

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE LICENSE OF	:	
	:	FINAL DECISION AND ORDER
CHARLOTTE M. VAN ROSSUM, D.V.M.	:	FOR REMEDIAL EDUCATION
	:	LS0708081VET

[Division of Enforcement Case #'s 04 VET 046 & 05 VET 026]

The parties to this proceeding for purposes of Wis. Stat. § 227.53 are:

Charlotte M. Van Rossum, D.V.M.
6880 Refuge Road
Greenleaf, WI 54126

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

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

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Wisconsin Veterinary Examining Board (“Board”). The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Charlotte M. Van Rossum, D.V.M., (“Licensee”), date of birth September 23, 1974, is duly licensed to practice veterinary medicine in the state of Wisconsin (license #5117). This license was first granted on May 23, 2000.
2. Licensee’s address of record with the Veterinary Examining Board is 6880 Refuge Road, Greenleaf, WI 54126.
3. At all times relevant to this action, Licensee practiced veterinary medicine at Packerland Veterinary Center, Ltd. (“PVC”), in Green Bay, Wisconsin.
4. On October 12, 2004, Ms. A adopted an 8-week-old unaltered male kitten from the Brown County Humane Society. The Humane Society’s policy at that time required all pets to be spayed or neutered before being released to adoptive owners.
5. On October 13, 2004, Ms. A met with a PVC assistant to review surgical options. Ms. A declined IV fluids and laser and opted for minimal blood work, pain medications and e-collar. Ms. A signed a consent form for admission,

medical or surgical treatment.

6. On October 14, 2005, the Humane Society transported the kitten to PVC at 8:00 a.m. The kitten had no history of previous illness and upon arrival at PVC, was active, well fleshed and had no sneezing or ocular discharge. Upon examination, Licensee noted that the kitten had gas in the intestine which was attributed to intestinal parasites. Deworming was recommended and given. Blood work showed ALT, Creat, and Tprot WNL. HCT was mildly low at 25% (30-40 normal). The kitten's mucous membranes were pink, moist and CRT normal. The mild anemia was attributed to internal parasitism. Licensee did not discuss the risks associated with respiratory infections common in animals from the Humane Society.

7. Since the kitten appeared healthy, Licensee performed the surgery that day, following standard protocol. The kitten was monitored with pulse ox and manual observation. Spo2, heart rate and respiratory rate were normal throughout the procedure. The surgery was completed with no complications and the kitten's vitals were monitored in the recovery room for another hour until he was up and walking. The kitten's recovery was uneventful and he was discharged to Ms. A that afternoon with specific post-op instructions.

8. On October 16, 2004, Ms. A called PVC to report that the kitten was sneezing and had runny eyes. Because the kitten likely had a respiratory infection which was common for animals coming from the Humane Society, Dr. Dunbar, who was the veterinarian in the office that day, prescribed antibiotics without talking to Ms. A or seeing the kitten.

9. On October 17, 2004, the kitten's condition appeared worse. Ms. A called PVC after hours and left a message to have someone call her back. At approximately 8:30 p.m., Dr. Dunbar called Ms. A. Ms. A told him that the kitten had not moved all day and would not eat or drink. Dr. Dunbar told Ms. A to monitor him overnight and to call the next day if there was no progress.

10. At about 9:00 a.m. on October 18, 2004, Ms. A brought the kitten back to PVC. Ms. A reported that the kitten had only eaten about 2 tablespoons of cat food over the weekend and had vomited the previous night. Licensee examined the kitten and found him to be lethargic and severely dehydrated. The kitten was sneezing, had ocular discharge, was pale, weak and had lost weight. The kitten was vocalizing upon abdominal palpation and his temperature was only 93.0.

11. Licensee diagnosed the kitten with shock, likely low glucose due to prolonged anorexia, possible pneumonia, severe upper respiratory infection and possible GI obstruction/disease causing vocalization. Licensee immediately treated the kitten for shock. He was placed under a warm air blanket and given oral nutritional and max cal for nutrition. Due to dehydration and hypothermia, his peripheral veins were very constricted and likely would not hold a catheter. Licensee gave the kitten 25cc SQ fluids with plans to place an IV when he was warm and stable. The kitten was continuously monitored. Although he rested quietly and his temperature slowly rose, after less than 90 minutes after arriving at PVC, the kitten died.

