
IN THE MATTER OF THE DISCIPLINARY :
 PROCEEDINGS AGAINST :

: FINAL DECISION AND ORDER

JULIE HARVEY, D.V.M., : LS0301152VET
 RESPONDENT. :

02 VET 014

The parties to this proceeding for purposes of sec. 227.53, Stats., are:

Julie Harvey, D.V.M.
 110 East Albert Street
 Portage, Wisconsin 53901

Wisconsin Veterinary Examining Board
 1400 East Washington Ave.
 P.O. Box 8935
 Madison, WI 53708-8935

Department of Regulation and Licensing
 Division of Enforcement
 1400 East Washington Ave.
 P.O. Box 8935
 Madison, WI 53708-8935

The parties in this matter, Julie Harvey, D.V.M., Respondent, personally and through her attorney, John R. Miller, and Pamela M. Stach, attorney for the Department of Regulation and Licensing, 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. 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. Julie Harvey, D.V.M., Respondent herein, of 110 East Albert Street, Portage, Wi. 53901, is currently licensed to practice veterinary medicine in the State of Wisconsin under license # 1932 which was granted on July 22, 1979.

2. A formal investigation, entitled 02 VET 014, is pending before the Wisconsin Veterinary Examining Board.

3. On November 21, 1994, Respondent performed a declawing procedure using the "sterile nail clipper" technique on the two front paws of a four month old male neutered cat owned by Nancy and Robert Luke.

4. On February 28, 2002, the Luke cat was presented at the clinic of Claudia Meyers, D.V.M. Upon examination and exploratory surgery, fragments of the third phalange were found in each of the toes and regrowth of nails was noted on four of the toes

5. Respondent has cooperated fully with the investigation and in resolution of this matter has agreed to voluntarily participate in a reeducational program on appropriate declawing procedures.

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 proceeding by Stipulation without an evidentiary hearing pursuant to Wis. Stats. Sec. 227.44(5).

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that Julie Harvey, D.V.M., Respondent herein, shall, within six months of the date of this Order, participate in and successfully complete a declawing educational program. The educational program shall require Dr. Harvey to observe ten (10) declawing procedures performed by a veterinarian that has been approved by the Veterinary Examining Board. The veterinarian conducting the program shall provide instruction at a location of his/her choice, in the performance of the various approved procedures for the declawing of cats, including the technique currently employed by the Respondent. Upon completion of this period of observation, Dr. Harvey shall satisfactorily perform five (5) declawing procedures at her clinic under the supervision of the approved veterinarian. Dr. Harvey may utilize a program currently available through the Veterinary Examining Board or may, in the alternative, submit a written proposal which complies with the terms of this Order from a veterinarian of her choice for consideration by the Board. Any veterinarian suggested by Dr. Harvey shall have no business or social relationship with the Respondent.

The names of the veterinarian/s conducting the declawing training program shall be submitted to the Veterinary Examining Board, or its designee, for preapproval prior to the commencement of the program. All costs of the program shall be the responsibility of Respondent.

IT IS FURTHER ORDERED that Julie Harvey, D.V.M., shall permit the person/s conducting the program to provide written evaluation of her participation in and successful completion of the course.

IT IS FURTHER ORDERED that the reports required to be filed with the Wisconsin Veterinary Examining Board be filed with:

Department Monitor

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

1400 E. Washington Ave.

Madison, WI 53708

All reports will be deemed filed with the Veterinary Examining Board upon receipt by the Department Monitor.

IT IS FURTHER ORDERED that Julie Harvey, D.V.M., shall appear before the Wisconsin Veterinary Examining Board, if an appearance is requested by the Board, at the conclusion of the education program to establish that she has complied with all of the terms of this Final Decision and Order. If such appearance is required, Dr. Harvey shall be notified in writing.

IT IS FURTHER ORDERED, that the pending investigation 97VET 41 is closed without further proceedings.

The rights of a party aggrieved by this Final Decision and Order to petition the Wisconsin Veterinary Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 15th day of January, 2003.

WISCONSIN VETERINARY EXAMINING BOARD

Diane Scott

A Member of the Board

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