

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
TIMIORTHY LABARGE, D.V.M., : FINAL DECISION AND ORDER
RESPONDENT. : ORDER 0000481

[Division of Enforcement Case # 06 VET 033]

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

Timothy LaBarge, D.V.M.
1605 Bovine Lane
Wausau, WI 54401

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

Veterinary Examining Board
Department of Regulation & 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. Timothy LaBarge, D.V.M., (D.O.B.: November 17, 1953) is duly licensed as a veterinarian in the state of Wisconsin (license # 2097-50). This license was first granted on June 19, 1980.
2. Respondent's last address reported to the Department of Regulation and Licensing is 1605 Bovine Lane, Wausau, Wisconsin 54401.
3. At all times relevant to this action, Respondent was working at the Wisconsin Valley Vet Service and performing volunteer work at the Lincoln County Humane Society in Merrill, Wisconsin.

4. On January 24, 2006, Kari Gripple adopted two year-old bull mastiff from the Lincoln County Humane Society.

5. On January 31, 2006, the bull mastiff was presented to the Respondent at the Lincoln County Humane Society for a scheduled neuter procedure.

6. The Respondent performed the castration procedure on the floor of the Humane Society on a clean blanket. The bull mastiff was anesthetized, shaved and surgically scrubbed before the castration. The Respondent used surgical equipment which had been chemically sterilized in a 30-40% betadine solution as opposed to being sterilized with an autoclave.

7. The Respondent made the incision with a blade in a location that is used for laser surgery. After performing the castration, the Respondent did not suture the incision line. He topically sprayed the incision with Furazolidone wound spray and administered Ampicillin intramuscularly.

8. The Respondent failed to maintain any records regarding the castration procedure.

9. On February 1, 2006, the bull mastiff was presented to Kate Alden, D.V.M., at the Rockwood Hospital for Pets. Examination revealed that the incision made by the Respondent had become swollen, were oozing pus and appeared to be causing discomfort for the dog. The dog was found to have a temperature of 104 degrees and was diagnosed with an infection of his scrotum. Dr. Alden dispensed Metacam and Simplicef medication to treat the infection.

10. Respondent's conduct in providing care and treatment to the bull mastiff failed to meet the minimum standards of acceptable veterinary practice and evidence a lack of knowledge or the ability to apply professional principles and skills in the following manner:

- a. The Respondent failed to maintain any records regarding the castration procedure.
- b. The Respondent failed to use a proper surgical technique in that the incision was placed in a location on the scrotum that is used for laser surgeries, not surgeries performed with a blade.
- c. The Respondent failed to suture the incision line following surgery.
- d. The Respondent failed to use equipment which had been sterilized using an autoclave.

CONCLUSIONS OF LAW

1. 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 and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as set out in paragraphs 4 through 9 above, constitutes a violation of Wis. Admin. Code § VE 7.06(1) and he is therefore subject to discipline pursuant to Wis. Stat. § 453.07(1)(f).

3. Respondent's conduct of failing to maintain adequate patient medical records as required by Wis. Admin. Code § VE 7.03, as described in paragraphs 4 through 9, above, constitutes a violation of Wis. Stat. § 453.07(2)(a) and Wis. Admin. Code § VE 7.06(15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent, Timothy LaBarge, D.V.M., is REPRIMANDED for the above conduct.

IT IS FURTHER ORDERED that:

2. Respondent shall, within nine (9) months from the date of this Order, obtain and successfully complete the Wisconsin Medical Veterinary Association's record-keeping course and a minimum of four (4) hours of continuing education in the area of general small animal surgery. The course(s) attended in satisfaction of this requirement may not be used to satisfy the statutory continuing education requirements for licensure.

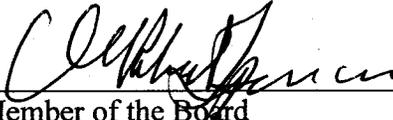
3. Respondent shall be responsible for obtaining the course(s) required under this Order, for providing adequate course descriptions to the Department Monitor, and for obtaining pre-approval of the courses from the Wisconsin Veterinary Examining Board, or its designee, prior to commencement of the programs. All costs of the educational programs shall be the responsibility of the Respondent.

4. Within thirty (30) days following completion of the course(s) identified in paragraph 2 above, Respondent shall file with the Department Monitor certifications from the sponsoring organization(s) verifying his attendance at the required courses.

5. 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 comply with the ordered continuing education as set forth above, the Respondent's license (# 4406-50) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs or completion of the continuing education.

6. This Order is effective on the date of its signing.

Wisconsin Veterinary Examining Board

By: 
A Member of the Board

10-20-10
Date