

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

ALLEN L. LANDE, D.V.M.,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

0002695

Division of Legal Services and Compliance¹ Case No. 12 VET 035

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

Allen L. Lande, D.V.M.
115 Park Lane
P.O. Box 39
Mishicot, WI 54228

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 Wisconsin 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 Allen L. Lande, D.V.M., (dob September 2, 1948) is licensed in the State of Wisconsin to practice veterinary medicine, having license number 1239-50, first issued on June 16, 1972, and current through December 14, 2013. Dr. Lande's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 115 Park Lane, P.O. Box 39, Mishicot, Wisconsin 54228.

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

2. On August 1, 2012, Respondent performed a front paw declaw and spay surgery on "Jax", a four-and-a-half-month-old female cat. Immediately after the spay Respondent administered the antibiotic Bentzathine penicillin, and Flunixin for pain. However, Respondent incorrectly recorded that amount of Flunixin as "0.ml" instead of the correct amount of "0.5 ml" in the patient medical records. The cat was kept at the clinic two nights for observation with the declaw bandages being removed on the second day.

3. On August 3, 2012, the client picked up Jax, but was not given any verbal post-operative care instructions. Respondent did not prescribe, and did not dispense any additional post-operative pain medications when the cat was discharged.

4. Three days later, the client noticed that Jax was unable to put any pressure on her right front paw and brought Jax to an emergency care veterinary clinic for examination. This subsequent treating veterinarian examined the cat, prescribed the antibiotic clavamox to treat an infection, prescribed the pain medications Ketoprofen and Buprenorphine to treat the post-operative pain from the spay, and prescribed an E-collar.

5. During the emergency visit, the client was informed that she needed to schedule an appointment to have the spay sutures removed because Respondent had not used dissolvable sutures.

6. The client was not aware that she needed to schedule an appointment to have the spay sutures removed. The client was not given any verbal instructions. She was given two post-operative instruction sheets for the declaw procedure, but was not given a post-operative instruction sheet for the spay procedure.

7. On August 13, 2012, the client and her partner returned to Respondent for the suture removal. The cat struggled, and bit Respondent while it was being held during the suture removal. Respondent used a mechanical restraint on the cat in order to finish removing the sutures, and so he could exam and confirm that the cat's toe was healing well.

8. Respondent said that he explained to the client's partner, while Respondent was out of the room, that the cat would have to be restrained with either a chemical restraint or a mechanical restraint, and the client's partner then chose a mechanical restraint. However, this is not documented in the patient medical records and the client's partner denies it.

9. It is Respondent's routine practice to not prescribe any pain medications for post-operation felines because he is concerned about the risk of kidney failure with NSAID's and because of the short duration effect of Buprenorphine, which is normally used to treat post-operative pain in felines. It is below the minimal standard of care for a veterinarian not to provide additional post-operative pain medications following feline surgical procedures where there is neutering and declawing.

10. On October 25, 2012, Respondent sold his veterinary clinic and practice to another veterinarian.

11. Respondent plans on volunteering his services as a veterinarian for animal shelters in Minnesota.

12. 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. By the conduct described in the Findings of Fact, Allen L. Lande, D.V.M. engaged in unprofessional conduct pursuant to Wis. Admin. Code § VE 7.06(1) by practicing veterinary medicine which evidences a lack of knowledge or ability to apply professional principles or skills.

3. By the conduct described in the Findings of Fact, Allen L. Lande, D.V.M. violated Wis. Admin. Code § VE 7.06(15) by failing to maintain records as required by Wis. Admin. Code § VE 7.03.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Allen L. Lande, D.V.M. is REPRIMANDED.

3. The veterinary license issued to Allen L. Lande, D.V.M. (license number 1239-50) is LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall successfully complete 4 hours of education on the topic of post-surgical pain control (including felines) and 2 hours of education on the topic of record keeping offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

b. 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.

c. This limitation shall be removed from Respondent's license and respondent will be granted a full, unrestricted license- after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within 90 days from the date of this Order, Allen L. Lande, D.V.M. shall pay COSTS of this matter in the amount of \$500.

5. Request of approval of courses and 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. 1239-50) 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

10-27-13
Date