

## 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
	:	
JANEEN M. SMITH, D.V.M.,	:	
RESPONDENT.	:	<b>ORDER 0001353</b>

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Division of Enforcement Case #10VET001

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

Janeen M. Smith, D.V.M.  
6500 Shady Bend  
Verona, WI 53593

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. Janeen M. Smith, D.V.M., (DOB 07/15/1952) is duly licensed to practice veterinary medicine in the state of Wisconsin (license no. 2911-50). This license was first granted on July 9, 1986.

2. Dr. Smith's most recent address on file with the Wisconsin Veterinary Examining Board is 6500 Shady Bend, Verona, Wisconsin 53593.

3. At all times relevant to this action, Respondent was employed as a veterinarian at Fitchburg Veterinary Hospital, 6249 Nesbitt Road, Madison, Wisconsin.

4. On February 24, 2009, a 5 year old male German Shepherd mix owned by Chris Bowler, was presented to Respondent at the Fitchburg Veterinary Hospital with a history of general malaise, increased thirst, hunger and weight loss within the last three weeks.

5. Respondent's examination of the dog revealed weight loss, mild dehydration, tacky and/or pale mucous membranes and full anal glands. Respondent recommended a complete blood panel and urinalysis.

6. The blood panel revealed blood glucose at 341 and potassium at 3.2 and also indicated a high alkaline phosphate. A urinalysis revealed high levels of glucose and ketones in the urine.

7. Respondent attributed the high glucose levels to the Bowler dog not being fasted twelve hours before the blood test and attributed the high ketone level in his urine to a faulty machine.

8. Respondent's differential diagnoses included rule outs for urinary tract infection, leptospirosis and "diaphragmatic????".

9. Respondent's differential diagnoses did not include diabetes mellitus.

10. Respondent diagnosed a urinary tract infection, administered Ampicillin by injection and prescribed Clavamox 375 mg every 12 hours for 14 days. Respondent further ordered 500 mls lactated ringers administered subcutaneously.

11. On March 5, 2009, the Bowler dog was presented again to the Fitchburg Veterinary Hospital for evaluation of diarrhea, lethargy and decreased appetite. The dog presented to another veterinarian employed at the clinic. Based on the dog's history, the second veterinarian immediately considered diabetes mellitus, possibly of a chronic duration, and potentially diabetic ketoacidosis as the cause of the dog's symptoms. An examination was performed and diagnostics revealed that the dog's blood glucose was elevated (284) and his urine contained elevated glucose (1000+) and ketones (150) which confirmed a diagnosis of diabetes mellitus. A second blood sample was taken and submitted to Marshfield Laboratory for testing of electrolytes and fructosamine.

12. The Bowler dog was ultimately diagnosed and treated for diabetic ketoacidosis, transferred to the Veterinary Emergency Service in Middleton, Wisconsin, and eventually the University of Wisconsin Veterinary Hospital for ongoing care. The Bowler dog eventually recovered.

13. Respondent's conduct evidenced a lack of knowledge or ability to apply professional principles and skills by failing to consider, as part of her differential diagnosis, potential diabetes mellitus, at the Bowler dog's presentation on February 24, 2009.

14. Respondent has cooperated throughout the investigation and wishes to resolve this matter by agreement.

15. Respondent neither admits nor denies the allegations that form the basis of the complaint in this matter but, instead, seeks to resolve the investigation without further contest. The stipulation entered into by Respondent is intended solely for purposes of resolution of this matter with the Veterinary Examining Board, and is not an admission of any liability or deviation from the expected standard of care for purposes of any other matter or legal proceeding.

### CONCLUSIONS OF LAW

1. The Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.04 and Wis. Stat. § 453.07 and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44 (5).

2. Respondent's conduct as set forth in paragraph 13 of the Findings of Fact, constitutes a violation of Wis. Admin. Code § VE 7.06(1).

### ORDER

IT IS ORDERED that the stipulation of the parties, as attached hereto, is accepted.

IT IS FURTHER ORDERED that the Respondent is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

1. The license of Janeen M. Smith, D.V.M., Respondent, to practice veterinary medicine in the State of Wisconsin is hereby LIMITED by the condition that within nine months of the date of this Order, she shall successfully complete four (4) hours of continuing education in the diagnosis and treatment of diabetes mellitus and diabetic ketoacidosis.

a. Respondent shall be responsible for locating the course(s) to fulfill the required continuing education order.

b. Respondent shall obtain preapproval for any course(s) she intends to take in compliance with this order from the Board or its designee. The Board may reject any course(s), and may accept a course(s) for less than the number of hours for which Respondent seeks approval. Respondent is responsible for all costs associated

with the compliance with this order. No part of the continuing education required by this order may be applied to the continuing education required for renewal of the Respondent's credential or to any other continuing education requirement imposed on Respondent by the Board.

c. All requests for approval of courses for compliance with this Order shall be addressed 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

d. Respondent shall submit satisfactory evidence of completion of the continuing education within thirty (30) days of completing the continuing education. Certificates of completion of the continuing education shall be sent to the Department Monitor at the address indicated above.

e. Upon satisfactory completion of the continuing education, Respondent's license will be restored to full, unlimited status.

IT IS FURTHER ORDERED that:

2. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of seven hundred fifty (\$750.00) dollars. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and mailed to the Department Monitor at the address provided above.

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 pay costs as ordered or fails to comply with the ordered continuing education the Respondent's license (#2911-50) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Veterinary Examining Board

By: Martha A. Grier DM JD  
A Member of the Board

2/5/12  
Date