

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
BRIAN M. GRANDAW, D.V.M.	:	<u>ORDER 0000666</u>
RESPONDENT.	:	

[Division of Enforcement Case # 09 VET 47]

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

Brian M. Grandaw, D.V.M.
N3089 Castle Road
Medford, WI 54451

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. Brian M. Grandaw, D.V.M. ("Respondent") was born on January 26, 1982, and is licensed to practice veterinary medicine in the state of Wisconsin pursuant to license number 6017-50. This license was first granted on May 29, 2007.

2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing is N3089 Castle Road, Medford, WI 54451.

3. At all times relevant to this proceeding, Respondent was working as a veterinarian at the Medford Veterinary Clinic in Medford, Wisconsin.

4. On July 14, 2009, client CM took her 15 year old cat "Bear" to see Dr. M for sores on the right front leg. Bear had licked the inside of his right leg raw causing ulcers to develop. Bear had a history of diabetes, a grade 2/6 right systolic heart murmur, and anisocoria. Dr. M took an x-ray to rule out bone cancer. The x-ray didn't reveal any bone cancer, but did reveal possible arthritis. Dr. M told CM to purchase an infant "onesie" to use as a bandage and to bring Bear back in a week for a follow up appointment.

5. On July 24, 2009, CM brought Bear back to the clinic for a re-check of his right front leg. Dr. M was not available so Respondent saw Bear. During a physical exam of Bear, Respondent discovered a large distended abdomen. CM reported Bear had been more lethargic in the past few weeks. CM consented to blood work and a radiograph of Bear's abdomen.

6. Bear was then taken into a treatment area for the diagnostic testing, while CM waited in another room. Two veterinary technicians drew blood from Bear for a CBC, chemistry panel, fructosamine, and total T4 tests. The veterinary technicians had to shave an area on Bear's ventral neck in order to draw blood from the jugular vein.

7. An abdominal radiograph was taken of the distended abdomen. The lateral view of abdominal radiograph showed a small amount of fluid in the abdominal cavity and an enlarged liver. Respondent then performed an abdominal tap to examine the fluid. Respondent failed to obtain consent prior to performing the abdominal tap.

8. Respondent failed to explain to CM and failed to obtain informed consent about the risks and benefits of the abdominal tap prior to performing the procedure. Client CM maintains that she would have refused the abdominal tap if the Respondent had asked her to consent to it.

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 of failing to obtain consent prior to performing a diagnostic procedure and failing to inform a client prior to treatment of the diagnostic and treatment options available and the associated benefits and risks of those options as described in paragraphs 7 and 8, above, constitutes a violation of Wis. Admin. Code § VE 7.06(23).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Brian M. Grandaw, D.V.M. is hereby REPRIMANDED.
2. Respondent's license to practice veterinary medicine in the state of Wisconsin is LIMITED to require that, within six (6) months of the date of this Order, Respondent shall locate and successfully complete a minimum of two (2) hours of continuing education in the area of informed consent. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.
3. 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.
4. 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 his attendance at the required courses.
5. Upon successful completion of the educational programs, submission and approval of the records and payment of the costs set forth below, Respondent's license to practice veterinary medicine shall be restored to unlimited status.
6. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of SEVEN HUNDRED FIFTY DOLLARS (\$750.00). 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
Telephone (608) 267-3817
Fax (608) 266-2264

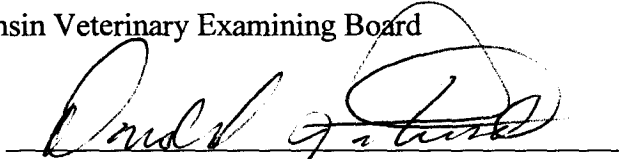
7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline 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 (# 6017-50) 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.

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

Wisconsin Veterinary Examining Board

By:


A Member of the Board


Date