STATE OF WISCONSIN

BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

JAMES B. ORVICK, D.V.M.	FINAL DECISION AND ORDER
RESPONDENT	LS0111281VET

The parties to this action for the purposes of sec. 227.53, Wis. Stats. are:

James B. Orvick, D.V.M.

Oregon Veterinary Medical Clinic

1145 Park Street

Oregon, Wisconsin 53575

Veterinary Examining Board

1400 E. Washington Avenue

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

1400 E. Washington Avenue

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter, James B. Orvick, D.V.M., personally and through his attorney, Bradway A. Liddle Jr., and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, agreed 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. 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

l. James B. Orvick, Respondent herein, of 1145 Park Street, Oregon, Wisconsin 53575, whose date of birth is October 5, 1943, is currently licensed to practice veterinary medicine under license number 1250 which was granted on June 16, 1972.

2. Formal investigations entitled 94 VET 32 and 95 Vet 43, are pending before the Wisconsin Veterinary Examining Board.

3. Respondent agrees that the veterinary medical records he generated in case 94 Vet 32 did not comply with the requirements of Wis. Adm. Code sec. VE 7.03.

4. Case 95 Vet 43 involves allegations that the veterinary care and treatment provided a male Schnauser owned

by Patricia Woodman at the Oregon Veterinary Medical Clinic in 1995 failed to meet the minimum standards of acceptable veterinary practice. Specifically, it is alleged that the veterinarians, who were employed in the clinic and were caring for the Woodman dog, failed to provide effective and timely treatment and failed to effectuate responsible transfer of the dog's care between the veterinarians.

5. Respondent was an owner of the Oregon Veterinary Medical Clinic in l995 but provided no direct care to the Woodman dog.

6. Following the incidents involving the Woodman dog, Respondent developed and implemented a patient treatment board which is posted in the clinic and lists current patients and the treatment required.

7. Respondent, in order to resolve this matter, has voluntarily agreed to the terms of the Order set forth below.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. sec. 453.04.

2. The Wisconsin Veterinary Examining Board has the authority to resolve this matter by stipulation without an evidentiary hearing pursuant to Wis. Stats. sec. 227.44(5).

ORDER

IT IS HEREBY ORDERED that, for any clinic in which Respondent holds an ownership interest, Respondent shall establish and maintain a system for the transfer of patient care between clinic personnel within the clinic and/or at the site the veterinary service is provided. Such system shall include a clear designation of the veterinarian responsible for the veterinary care to be provided to the animal. The identity of the veterinarian shall be noted in the patient record.

If the primary veterinary care transfers to another veterinarian within the clinic, Respondent shall be responsible for ensuring the second veterinarian is informed of and accepts the transfer of care. Such acceptance and transfer shall be noted in the patient record.

Respondent shall continue to maintain the patient treatment board or a similar system to identify the veterinary care required for each patient, the time it is to be administered and the individual responsible for providing the care. Respondent shall monitor the patient treatment board or similar system to ensure that veterinary treatment is provided as required. Respondent may delegate this monitoring function to an employee of the clinic under his direction and supervision.

IT IS FURTHER ORDERED that Respondent shall ensure that patient treatment and care ordered by Respondent is accomplished and shall document in the patient records when the treatment is provided.

IT IS FURTHER ORDERED that Respondent shall develop and maintain a record keeping system which complies with the provisions of Wis. Adm. Code sec. VE 7.03.

IT IS FURTHER ORDERED that Respondent shall permit a random audit of his patient transfer system and record keeping by the Board or Board representative within 6 months of the effective date of this Order.

IT IS FURTHER ORDERED, that the pending investigations 94 Vet 32 and 95 Vet 43 are closed without further proceedings.

Dated at Madison, Wisconsin this 28th day of November, 2001.

WISCONSIN VETERINARY EXAMINING BOARD

Diane Scott, D.V.M.

Chairman