

## 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  
DISCIPLINARY PROCEEDINGS AGAINST

JAGJIT S. KALEKA, D.V.M.  
RESPONDENT.

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FINAL DECISION AND ORDER

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**ORDER 0001161**

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Division of Enforcement Case #08 VET 029

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

Jagjit S. Kaleka, D.V.M.  
N7336 Crystal Ridge Rd.  
Beaver Dam, WI 53916

Division of Enforcement  
Department of Safety and Professional Services  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Veterinary Examining Board  
Department of Safety and Professional Services  
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. Jagjit S. Kaleka, D.V.M., ("Respondent") was born on October 9, 1944, and is licensed to practice veterinary medicine in the state of Wisconsin. The license number is #1329-50, and was granted on July 1, 1965.

2. Respondent's most recent address on file with the Veterinary Examining Board is N7336 Crystal Ridge Road, Beaver Dam, Wisconsin, 53916.

3. At all times relevant to this proceeding, Respondent was employed as a veterinarian at Beaver Dam Veterinary Clinic (BDVC), 1129 Madison Street, Beaver Dam, Wisconsin, 53916.

4. On May 3, 2008, client "L.M." brought her cat, "Misti", to the BDVC for a routine rabies vaccination. Respondent was the veterinarian who examined and treated Misti. Respondent determined that Misti had an ear infection. Respondent administered ear drops and spilled some of the ear drops in Misti's eye.

5. Minimum standards of competency for patient records includes that the veterinarian shall maintain individual patient records on every patient treated by the veterinarian. The records must contain information pertinent to the patient with sufficient information to justify the diagnosis and warranted treatment. Respondent's notes for Misti on May 3, 2008, are below minimum standards in the following way:

- a. There is no documentation of the physical examination.
- b. There is no documentation of the prescription, dosage or reason for administering the ear drops.
- c. There is no interpretation for the results of the chemistry screen, T4 and cholesterol tests that were ordered.
- d. Respondent noted Methimazole was dispensed, but did not document the dosage dispensed or the reason for prescribing the Methimazole.
- e. There is a note that "cat was holding eye 'funny'", but no explanation as to why, or objective description of the condition.
- f. There should have been an eye flush done to remove any chemicals when the eye drops were spilled in Misti's eyes. There is no eye flush documented.

6. On August 20, 2008, client "S.S." brought her dog "Max" into the BDVC due to blood in Max's urine. Respondent was the veterinarian who treated Max. Respondent prescribed medication and sent Max home.

7. Respondent's records for Max on August 20, 2008 are below minimum standards in the following way:

- a. The records do not document any physical examination findings or results.

- b. Respondent notes, "May have a bladder stone?" Respondent's narrative states, "On palpation, dog was sensitive on bladder area and I could palpate a stone at that time." There is a difference between maybe having a bladder stone and being able to palpate a bladder stone, and the findings should have been included in Max's medical record.

8. On September 10, 2008, S.S. returned Max to the BDVC because he was not able to urinate. Respondent was the veterinarian who saw Max and took the radiographs. The radiographs revealed stones in Max's bladder. One stone had passed into Max's penis causing the difficulty with urinating. Respondent informed S.S. that Max would need surgery, and it would be scheduled for the next morning. After S.S. left the clinic, Respondent decided to immediately perform the surgery on Max.

9. Respondent's notes for Max on September 10, 2008, are below minimum standards in the following way:

- a. There are no physical examination findings or results documented.
- b. There is no history of Max's symptoms documented.
- c. Respondent's note "Baytril s/c" does not indicate the dosage.
- d. There is no documentation of which anesthetic drugs or dosage was given before the surgery.
- e. There is no documentation of a thorough surgical description, the difficulty of the surgery performed or the complications from the surgery.