12. Licensee's differential diagnoses included severe upper respiratory infection with possible pneumonia and/or GI disease. Licensee claimed that there had been many severe upper respiratory infections and pneumonia in kittens in less than 4 months old in the area, noting that several had died from complications despite intensive therapy, including oxygen. Survival rate had been about 30%. These included kittens that had surgery as well as an equal number of those that had not. Most had recently been adopted or purchased. Licensee had not, however, communicated these risks to Ms. A before the surgery.

13. On February 11, 2005, because Ms. B's regular veterinarian was unavailable, Ms. B called PVC to report that her cat Hercules, an obese six-year-old male tabby, had been constipated for two days and had vomited that day. Ms. B was advised to bring Hercules to the clinic. At 1:45 p.m., Ms. B brought Hercules in and met with Licensee. They discussed Hercules' constipation and Ms. B asked Licensee to also look at a small lump that was on Hercules' back. Before leaving the clinic, Ms. B advised Licensee that Hercules was very nervous and that it was her regular veterinarian's practice to anesthetize him before an exam.

14. Results of pre-anesthesia blood work were normal. Licensee tank induced Hercules with isoflurane and gave him 0.02 mg of Torbutrol (butorphanol tartrate) for pain control. A large, hard stool was manually removed from the cat's colon and he was given an enema. The lump on his back was examined and was found to be a small abscess. Licensee's notes read:

“Hercules had poor respiratory rate and SPO2 occasionally fell into the 80’s during anesthesia with ISO only. Recovery uneventful. MM (mucus membranes) pink, growling and hissing after (sic) recovery. Caution with anesthesia. Possibly obesity is decreasing air exchange.”

15. At 4:00 p.m., Ms. B called the clinic to check on Hercules and spoke with Licensee. Licensee told Ms. B that Hercules had not completely recovered yet from the anesthesia but that he would be fully recovered soon.

16. Before noon on February 12, 2005, Ms. B came to the clinic to pick up Hercules and pay her bill. The billing document included a statement that PVC offered 24-hour emergency services. A PVC staff person handed Hercules, who was in his crate, to Ms. B. Ms. B noticed immediately that Hercules was groggy and glassy-eyed. She asked if Hercules had been given more gas to get him into his crate and was told that Hercules had not been given any gas all day. The staff person told Ms. B that Hercules was fine but was probably just upset and would be better when he got home. Later examination of the veterinary records revealed that there was no notation indicating that Hercules had been evaluated before his release, no indication of whether or not he had urinated before discharge and no description of his condition.

17. After arriving at home, Hercules continued to have problems including trouble breathing. At 1:45 p.m., Ms. B called PVC and spoke with Dr. Dunbar who told her that the effects of the gas should have worn off and that she should just watch Hercules for a day to see if he continues to have problems. Dr. Dunbar never personally saw Hercules.

18. The next morning, on February 13, 2005, Ms. B noticed that Hercules’ breathing was worse. At 7:30 a.m., she called PVC and received a recording which instructed callers to leave a message and that a vet would be paged and would call back shortly. Ms. B left a message but received no call back. Ms. B called again at 8:00 a.m., 8:25 a.m., 9:15 a.m. and 10:00 a.m. before giving up and calling another clinic, the Green Bay Animal Emergency Center (“GBAEC”) at 10:25 a.m. Staff at GBAEC told Ms. B that Hercules should be seen and that she should bring him in.

19. Hercules was now seriously distressed. Concerned that GBAEC would not have Hercules’ medical records available, Ms. B tried again to call PVC at 10:30 and 11:15 a.m. with no response.

