

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
W.G. JANSSEN, V.M.D.,	:	<u>ORDER 0000482</u>
RESPONDENT.	:	

[Division of Enforcement Case # 06 VET 054]

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

W.G. Janssen, V.M.D.
2420 Old Plank Road
De Pere, WI 54115

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 & 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 Veterinary Examining 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. W.G. Janssen, V.M.D., (D.O.B.: October 19, 1925) is duly licensed as a veterinarian in the state of Wisconsin (license # 50-321). This license was first granted on June 26, 1957.

2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is 2420 Old Plank Road, De Pere, Wisconsin 54115.

3. At all times relevant to this action, Respondent was working as a veterinarian at his clinic in De Pere, Wisconsin.

4. On June 5, 2006, Sue and Jeffrey Dziewit brought their 12 year-old black labrador retriever, "Toby", to Respondent with a complaint that the labrador dog's abdomen was becoming enlarged. The Respondent advised the owners that the labrador dog was just getting older, was less active and was gaining weight. He diagnosed the dog with congestive heart failure and dispensed CO Q-10, to be given once a day. The Respondent also administered vaccinations. Mr. Dziewit asked if an x-ray could be done to see if anything else was wrong and the Respondent advised that it was not necessary to do an x-ray.

5. The June 5, 2006 record for the labrador dog does not document any physical examination findings, any treatment or recommendations, any diagnoses, or any diagnostic test results. The Respondent only wrote the following for the June 5th visit which relate to vaccinations given: "6 w Dist – Lyme 6 Iverhart".

6. Respondent's conduct in providing care and treatment to the Dziewit's labrador dog failed to meet the minimum standards of acceptable veterinary practice and evidence a lack of knowledge or the ability to apply professional principles and skills in the following manner:

- a. The Respondent failed to maintain adequate records regarding the labrador dog's June 5, 2006 office visit.
- b. The Respondent failed to perform any x-rays as requested by the owners after they had advised that the labrador dog's stomach was becoming enlarged.

7. Respondent's patient records with regard to the Labrador dog do not meet the requirements of Wis. Admin. Code § VE 7.03.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.07(2), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as set out in paragraphs 4 and 5 above, constitutes a violation of Wis. Admin. Code § VE 7.06(1) and he is therefore subject to discipline pursuant to Wis. Stat. § 453.07(1)(f).

3. Respondent's conduct of failing to maintain adequate patient medical records as required by Wis. Admin. Code § VE 7.03, as described in paragraphs 4 and 5, above, constitutes a violation of Wis. Stat. § 453.07(2)(a) and Wis. Admin. Code § VE 7.06(15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of W.G. Janssen, V.M.D., is LIMITED by the following conditions:
 - a. Respondent shall, within six (6) months from the date of this Order, successfully complete the Wisconsin Veterinary Medical Association's record-keeping course and a minimum of two (2) hours of continuing education in the area of abdominal imaging/radiography. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.
 - b. Respondent 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 courses from the Wisconsin Veterinary Examining Board, or its designee, prior to commencement of the programs. All costs of the educational programs shall be the responsibility of the Respondent.
 - c. Within thirty (30) days following completion of the course(s) identified in paragraph 2 above, Respondent shall file with the Department Monitor certifications from the sponsoring organization(s) verifying her attendance at the required courses.
 - d. Respondent shall participate in a monitoring program with the following components:
 - (1) Commencing on November 1, 2010 and concluding no later than May 1, 2011, Respondent shall participate in a monitoring program under the direction of a veterinarian pre-approved by the Board.
 - (2) The Monitoring Veterinarian shall, during the period of monitoring, review 10 medical records created by the Respondent following his completion of the medical record keeping course described in paragraph 2 above. Respondent shall make any recommended changes or additions to his medical records as are necessary to comply with the requirement of Wis. Admin. Code § 7.03. The Monitoring Veterinarian shall review a minimum of five (5) additional records over the following 30 days to determine if the Respondent is in compliance.
 - (3) All costs of the Monitoring program and the Monitoring Veterinarian shall be the sole responsibility of the Respondent. All bills submitted to Respondent shall be paid to the submitting party no later than 30 days after mailing.
2. Respondent shall, within (90) days from the date of this Order, pay costs of this proceeding in the amount of ONE THOUSAND (\$ 1,000.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

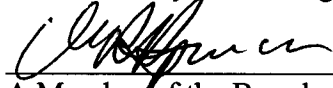
Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

3. 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 timely submit payment of the costs or fails to comply with the ordered continuing education as set forth above, the Respondent's license (# 50-321) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs or completion of the continuing education.

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

Wisconsin Veterinary Examining Board

By:


A Member of the Board

10-20-10
Date