STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF VETERINARY MEDICINE

IN RE:	)	
STEVEN P. SANFORD	)	**Docket No.: 2014-450**
License No. 052.0000827	)	

Members participating:
J. Drexel Wheeler, DVM
David Lamb, DVM (ad hoc member)
Ronald Svec, DVM (ad hoc member)
Terry York, Public Member
Jeanette Hogan, Public Member

Appearances:
S. Lauren Hibbert, Esq. for the State
Leighton C. Detora, Esq. for the Respondent

Presiding Officer, George K. Belcher, Esq.

Exhibits:

State Ex. 1: Stipulation and Consent Order dated October 14, 2010 in the matter of In re Steven P. Sanford, DVM, Docket No. 2010-40 before the Vermont Board of Veterinary Medicine
State Ex. 2: Copies of 21 CFR Secs. 510.105, 510.106, 530.5, 530.10, 530.11, 530.12, and 530.20
Respondent's Ex. A: Curriculum Vitae of Thomas A. Powell, Ph.D
Respondent's Ex. B: Psychological Evaluation of Respondent by Dr. Powell, dated August 6, 2015

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter was considered on December 10, 2015. The State of Vermont was represented by S. Lauren Hibbert, Esq. The Respondent was present and represented by Leighton C. Detora, Esq. Upon the evidence presented the Board makes the following findings of fact, conclusions of law, and order.

Introduction

This matter was submitted upon facts which were generally admitted as uncontested. Despite being uncontested, the view of the facts differed from the perspective of the State and

that of the Respondent. The parties could not agree upon the appropriate Board action or remedy; therefore, the matter was considered as a contested case.

Findings of Fact

1. The Respondent is a licensed Veterinarian, holding license number 052.0000827. He has been licensed in the State of Vermont since October 31, 1979. He has performed veterinary services over his extensive career in a "mixed practice" including large and small animals and dairy herds.
2. The Respondent is the President of Northeast Kingdom Veterinary Hospitals, P.C. which is a Vermont corporation. The corporation owns Derby Pond Animal Hospital in Derby, Vermont. The Respondent is the sole owner, chief operating officer, and head veterinarian of the hospital. The hospital hires other veterinarians and staff including veterinary technicians and a manager.
3. The Respondent's veterinary hospital was the subject of an "Establishment Inspection" conducted by the Federal Food and Drug Administration. FDA investigator, Isaac K. Carney, conducted the investigation and interviewed the Respondent.
4. Respondent admitted during the investigation, and in his answer to the Specification of Charges, that from January 2010 through December of 2012, Respondent's facility dispensed Gentamicin Sulfate injectable 100 mg/mL to a minimum of seven walk-in clients without an appropriate examination or diagnosis of the animals to be treated. The animals so treated included food grade cattle. The drug, Gentramicin Sulfate injectable 100mg/mL is not FDA approved for use in dairy or beef cattle. Gentamicin Sulfate injectable 100mg/mL FARAD discourages its use due to limited residue data and human safety issues if the drug enters into the human food chain.
5. Respondent admitted to the FDA Investigator, Isaac K. Carney, that the majority of the sales of Gentamicin Sulfate injectable 100 mg/mL were made in walk-in purchases and as a result, Respondent did not obtain information concerning which animals were treated with the drug or what ailments were being treated. Respondent stated that some of the walk-in sales were made to previous dairy clients or to individuals never seen by Respondent's Office. Drugs were dispensed by Respondent's office staff without the required Veterinarian-client-patient relationship.
6. Respondent did not educate patient owners of the appropriate withdrawal time of Gentamicin Sulfate injectable 100 mg/mL. Respondent provided one label, with one withdrawal period of 18 months, which was obtained from previous prescriptions for 28 vials of Gentamicin Sulfate injectable 100 mg/mL. This label was not calculated on an individual animal or upon a scientific basis which would require analysis of the type of animal and the animal's weight. Instead, the label and information on it was derived from a former large animal prescription written by another veterinarian, Dr. Karen Murphy. Dr. Murphy previously worked for the Derby Animal Hospital until June of 2007. The Respondent used the label created by Dr. Murphy, relying upon her knowledge.
7. The prevailing and acceptable standards of Veterinary Medicine do not recognize Gentamicin Sulfate injectable 100 mg/mL as the first choice standard of veterinary practice for use in food producing cattle.
8. Respondent stated to Investigator Carney that Northeast Kingdom Veterinary Hospital had 123 separate visits for walk-in sales between January 1, 2013 and March 31, 2014 from 39 different dairy clients. The walk-in sales included the purchase of needles,

syringes, suture materials, etc., with the majority of the sales related to over-the-counter drugs or prescriptions drugs. Respondent stated that all 39 clients (the majority of whom the Respondent had provided services to in the past but who currently do not have a Veterinary-client-patient relationship) maintained the ability to obtain prescription drugs for food producing animals without being specifically identified, examined, or diagnosed by Respondent or Northeast Kingdom Veterinary Hospital.