20. Hercules died on the way to GBAEC.

21. Upon arriving home at 1:30 p.m., Ms. B checked her Caller ID and saw that someone from PVC had called at 12:25 p.m.

CONCLUSIONS OF LAW

1. **The Wisconsin Veterinary Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 453.07(2).**

2. **The Wisconsin Veterinary Examining Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).**

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Licensee shall, by December 31, 2007, take and complete:
 - a. 12 hours of continuing education relating to anesthetic, to include use of anesthesia in young, obese and/or compromised patients—and particularly, cats;
 - b. 10 hours of continuing education in the appropriate use of pain medications, to include use of pain medication in cats/kittens;
 - c. 4 hours of continuing education in medical record keeping, with Licensee agreeing to make a good

faith effort to obtain training which includes an emphasis on surgical notes.

2. Each course attended in satisfaction of this Order must be approved by the Veterinary Examining Board or its designee. Licensee shall be responsible for locating courses satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. The Board or its designee may consider courses taken by Licensee on any date after February 15, 2005, provided that Licensee seeks approval for said coursework within 60 days of the signing of this Order. Preapproval is required for all coursework taken after the date of the signing of this Order. Licensee shall, within 60 days of completion of this educational requirement, file an affidavit with the Board stating under oath that she has attended in its entirety each of the courses approved for satisfaction of this requirement along with supporting documentation of attendance from the sponsoring organizations. This affidavit and the supporting documentation of attendance shall be filed with:

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

All certifications, affidavits or other documents required to be filed with the Board will be deemed filed upon receipt by the Department Monitor.

3. Licensee shall be responsible for paying the full cost of attendance at these courses. Licensee shall not apply any of the continuing education credits earned in satisfaction of this Order toward satisfaction of his Wis. Stat. § 453.062(2)(a) biennial training requirements.

IT IS FURTHER ORDERED:

4. Licensee shall, within 60 days from the date of this Order, pay costs of this proceeding in the amount of \$700.00. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

5. In the event Licensee fails to timely pay costs as ordered or fails to comply with the ordered continuing education, Licensee's license SHALL BE SUSPENDED, without further notice or hearing, until Licensee has complied with the terms of this Order. The Board or its designee shall remove the suspension, if provided with sufficient information that Licensee is in compliance with the Order and that it is inappropriate for the suspension to remain in effect. The Board in its discretion may impose additional conditions and limitations for a violation of any of the terms of this Order.

6. Licensee is responsible for compliance with all of the terms and conditions of this Final Decision and Order.

7. This Order is effective on the date of its signing.

WISCONSIN VETERINARY EXAMINING BOARD

By: Robert R. Spencer
A Member of the Board

8/8/07
Date

IN THE MATTER OF THE LICENSE OF _____ :
 _____ : STIPULATION
 CHARLOTTE M. VAN ROSSUM, D.V.M. : LS _____ VET

It is hereby stipulated and agreed, by and between Charlotte M. Van Rossum, D.V.M., Licensee; Joseph M. Wirth of Piper & Schmidt; attorneys for Licensee; and Sandra L. Nowack, attorney for the Complainant, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of pending investigations of Licensee by the Division of Enforcement (file # 04 VET 046 & 05 VET 026). Licensee consents to the resolution of this matter by stipulation and without a hearing.
2. Licensee understands that by signing this Stipulation, she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Licensee has obtained advice of legal counsel prior to signing this Stipulation.
4. Licensee agrees to the adoption of the attached Final Decision and Order by the Board. The parties to this Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Licensee waives all rights to any appeal of the Board's Order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board ever assigned as a case advisor in this investigation may appear before the Board in open or closed session, without the presence of the Licensee or her attorney for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.
8. The Division of Enforcement joins Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

Charlotte M. Van Rossum, D.V.M.
Licensee
6880 Refuge Road
Greenleaf, WI 54126

Date

Joseph M. Wirth
Piper & Schmidt
Attorneys for Licensee
733 N. Van Buren Street
Milwaukee, WI 53202-4709

Date

Sandra L. Nowack
Attorney for Complainant
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Date

[04 VET 046 & 05 VET 026: Costs \$700.00]

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