

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE VETERINARY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

DUANE R. VOLLENDORF, D.V.M.,  
RESPONDENT.

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FINAL DECISION AND ORDER

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ORDER 0001023

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[Division of Enforcement Case # 09 VET 001]

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

Duane R. Vollendorf, D.V.M.  
8880 Rambil Road  
Eau Claire, WI 54703

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

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. Duane R. Vollendorf, D.V.M. ("Respondent") was born on July 22, 1969, and is licensed to practice veterinary medicine in the State of Wisconsin pursuant to license number 4351-50. This license was first granted on June 9, 1995.

2. Respondent's most recent address on file with the Wisconsin Department of Regulation and Licensing is 8880 Rambil Road, Eau Claire, Wisconsin 54703.

3. At all times relevant to this proceeding, Respondent was working as a veterinarian at Westgate Vet Clinic (the "Clinic"), 2135 N. Clairemont Avenue, Eau Claire, Wisconsin 54703.

4. On August 27, 2008, "Molly," a poodle, born in 1998, presented at the Clinic for a surgical tooth extraction of three teeth and dental cleaning. Molly was released to the client after the surgery.

5. That evening, Molly demonstrated pain symptoms. The symptoms continued through the night, and became worse the next morning, to include vomiting. At approximately 10:00 A.M., on August 28, 2008, the client reported Molly's symptoms to the Clinic, and was informed that these symptoms most likely the result of a "surgery hangover."

6. After Molly's condition continued to deteriorate, the client brought her to the Clinic for examination. Respondent examined Molly on August 28, 2008 at approximately 3:15 P.M. Molly presented with a low temperature, painful, subcutaneous pooling in the sternum, panting, listlessness, and vomiting. After the examination, Respondent failed to order blood work to determine Molly's white cell blood count or obtain a chemistry panel to review Molly's kidney function. Respondent diagnosed Molly with a post-anesthetic reaction to her dental surgery from the previous day. Respondent's treatment included an injection of 0.75 mls Cerenia to address Molly's nausea and administered 25 mg of Tramadol to reduce the pain symptoms. Respondent then discharged Molly, and informed the client that Molly would become sleepy and should be kept warm.

7. At his examination of Molly on August 28, 2008, Respondent did not recognize nor did he advise the client of the seriousness of Molly's condition. Respondent also did not refer Molly to an emergency veterinarian practice given the presenting symptoms.

8. At approximately 6:30 P.M. on August 28, 2008, Molly became distressed and listless with rapid, shallow breathing. Molly died at approximately 7 P.M. The cause of death was determined to be a severe cellulitis (bacterial infection), secondary to contaminated intravenous solution.

#### 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 above constitutes a violation of Wis. Admin. Code § VE 7.06(1), and is subject to discipline pursuant to Wis. Stat. § 453.07(1)(f).

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent's license to practice veterinary medicine in the state of Wisconsin is LIMITED to require that, within nine (9) months of the date of this Order, Respondent shall locate, and successfully complete a minimum of four (4) hours of continuing education in the area of veterinary post-surgical monitoring and vital signs and a minimum of two (2) hours of continuing education in the area of administering and monitoring fluid therapy. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.

2. Respondent is 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. For the purposes of this Order, the Board's designee is:

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. 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.

4. All costs of the educational programs shall be the responsibility of the Respondent.

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 AND 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 (# 4351-50) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the 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:

Marthina L. Green DM JD

A Member of the Board

8/3/11  
Date