

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

JAMES R. TRIPP, D.V.M.,
RESPONDENT

:
:
:
:

FINAL DECISION AND ORDER
LS0805146VET

[Division of Enforcement Case # 04 VET 002]

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

James R. Tripp, D.V.M.
1701 W. Wisconsin St.
Sparta, WI 54656

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

Wisconsin Veterinary Examining Board
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Wisconsin Veterinary Examining Board. The board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. James R. Tripp, D.V.M., Respondent herein, whose date of birth is May 23, 1943, is duly licensed to practice veterinary medicine in the state of Wisconsin under license number 1014. This license was first granted on or before January 1, 1968.
2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is 1701 W. Wisconsin St., Sparta, WI 54656.
3. At all times relevant to this action, Respondent was working as a veterinarian in Sparta, Wisconsin.
4. On March 26, 2003, Respondent surgically repaired a hernia in a five year old female New Foundland owned by Vaughn Kuehl.
5. Immediately prior to and during the surgery, the Respondent administered or ordered administered acepromazine, atropine, and pentothal 5% IV. The specific amounts administered are not reflected in the patient record.
6. On May 13, 2003, the Kuehl dog was again presented to Respondent to evaluate an opening midway along the previous abdominal incision. Respondent diagnosed a herniated omentum and recommended repair.
7. On May 28, 2003, Respondent surgically repaired the hernia. Immediately prior to and during the surgery, he administered or ordered administered acepromazine and atropine subcutaneously and pentothal intravenously. Respondent administered an initial amount of pentothal which he does not specifically recall. He administered additional amounts during the surgery but does not recall the amounts. The 20 cc. syringe which he recalls using was not completely administered. The specific amounts are not reflected in the patient record.
8. As the surgery was completed, the certified veterinary technician who was monitoring the animal during the surgery noted that the dog was not breathing. A pulse oximeter had been utilized during the surgery but Respondent is unaware of the readings and they are not recorded in the records. The certified veterinary technician did not advise Respondent of any abnormal readings during the surgical procedure.
9. Respondent administered or ordered administered atropine, epinephrine IV and intravenous Dopram V, and attempted other resuscitation attempts which were unsuccessful and the dog expired. The medication amounts were not noted in the patient records.
10. In treating the Kuehl dog, Respondent failed to adequately monitor and record the administration of the amounts of anesthesia provided the Kuehl dog.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 453.04, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).
2. The conduct as set forth in paragraph 10 of the Findings of Fact, constitutes a violation of Wisconsin Administrative Code §§ VE 7.06 (1), VE 7.03 and VE 7.06 (15).

ORDER

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

IT IS FURTHER ORDERED that James R. Tripp, D.V.M. is hereby REPRIMANDED by the Wisconsin Veterinary Examining Board.

IT IS FURTHER ORDERED that:

1. Respondent shall participate in and successfully complete four (4) hours of continuing education in anesthesia options, (selection, administration and monitoring), and two (2) hours of continuing education in recordkeeping. The courses shall be completed within nine (9) months of the effective date of this Order. A description of the courses' content and parameters shall be submitted to the Department Monitor at the address listed below. The Veterinary Examining Board, or its designee, shall review the materials for approval prior to Respondent's commencement of the programs. The courses may not be used to satisfy the statutory biennial continuing education requirement.

2. Respondent shall provide written documentation to the Department Monitor of successful completion of the courses.

3. Within three months of completion of the recordkeeping course, Respondent shall submit five (5) patient records created within those three months to the Department Monitor for review by the Board or its designee to determine compliance with the requirements of Wis. Admin. Code § VE 7.03.

4 All costs of the courses and submission of the medical records shall be the responsibility of the Respondent.

IT IS FURTHER ORDERED that:

Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of seven hundred thirty (\$ 730.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
FAX (608) 266-2264

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. 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. In the event Respondent fails to timely submit any payment of the costs as set forth above or fails to comply with the ordered continuing education, the Respondent's license (# 1014) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

This Order is effective on May 14, 2008.

Wisconsin Veterinary Examining Board

By: Robert Spencer
A Member of the Board

5/14/08
Date