

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

KURT ZAESKE, D.V.M.
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0004162

Division of Legal Services and Compliance Case No. 12 VET 031

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

Kurt Zaeske, D.V.M.
8914 Jackson Park Blvd.
Wauwatosa, WI 53226

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 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, Kurt Zaeske, D.V.M., DOB November 9, 1961, is licensed by the State of Wisconsin to practice veterinary medicine, license number 3266-50. First granted on August 11, 1988 and current through December 14, 2015.

2. The most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) for Respondent is 8914 Jackson Park Boulevard, Wauwatosa, Wisconsin 53226.

3. The Division has received allegations that Respondent demonstrated unprofessional conduct in the following practice areas: record-keeping; informed consent; anesthesia and sedation; accessing, storage and use of controlled substances and prescription veterinary drugs; compliance with federal regulations pertaining to controlled substances and clinical competence.

4. The matter was not litigated and the allegations remain unproven.

5. Respondent has chosen for personal medical reasons to retire from the practice of veterinary medicine. In doing so, he denies wrong-doing.

6. In resolution of these matters he consents to entry of the Conclusions of Law and Order below.

CONCLUSIONS OF LAW

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).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of license to practice veterinary medicine issued by the State of Wisconsin to Respondent Kurt Zaeske, D.V.M. (license number 3266-50) is hereby accepted.

3. Respondent shall mail or physically deliver all indicia of Respondent's license to practice veterinary medicine in the state of Wisconsin to the Department Monitor within 14 days of the effective date of this order.

4. Under the terms of this Order, Respondent has voluntary and permanently relinquished his authority to practice veterinary medicine in the state of Wisconsin.

5. Indicia of Respondent's license to practice veterinary medicine in the state of Wisconsin 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. This Order is effective on the date of its signing.

WISCONSIN VETERINARY EXAMINING BOARD

By P.C. Johnson DVM
A Member of the Board

7/29/15
Date

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KURT ZAESKE, D.V.M.,
RESPONDENT.

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STIPULATION

0004162

Division of Legal Services and Compliance Case No. 12 VET 031

Respondent Kurt Zaeske, 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. Respondent is represented by Attorney Joseph Wirth.

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.

Kurt Zaeske
Kurt Zaeske, D.V.M., Respondent
8914 Jackson Park Blvd.
Wauwatosa, WI 53226
License no. 3266-50

6-16-15
Date

6/16/15

Joseph M. Jan
attorney for Respondent.

Sandra L. Nowack
Sandra L. Nowack, Attorney
State Bar Number 1025643
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
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sandra.nowack@wisconsin.gov

6/17/15
Date