

IN THE MATTER OF THE DISCIPLINARY :

PROCEEDINGS AGAINST :

: FINAL DECISION AND ORDER

TERRI A. RHODE, VT, : : LS0303123VET

RESPONDENT :

Division of Enforcement Case File No. 02 VET 031

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

Terri A. Rhode
1260 Kings Court
Green Bay, WI 54313

Veterinary Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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

1. Terri A. Rhode, VT (DOB 07/02/1961) is duly licensed to practice veterinary medicine in the state of Wisconsin (license #583). This license was first granted on 09/13/1989.

2. Ms. Rhode's most recent address on file with the Wisconsin Veterinary Examining Board is 1260 Kings

Court, Green Bay, WI 54313.

3. On or about April 29, 2002, was working as a veterinary technician at Green Bay Animal Hospital, 1518 Mason Street, Green Bay, Wisconsin.

4. On that date, a dog ["Susie"] was brought to the Hospital for a heartworm test. The Respondent and her supervising veterinarian had difficulty restraining the dog in order to obtain a blood sample, and the owner attempted but did not succeed in muzzling the dog.

5. The veterinarian and Respondent then took the dog in a back room to obtain the blood sample.

6. When the Respondent placed a tourniquet on the dog's front leg to draw blood, the dog had explosive diarrhea. The veterinarian then left the room to change his clothes.

7. The Respondent then started to clean the dog with a damp towel; she used scissors to cut the dog's matted hair on its hindquarters. When the Respondent bent down to cut the dog's hair, the dog turned and tried to bite her. The Respondent then kicked the dog. The owner alleges that Respondent in addition yelled at the dog, calling it a filthy pig.

8. Respondent asserts that her kicking the dog was reflexive and in self-defense. She denies yelling at the animal.

9. In resolution of this matter, Ms. Rhode consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction over this matter, pursuant to sec. 447.07(3), Wis. Stats.

2. The Wisconsin Veterinary Examining Board is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Wis. Stats.

3. The conduct described above constitutes a basis for discipline under secs. 453.07(1)(b) and (2)(a), Wis. Stats and Wis. Adm. Code §VE 9.05(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Terri A. Rhode (Wisconsin license #583) is **REPRIMANDED**.

IT IS FURTHER ORDERED that the license of Terri A. Rhode (license #583) to practice as a Veterinary technician in the State of Wisconsin is **LIMITED** as follows:

Training

1. Within six (6) months from the date of this order, Respondent shall submit documentation of successful completion of at least ten (10) hours of continuing education, therapy or other training acceptable to the Board in the areas of anger and/or stress management. To be acceptable, the course, therapy or training shall be pre-approved by a member or designated agent of the Veterinary Examining Board.
2. Within twelve (12) months from the date of this order, Respondent shall submit documentation of successful completion of at least six (6) hours of continuing education or other training acceptable to the Board in the area of restraint and management of animals. To be acceptable, the course or training shall be pre-approved by a member or designated agent of the Veterinary Examining Board.
3. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Respondent verifying her attendance and completion of course and/or therapy requirements.
4. Respondent shall be responsible for all expenses incurred for training and other reporting as required by this order.

Required reporting

5. For a period of six [6] months from the date of this Order, Respondent shall arrange for quarterly reports from her veterinary employer(s) reporting the terms and conditions of her employment and evaluating her work performance. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing Division of Enforcement.
6. Respondent shall notify the Department Monitor of any change of employment during the time in which the Order is in effect. Notification shall occur within fifteen (15) days of a change of employment and shall include an explanation of the reasons for the change.

Department Monitor

7. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving payment of costs and forfeitures, as well as coordinating all requests for approval of education or other petitions. The Department Monitor may be reached as follows:

Department Monitor
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 261-7139

Termination of restrictions

8. Upon complete, successful and continuous compliance with the terms of this Order, the Board shall restore Respondent's license to full and unrestricted status.

Summary Suspension

9. In the event that Respondent fails to timely comply with the requirements set forth in paragraphs 1, 2 and 3 above, her Wisconsin license to practice as a veterinary technician shall be SUSPENDED, without further notice or hearing, until she has complied with the terms of this Order. 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 pursuant to the procedures set forth in Wis. Admin. Code RL Ch. 6. 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.
10. This Order shall become effective upon the date of its signing.

VETERINARY EXAMINING BOARD

By: Diane Scott

3-12-03

On behalf of the Board

Date