placed an intravenous catheter, administered lactated ringers, and ordered no food or water by mouth until 5:00 p.m. and water only thereafter with a bland diet to commence the following day if no vomiting or defecation was noted on monitoring.

10. At approximately 3:50 p.m. Ms. Gonwa called the clinic to inquire as to the dog's condition and whether she could come to see the dog. She also advised the receptionist that she wondered whether the dog might be suffering from "bloat." The receptionist advised her that the dog was resting comfortably and it would be better that she not visit at that time. There is no indication that this contact was relayed to Dr. Runte during the care of the dog.

11. When Respondent left the clinic at 7:00 p.m. the dog's condition was stable.

12. Ms. Gonwa had previously presented the dog for treatment at the Franklin Veterinary Clinic which required overnight admission. On the night at issue, Ms. Gonwa was not advised that there would be no personnel present at the clinic for observation or treatment overnight.

13. Respondent returned to the clinic at approximately 7:30 a.m. and the dog appeared somewhat dull and depressed and now displayed a tense abdomen. The temperature was 101.7. There was no vomiting or diarrhea overnight. The IV had disconnected overnight and there was some blood in the cage from the catheter. The dog showed no appetite upon being offered food.

14. The CBC results received from the off site facility revealed an elevated WBC of 30,900. The differential revealed a neutrophilia with a left shift and monocytosis indicating an infectious or inflammatory response according to the Respondent. The superchem panel results were not available.

15. Respondent assessed the dog as stable and determined that he would await the superchem panel prior to any further evaluation or treatment.

16. Respondent's reexamination of the dog later in the morning revealed an abdomen suspicious of gastric dilatation and volvulus. A lateral abdominal radiograph was obtained and confirmed the diagnosis.

17. Respondent attempted to pass a stomach tube to relieve some of the bloating preoperatively but was unsuccessful. Gas was expressed from the cranial abdomen caudal to the ribs via needle.

18. At surgery the stomach was found to be necrotic and not viable with copious amounts of brown free fluid in the abdomen. The omentum was covering the stomach.

19. The dog died during the surgery.

20. Respondent's conduct evidenced a lack of knowledge or inability to apply veterinary professional principles or skills in the following regard:

a. Respondent failed to adequately evaluate and treat the dog's condition on presentation on April 17, 2003, including evaluation by radiograph, to rule out the possibility of serious and emergent medical conditions, including gastric dilatation and volvulus.

b. Respondent failed to adequately evaluate and treat the dog's condition upon Respondent's arrival at the clinic on the morning of April 18, 2003, when the dog's condition had deteriorated. Such evaluation would have included examination by radiograph and consideration of gastric dilatation and volvulus or other emergent conditions.

c. Respondent failed to advise the dog's owner, Deborah Gonwa, of the fact that no personnel would be present to observe or treat her dog when the dog was hospitalized overnight at Respondent's clinic.

21. An additional informal complaint received by the Department of Regulation and Licensing involves allegations that Respondent failed to offer evaluative blood work to determine any condition which would contraindicate the administration of Rimadyl and Dexamethasone and that Respondent failed to adequately monitor the dog post administration. No findings are made with regard to these allegations.

22. 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).

2. Respondent's conduct as set forth herein constitutes a violation of Wis. Stat. § 453.07 (1) (f) and Wis. Admin. Code § VE 7.06 (1).

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 Andrew J. Runte, D.V.M. to practice veterinary medicine is hereby LIMITED on the following terms and conditions:

1. Within one year of the effective date of this Order, Dr. Runte shall obtain eight (8) credits of continuing education in the diagnosis and treatment of acute gastrointestinal conditions and eight (8) credits of continuing education in pharmacology with an emphasis on the use of Rimadyl alone and in combination with steroids. Since the incidents set forth above, Dr. Runte has obtained credits of continuing education in these subject areas. Upon presentation by Respondent of sufficient course descriptions, the Board will consider whether the course work may be applied to meet the requirements of this paragraph.

2. 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 courses may not be used in satisfaction of the biennial continuing education requirement for continued licensure.

3. Dr. Runte 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.

4. Within 30 days after the course/s identified in paragraph one above are concluded, Dr. Runte shall file with the Wisconsin Veterinary Examining Board certifications from the sponsoring organization of his attendance at the required course/s. For those courses completed before the effective date of this Order and approved pursuant to the provisions of paragraph one, Dr. Runte shall file the attendance certifications within 30 days of the effective date of this Order.

5. All costs of the educational programs shall be the responsibility of the Dr. Runte.

6. Dr. Runte shall insure that when no staff will be present for observation of any animals hospitalized overnight, Dr. Runte shall provide written and verbal notice of that fact to his clients

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 Dr. Runte shall pay costs in this matter of One Thousand Three Hundred dollars (\$1300.00) on or before January 1, 2008.

IT IS FURTHER ORDERED, that the pending investigations 03 VET 012 and 03 VET 037 are 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 (#4870) 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 25th day of October, 2006.

WISCONSIN VETERINARY EXAMINING BOARD

Robert Spencer
A Member of the Board