

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

DON D. VEZINA, D.V.M.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003512

Division of Legal Services and Compliance Case No. 13 VET 030

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

Don D. Vezina, D.V.M.
1350 South Wasson Lane
River Falls, WI 54022

Wisconsin Veterinary Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 Don D. Vezina, D.V.M., (dob February 13, 1942) is licensed in the state of Wisconsin to practice veterinary medicine, having license number 949-50, first issued on January 01, 1967 and current through December 14, 2015. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1350 South Wasson Lane, River Falls, Wisconsin 54022.

2. At all times relevant to this proceeding, Respondent was practicing veterinary medicine at Vezina Veterinary Clinic, located in River Falls, Wisconsin.

3. Respondent was selected for an audit of his compliance with continuing veterinary education requirements for the period December 15, 2009 through December 14, 2011. On September 25, 2013, the Division of Legal Services and Compliance sent Respondent a letter requesting proof of completion of continuing education for that license period. His response was due by October 9, 2013.

4. On October 9, 2013, the Division received a letter from Respondent. The letter did not mention the continuing education audit request, and there were no continuing veterinary education certificates with the letter.

5. On December 20, 2013, an investigator for the Division sent Respondent a second request for proof of compliance with the continuing education requirement, and asked for his response by January 6, 2014. The Division did not receive any response to this letter.

6. On January 13, 2014, the Division sent a third request, by certified mail, return receipt requested, asking Respondent for proof of compliance with the continuing veterinary education requirement. The Division's letter requested an immediate reply from Respondent.

7. Respondent did not reply to the Division's letter of January 13, 2014.

8. On February 3, 2014, an investigator for the Division telephoned Respondent, and asked for an explanation of his failure to provide proof of compliance with the continuing veterinary education requirement. Respondent told the investigator that he was 72 years old, and did not take continuing veterinary education during the period December 15, 2009, through December 14, 2011, because he was considering retiring from practice.

9. Respondent applied for renewal of his veterinary license on November 29, 2011, using the Department's online renewal system. At 5:21 p.m. on November 29, 2011, Respondent certified that he had completed thirty credits of continuing veterinary education during the license period beginning December 15, 2009.

10. Respondent falsely certified to the Board that he had completed the 30 hours of continuing education required for renewal during December 2011 renewal process.

11. In resolution of this matter, Respondent tenders the surrender of his license to practice veterinary medicine in Wisconsin and he 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(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, Don D. Vezina, D.V.M., engaged in unprofessional conduct as defined in Wis. Admin. Code § VE 7.06(22)(a) by falsely certifying to the Board that he has completed the 30 hours of continuing education required for renewal.

3. By the conduct described in the Findings of Fact, Don D. Vezina, D.V.M., violated Wis. Admin. Code § VE 10.02(1) by failing to complete at least 30 hours of continuing education pertinent to veterinary medicine in each biennial renewal period.

4. In violating Wis. Admin. Code § VE 10.02(2), Respondent engaged in unprofessional conduct as defined by Wis. Admin. Code § VE 7.06(4), by violating an administrative rule that is substantially related to the practice of veterinary medicine.

5. As a result of the above violations, Don D. Vezina, D.V.M., is subject to discipline pursuant to Wis. Stat. §§ 453.07(1)(a) and 453.062(2)(a).

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license and privilege of Don D. Vezina, D.V.M., (license no. 949-50) to practice veterinary in the State of Wisconsin is hereby ACCEPTED.

3. In the event that Respondent petitions the Veterinary Examining Board for reinstatement as a veterinarian in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. Before the Board will consider any future application from Respondent for a license to practice veterinary medicine, Respondent shall first pay COSTS of this matter in the amount of \$400.00.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

WISCONSIN VETERINARY EXAMINING BOARD

by:

P. C. Johnson DVM
A Member of the Board

10/29/14
Date

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DON D. VEZINA, D.V.M.,
RESPONDENT.

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STIPULATION

0003512

Division of Legal Services and Compliance Case No. 13 VET 030

Respondent Don D. Vezina, D.V.M., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Veterinary Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

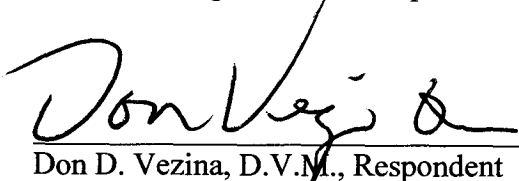
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

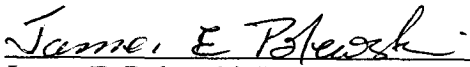
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Don D. Vezina, D.V.M., Respondent
1350 South Wasson Lane
River Falls, WI 54022
License no. 949-50

8-9-14

Date



James E. Polewski, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

July 23, 2014

Date