9. The Respondent sold Heparin on February 11, 2013 in a walk-in sale without knowledge of what ailment and animal the medication would be treating.
10. In October of 2010, in a completely separate matter from the case now before the Board, the Respondent entered into a Stipulation and Consent Order (Docket No. 2010-40). The Respondent acknowledged in the stipulation that the State of Vermont had evidence which, if believed at hearing, would support the charges contained in that Stipulated Order. The Respondent agreed to a six month suspension of his license and conditions upon his license for two years. The Respondent complied with the conditions and his license, at the current time, is not conditioned.

Distribution of Gentamicin Sulfate

11. The drug Gentamicin Sulfate injectable 100 mg/mL is an antibiotic which is required to be prescribed or restricted when sold by a veterinarian. There are concerns about this drug being used on food grade cattle and milk-producing cows due to the risk of the drug entering the food chain. When residual antibiotics enter the food chain through meat or milk, there are concerns about public safety. Gentamicin is a regulated drug in the sense that it requires special warnings and labels when given to food producing animals. (The Respondent conceded that there are no differences in veterinary safety practices and concerns between drugs with residue issues in food producing animals, like Gentamicin Sulfate, and prescription drugs.)
12. Calculation of the withdrawal period is the manner in which one determines how much time is required for a particular animal to be free of a dose of a particular drug. Without knowing the species of the particular animal, or the weight of the animal, calculation of the withdrawal period is not impossible.
13. Because the Respondent's hospital distributed Gentamicin Sulfate to walk-in clients, sometimes without knowing the client or the animal to be treated, no calculation of withdrawal time was made for those sales. The Respondent's use in 2010, 2011, or 2012 of a label made by Dr. Murphy in 2007, showing a withdrawal time of 18 months (when the treated animal type and weight is not known) would negate the value of the label.
14. The FDA federal regulation 21 CFR Sec. 510.105 requires that preparations containing antibiotics for use in milk-producing animals will be "misbranded" unless their labels bear appropriate warnings and directions for use to avoid adulteration of milk. 21 CFR Sec. 530.5 requires special record-keeping for extra-label use of drugs that have been determined to present a risk to the public health so as to identify the animals treated, the conditions treated, the dosages administered, and the specified withdrawal times for meat and milk. (See St. Ex. #2) Since the Respondent's hospital was distributing Gentamicin Sulfate without knowing the particulars of the intended usage by the purchasers, the requirements of these regulations were violated.

15. The Respondent accepted responsibility for his failures to adequately label and dispense Gentamicin Sulfate. He testified that this was "an oversight" on his part. He testified that he was "straightened out" by the FDA inspector, Mr. Carney.
16. The Respondent testified that he had failed to recognize that Gentamicin Sulfate was not to be used on food producing cattle. Given the nature of the drug, the general concern within the profession concerning contamination of consumable meat and milk, and the extent of federal regulation in this area, the Board finds the Respondent's testimony that he failed to recognize the limits upon the use of the drug to be not credible.

Lack of Veterinarian Client Patient Relationship

17. The Respondent further testified that it was the FDA inspector, Mr. Carney, who told him about the requirements of the Vermont Board of Veterinary Medicine Administrative Rules which require that a veterinarian have a Veterinarian-client-patient relationship for certain actions. BVM Rule 3.7 states in part as follows:

> (a) Veterinary prescription drugs should be dispensed only by or on the order of a licensed veterinarian in the presence of a valid veterinarian-client-patient relationship (V.C.P.R.)
> (b) Orders issued by a licensed veterinarians authorizing drug distributors to deliver prescription drugs to a specific client should be based on a valid V.C.P.R.
> (c) Prescriptions or orders issued by licensed veterinarians authorizing pharmacists to dispense veterinary prescription drugs to a specific client should be based on a valid V.C.P.R.
> (d) The V.C.P.R. exists when all of the following conditions have been met:
> (1) The veterinarian has assumed the responsibility for making clinical judgements regarding the health of the animal(s) and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions
> (2) The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) are kept.
> (3) The veterinarian is readily available or has arranged for emergency coverage for follow-up evaluation in the event of adverse reactions or failure of the treatment regimen. Reports of violations of these policy statements and guidelines shall be investigated by the Board and may result in disciplinary action.

