

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 :
: FINAL DECISION AND ORDER
BENJAMIN L. BLANDIN, D.V.M., :
RESPONDENT. : **0002546**

Division of Legal Services and Compliance¹ Case No. 13 VET 009

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

Benjamin L. Blandin, D.V.M.
7165 English Oak Dr.
Noblesville, IN 46062

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 Benjamin L. Blandin, D.V.M. (dob July 11, 1985) is licensed in the State of Wisconsin to practice veterinary medicine, having license number 6924-50, first issued on October 16, 2012 and current through December 14, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 7165 English Oak Drive, Noblesville, Indiana 46062.

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

2. Between February of 2013 and March of 2013, Respondent diverted controlled substances including hydromorphone and morphine from the daily use drug supply stock of the veterinary clinic in which he was employed.

3. On multiple occasions, Respondent tampered with the veterinary clinic's injectable hydromorphone, and morphine daily use drug supply stock by removing 1 ml or 1.5 ml from the 20 ml vials of these controlled substances and replacing the amount that he removed with water.

4. Respondent, by diluting the controlled substances with water, some of which may have been used in anesthesia and may have created an unacceptable risk of injury or death to his patients. Respondent therefore failed to apply professional principles and skills.

5. Respondent has been cooperative with the Board's investigation and has expressed compassion for the animals at issue.

6. Respondent neither admits nor denies the allegations. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS 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 pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 961.16(2)(a)8., hydromorphone is a schedule II controlled substance.

3. Pursuant to Wis. Stat. § 961.16(2)(a)10., morphine is a schedule II controlled substance.

4. By the conduct described in the Findings of Fact, Benjamin L. Blandin, D.V.M. violated Wis. Stat. § 453.07(1)(f).

5. As a result of the above violations, Benjamin L. Blandin, D.V.M. is subject to discipline pursuant to Wis. Stat. § 453.07(2)a.

ORDER

1. The attached Stipulation is accepted.

2. The license to practice veterinary medicine issued to Benjamin L. Blandin, D.V.M. (license number 6924-50) is SUSPENDED for a period of three months, retroactive to April 19, 2013. The Board accepts Respondent's sworn affidavit, in which he attests that as a consequence of the actions described above, he has not practiced veterinary medicine, whether paid or unpaid, since April 19, 2013.

3. The license to practice veterinary medicine issued to Benjamin L. Blandin, D.V.M. (license number 6924-50) is LIMITED as follows:

a. For a period of at least two years from the date of this Order, Respondent may not prescribe controlled substances.

b. After two years from the date of this Order, Respondent may petition the Board for removal of the Limitation on his license. Any such petition shall provide evidence acceptable to the Board that, within six months from the date of the petition, Respondent has taken and successfully completed a two – three hour course on the legal aspects of managing controlled substances offered by a provider pre-approved by the Board’s monitoring liaison, including taking and passing any exam offered for the course.

c. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.

d. The decision of whether or not to remove this limitation from Respondent’s license is entirely within the Board’s discretion.

4. Within 90 days from the date of this Order, Benjamin L. Blandin, D.V.M. shall pay COSTS of this matter in the amount of \$700.00.

5. Request of approval of courses, 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 violates any other terms or conditions of the Order, Respondent’s license (no. 6924-050) 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 complied with the other terms and conditions of the Order.

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

WISCONSIN VETERINARY EXAMINING BOARD

by: 
A Member of the Board

7-31-13
Date