10. On or around January 13, 2009, "Bella", a middle aged Great Dane was brought into the BDVC for an ovariohysterectomy. Bella was in heat, which causes the blood vessels supplying blood to the uterus to dramatically increase in size, increasing the risk of an intra-operative and post-operative hemorrhage significantly. Respondent completed Bella's ovariohysterectomy surgery at 1:00 P.M. Respondent allowed Bella to be discharged home at 4:00 P.M., even though Bella had a slow recovery, slow walking, and excessive bleeding. Bella was brought back to BDVC at 10:30 P.M. later that night and died.

11. The medical records for Bella are below minimum standards in the following way:

- a. There is no documentation of the physical examination findings or results.
- b. There is no documentation of the surgical treatment of the ovariohysterectomy.
- c. There is no documentation of the anesthesia used during the surgery

- d. There is no documentation of the intra-operative or post-operative pain relief or examination.
- e. There is no documentation of any conversation with Bella's owner.

### CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 446.03, 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 maintain medical records as required by Wis. Admin. Code § VE 7.03, as described above, constitutes a violation of Wis. Admin. Code § VE 7.06(15) and is therefore subject to discipline pursuant to Wis. Stat. § 453.07(1)(f).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Jagjit S. Kaleka D.V.M. (license # 1329-50) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent's license to practice veterinary medicine in the State of Wisconsin is LIMITED to require that, within six (6) months from the date of this Order, Respondent successfully complete the following continuing veterinary education:

A minimum of six (6) hours of continuing veterinary education classes in the area of veterinary medical records keeping. 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 course(s) 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. Respondent is responsible for all costs of compliance. The course(s) attended in satisfaction of this requirement may not be used to satisfy the continuing education requirements for licensure.

4. Within sixty (60) days of the effective date of this Order, Respondent shall engage the services of a veterinarian who shall be preapproved by the Board, to serve as a monitor under this Order. Immediately upon completion of the educational programs, the monitor shall provide the following services:

- a. At the end of the initial three months following completion of the educational programs, the Monitor shall review Respondent's medical records consisting of fifteen (15) medical and fifteen (15) surgical cases and shall review the treatment recommendations and implementation with Respondent to determine if the treatment and surgical care is appropriate.
- b. At the end of the initial three months following completion of the educational programs, the Monitor shall review no less than 15 patient records created by Respondent during that time period to determine if they meet the requirements of Wis. Admin. Code sec. VE 7.03.
- c. Following the three month monitoring period, the Monitor shall immediately report in writing to the Board his/her findings with regard to the adequacy of Respondent's treatment procedures and surgical procedures, the review of the patient records with regard to diagnosis and treatment of Respondent's patients and the patient records compliance with the requirements of Wis. Admin. Code sec. VE 7.03.
- d. Respondent shall be responsible for all costs incurred by the Monitor and shall ensure timely payment of any bills submitted to him by the Monitor within thirty (30) days, unless Respondent has a good faith dispute as to the amounts billed.

5. 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.

6. Upon successful completion of the educational programs, submission and approval of the records and payment of the costs as set forth below, Respondent's license to practice veterinary medicine shall be restored to unlimited status.

7. Respondent shall, within ninety (90) days from the date of this Order, pay COSTS of this proceeding in the amount of NINE HUNDRED DOLLARS (\$900.00). Payment shall be made payable to the Wisconsin Department of Safety and Professional Services, and mailed to:

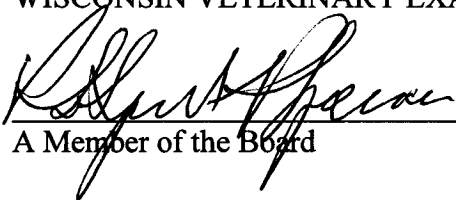
Department Monitor  
Division of Enforcement  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

8. 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 any of the ordered continuing veterinary education, or pay the costs as set forth above in a timely matter, the Respondent's license (#1329-50) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with this Order.

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

WISCONSIN VETERINARY EXAMINING BOARD

By:

  
A Member of the Board

10-19-11  
Date