

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TANVIR U. KHAN, DVM
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

0002461

Division of Legal Services and Compliance¹ Case No. 11 VET 041

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

Tanvir U. Khan, DVM
Westown Vet Clinic
21675 W. Longview Drive, Suite 200
Waukesha, WI 53186

Wisconsin Veterinary Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 disposition of this matter, subject to the approval of the Veterinary Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Tanvir U. Khan, DVM (dob February 4, 1960) is licensed to practice veterinary medicine in the State of Wisconsin, having license number 3918-50, first issued on September 9, 1992, and current through December 14, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is Westown Vet Clinic, 21675 W. Longview Drive, Suite 200, Waukesha, WI 53186.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. On July 21, 2011, the complainant brought her four-year-old Shih Tzu, Sparky, to Respondent's clinic with complaints of bloody diarrhea and poor appetite. Sparky's course of treatment was complex.

3. On July 24, 2011, Sparky remained lethargic and inactive. Respondent reports that he referred Sparky's owner to the Wisconsin Veterinary Referral Center (WVRC).

4. Sparky's owner took Sparky to the WVRC, where staff found Sparky extremely lethargic and suffering from diarrhea. Staff at WVRC diagnosed and treated Sparky, and by September 1, 2011, Sparky had recovered.

5. Sparky's owner picked up and transported the records to WVRC. Respondent states that he faxed the records to WVRC in a timely way.

6. The Division obtained and compared the records obtained by Sparky's owner and those that Respondent sent in response to the Board's request. It was apparent that Respondent altered the records before sending them to the Division.

7. Respondent admits that he supplemented the records but said he did so because they needed to be fully accurate in response to the Board's request.

8. Review of the records revealed changes made going back more than a year, including, in one case, a patient's temperature that was written into a chart generated in 2009. Respondent said that he remembered the temperature and it was accurate.

9. The Division learned, through the course of its investigation, that during the 2010-2011 biennium, Respondent failed, due to health concerns, to earn ten of the continuing education credits required by Wis. Stat. § 453.062(2).

10. Respondent neither admits nor denies the allegations but has elected to resolve this matter by Stipulation.

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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. §§ 453.07(1)(a) and (f), Wis. Admin. Code § VE 7.06(1), and Wis. Admin. Code § VE 7.06(15).

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 453.07(2).

ORDER

1. The attached Stipulation is accepted.

2. The license to practice veterinary medicine in the State of Wisconsin issued to Tanvir U. Khan, DVM, (license number 3918-50) is SUSPENDED for a period of 30 (thirty days), commencing on September 1, 2013.

a. During the period of suspension Respondent may be present in his offices for administrative purposes only. Administrative purposes include billing, hiring and firing staff, paying accounts, ordering supplies, etc. Respondent shall not engage in any practice that constitutes the practice of veterinary medicine, whether paid or unpaid.

b. Respondent may not have direct or indirect contact with patients or their owners on matters other than scheduling and billing.

c. Respondent may not supervise any person who is engaged in any act that constitutes the practice of veterinary medicine.

d. No later than 20 days after the date of this Order, Respondent shall notify the Department Monitor, in writing of the name and contact information, including telephone number, of the licensed veterinarian who will be covering Respondent's veterinary practice during the period of suspension.

3. The license to practice veterinary medicine in the State of Wisconsin issued to Tanvir U. Khan, DVM, (license number 3918-50) is LIMITED as follows:

a. Within 180 days of the date of this Order, Respondent shall successfully complete preapproved education, including any examination attendant to the course(s), as follows: Ten hours in the general practice of veterinary medicine to satisfy the Wis. Stat. § 453.062(2) requirements for the 2010-2011 biennium; three hours in ethics; and three hours in record keeping. None of the education relating to ethics or record keeping completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department.

b. Courses required by this Order shall be preapproved by the Board's monitoring liaison.

c. Respondent shall submit, to the Department Monitor, proof of successful completion of the education, including his score on any exam offered for the courses, in the form of verification from the institution providing the education to the Department Monitor at the address stated below.

d. This limitation shall be removed from Respondent's license after satisfying the Department Monitor that Respondent has successfully completed all of the ordered education.

4. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$500.00.

5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

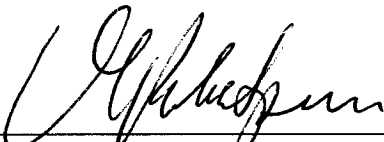
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. 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 as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 3918-50) 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 and completion of the education.

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

WISCONSIN VETERINARY EXAMINING BOARD

by:


A Member of the Board

5-29-13
Date