

## 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	:	
	:	FINAL DECISION AND ORDER
JAMES R. VOSS, D.V.M.,	:	
RESPONDENT.	:	

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ORDER 0001026

[Division of Enforcement Case #09 VET 051]

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

James R. Voss, D.V.M.  
1104 S 124<sup>th</sup> Street  
West Allis, WI 53214

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. James R. Voss, D.V.M., was born on March 24, 1960, and is licensed to practice as a veterinarian in the State of Wisconsin (license #4446-50). This license was first granted on February 6, 1996.

2. Respondent's most recent address on file with the Veterinary Examining Board is 1104 S 124<sup>th</sup> Street, West Allis, Wisconsin.

3. At all times relevant to this action, Respondent was employed as a licensed veterinarian at the Spirit of 76<sup>th</sup> Veterinary Clinic, located at 7606 W. Lincoln Avenue, West Allis, Wisconsin.

4. On September 17<sup>th</sup>, 2009, "Tumbleweed," a three year old cat, domestic shorthair, presented at Respondent's clinic for surgery to repair a torn anterior cruciate ligament. During or immediately following surgery, Tumbleweed died secondary to surgical complications.

5. The Department's investigation of the Respondent included a review of Respondent's veterinarian records related to Tumbleweed's examination, treatment and surgery on September 17, 2009.

6. Respondent's veterinarian records were deficient in that Respondent failed to include:

- a. Documentation of a physical examination that assesses the overall health of the patient or its suitability as a surgery patient at the initial presentation;
- b. Documentation of physical examination prior to anesthesia, or conduct any risk assessment, despite patient's weight loss of 2.5 pounds in 13 days;
- c. A surgical monitoring report;
- d. Documentation of the treating veterinarian; and
- e. Documentation of intravenous fluid administration during surgery.

7. Respondent's record keeping deviated from the standard practice and minimum competence in veterinary medicine.

#### CONCLUSION OF LAW

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

2. The conduct described above violated Wis. Admin. Code §§ VE 7.03(2)(f),(k), and (p). Such conduct constitutes unprofessional conduct within the meaning of the Code.

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. James R. Voss, D.V.M. (license #4446-50) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days from the date of this Order, complete the two (2) hour continuing education class in record keeping; a two (2) hour continuing education class in presurgical evaluation, including the need for presurgical blood panels; and a two (2) hour continuing education class in choosing anesthetics and monitoring for overweight surgical patients. Respondent shall provide evidence of satisfactory completion of the continuing education classes to the Department Monitor.

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of \$400.00. 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

4. 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 provide evidence of satisfactory completion of the continuing education, or pay the costs as set forth above in a timely matter, the Respondent's license (#4446-50) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with this Order.

5. This Order shall become effective on the date of its signing.

WISCONSIN VETERINARY EXAMINING BOARD

By: Mathina Green DMJD 8/3/11  
A Member of the Board Date