

STATE OF WISCONSIN
BEFORE THE VETERINARY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
:
PAMELA C. OGDEN, D.V.M., :
RESPONDENT. : ORDER 0001350

Division of Enforcement Case No. 10VET011

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

Pamela C. Ogden, D.V.M.
Oakwood Hills Animal Hospital
4616 Commerce Valley Road
Eau Claire, WI 54701

Division of Enforcement
Department of Safety and Professional Services
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

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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 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. Pamela C. Ogden, D.V.M., ("Respondent") was born on January 10, 1957, and is licensed to practice veterinary medicine in the state of Wisconsin pursuant to license number 2949-50. This license was first granted on July 8, 1987.

2. Respondent's most recent address on file with the Wisconsin Veterinary Examining Board is Oakwood Hills Animal Hospital, 4616 Commerce Valley Road, Eau Claire, WI 54701.

3. At all times relevant to this proceeding, Respondent was working as a veterinarian at Oakwood Hills Animal Hospital, 4616 Commerce Valley Road, Eau Claire, WI.

4. On the morning of November 21, 2009, Kristin Gentile contacted Respondent's clinic to advise that her pregnant Labrador retriever had delivered a dead fetus. Respondent was on call and advised the owner that labor has started and to wait as it would be progressing.

5. The second puppy was born at approximately 5:00 p.m.

6. The third puppy was born at approximately at 10:30 p.m.

7. On November 22, 2009, two additional puppies were born.

8. Ms. Gentile states that she made several calls to the clinic during the labor and was repeatedly advised that this was normal and to wait to see how the labor progressed.

9. Respondent acknowledges that there were "a couple" of telephone conversations but there are no notations in the medical records for the Gentile dog reflecting any calls or the discussions.

10. On November 22, 2009, at approximately 10:00 a.m. the owners met Respondent at the clinic after the dog had two hours of no further progress with delivering additional puppies and administered 20 U of oxytocin.

11. Within 35 minutes of the administration of oxytocin three additional puppies were delivered.

12. A second dose of oxytocin was administered at 11:00 a.m. with no further progress on delivery.

13. Respondent took a lateral radiograph which revealed the presence of 3 to 4 additional fetuses.

14. A C-section was then performed with delivery of three additional puppies.

15. An ovariohysterectomy was then performed on the Gentile dog.

16. Vital signs during the surgery were stable but the Gentile dog recovered very slowly following the surgical procedures.

17. A hematocrit count was taken to monitor blood loss.

18. The Gentile dog suffered respiratory arrest at 3:50 p.m., resuscitation attempts were unsuccessful and the dog died.

19. Respondent's conduct in providing care and treatment for the Gentile dog failed to meet the minimum standards in the profession and evidenced a lack of knowledge or ability to apply that knowledge in the following manner:

- a. Respondent failed to evaluate the difficult delivery in a timely manner.
- b. Respondent administered an excessive dose of oxytocin
- c. Respondent failed to proceed with the cesarean section in a timely manner.
- d. Respondent failed to properly monitor the dog's blood loss and the possible need for transfusion.
- e. Respondent failed to provide adequate and timely discharge instructions regarding on- going care for the neonates.

20. Respondent failed to maintain medical records which complied with the requirements of Wis. Admin. Code sec. VE 7.03 in that there is no record of the telephone contacts with the owners and the contents of the discussions, inadequate surgical and anesthesia records and a lack of discharge records.

21. Respondent has been cooperative throughout the investigation and has expressed significant remorse about the events set forth herein.

22. Respondent neither admits nor denies the allegations in this matter and believes she could defend these allegations, however in the interest of resolving this matter without further expense or hearing, and for the purposes of the resolution of the case before the Veterinary Examining Board only, Respondent agrees to entry of this Final Decision and Order by the Veterinary Examining Board.

CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. §453.07, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as set forth in paragraph 19 of the findings of fact constitutes a violation of Wis. Admin. Code sec. VE 7.06 (1).

3. Respondent's conduct in failing to maintain veterinary medical records which comply with Wis. Admin Code sec. VE 7 is a violation of Wis. Admin Code § VE 7.06(1) (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Pamela C. Ogden, D.V.M., is hereby REPRIMANDED.

IT IS FURTHER ORDERED THAT

2. The license of Pamela C. Ogden, D.V.M., to practice veterinary medicine in the State of Wisconsin is hereby LIMITED to require the following:

- a. Within nine months of the date of this Order, Pamela C. Ogden, D.V.M. shall successfully complete four (4) hours of continuing education in pregnancy evaluation, difficult labor, treatment options for dystocia, including cesarean section, and appropriate care of neonates.

- b. Within nine months of the date of this Order, Pamela C. Ogden D.V.M. shall successfully complete two (2) hours of continuing education in critical care, including the use of anesthesia.

- c. Within nine months of the date of this Order, Pamela C. Ogden D.V.M. shall successfully complete a medical records course of not less than one (1) hour.

- d. Respondent shall be responsible for locating the course(s) to fulfill the continuing education requirements.

- e. Respondent shall obtain preapproval from the Board or its designee for any course(s) she intends to take in meeting the requirements of this order. The Board may reject any course(s) if it does not appear to meet the ordered reeducation description, and may accept a course(s) for less than the number of hours for which Respondent seeks approval.

- f. Respondent is responsible for all costs associated with the compliance with this order.

- g. No part of the continuing education required by this order may be applied to the continuing education required for renewal of the Respondent's credential.

- h. All requests for approval of courses for compliance with this Order shall be addressed to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services

P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

i. Respondent shall submit satisfactory evidence of completion of the continuing education within thirty (30) days of completing the continuing education. Certificates of completion of the continuing education shall be sent to the Department Monitor at the address indicated above.

IT IS FURTHER ORDERED that:

3. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of nine hundred (\$900.00) dollars. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and mailed to the Department Monitor at the address provided above.

4. 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 pay costs as ordered or fails to comply with the ordered continuing education the Respondent's license (No. 2949-50) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

Wisconsin Veterinary Examining Board

By: Mathina K. Green DM JD
A Member of the Board

2/8/12
Date