18. The Respondent testified that he did not keep abreast of the "new rules" requiring a Veterinarian-client-patient relationship despite the fact that these rules have been in place for approximately ten years and despite the fact that the rules are fundamental to a veterinarian prescribing medications.
19. More importantly, the rules requiring a Veterinarian-client-patient relationship were part of the basis for the Respondent's 2010 case and, in fact, were recited verbatim in that Stipulation and Consent Order which the Respondent signed in September of 2010.
20. The Board finds the testimony of the Respondent concerning his lack of knowledge of BVM Rule 3.7 to be incredible and disingenuous.
21. The Respondent indicated in his answer that his error in failing to establish a Veterinarian-client-patient relationship at times was based in large part on his desire to assist the dairy community in the presence of a shortage of veterinarians to service the dairy community and that he assumed more knowledge on the part of purchasers regarding the use of medications they were purchasing. (See Answer, Page 4)

Lack of Supervision and Control of Veterinary Practice

22. While the Respondent acknowledged that he had made errors concerning his distribution of medications without adequate labeling, diagnosis, Veterinarian-client-patient relationship, and with a risk of meat and milk adulteration, he expressed little if any concern or insight about his lack of supervision or control of his veterinary practice. When asked how it was that medicines requiring a prescription were leaving his hospital without prescriptions, he could not answer what had gone wrong. When asked what his responsibilities were as the owner/principal of the veterinary practice regarding supervision of the staff, he stated that he did not know the rules and regulations concerning supervision so he could not answer the question.
23. When the Respondent was asked about inventory control of medications entering and exiting his hospital under his veterinary license, he stated that he did not know about his responsibility as the owner to supervise the practice and the dispensing of drugs.
24. The following exchange occurred during the testimony of the Respondent when asked questions by Board member Ronald Svec, DVM:

    Dr.Svec: And the other part that troubled me is that you were not aware that this was happening.
    Respondent: What was happening?
    Dr. Svec: That these drugs were going out of the building without a valid prescription.
    Respondent: Um Hm.
    Dr. Svec: And they were ultimately, because I see quite a number of instances if I read through the record quickly, that there were a number of instances that were happening, so obviously drugs had to be reordered.
    Respondent: Um Hm.
    Dr. Svec: And that would have been ultimately under your approval.
    Respondent: The way I work my practice was, I could be thirty miles away, doing productive work and generating income and helping the animals and the farmers of any species. I didn't know what was going on back at the hospital… who's coming and going. My office manager ordered all the drugs. I didn't talk to the drug reps and order the drugs… so this whole thing about delegation … and this is why now I'm glad to get small, again, because now I can actually see with my own two eyes what's going on, and before it was really, really tricky to know what was happening.
    Dr. Svec: So is it fair to say that you should have known what was going on?
    Respondent: I mean, again, I don't know how you do it. If you're in a small animal hospital and you're all there in a confined space, it's a lot easier. When you're spread out, thirty, forty mile radius…. Sometimes I would not even see any of the people … my day would start before they got to work, and my day would end, you know you just…..
    Dr. Svec: Well, I understand that.
    Respondent: So I could not possibly keep track of everything that was going on. Absolutely not. And no one… I don't think anybody else could have done any better, quite frankly.

Dr. Svec: Would you agree that you should have known this, should have been overseeing this, should have been aware… Is that fair to ask?
Respondent: Well if that's the case, I wouldn't even attempt it.
Dr. Svec: You would not ever attempt it?
Respondent: Yes. You're being asked to do something that is beyond do-able.
Dr. Svec: And what was your understanding as to why those bottles of Gentamicin were on the shelf and that they were leaving, not being dispensed as per injection, but as a bottle?
Respondent: There were shelves, and lots of shelves, and lots of bottles, and it wasn't like I walked around every day looking at the inventory, again, and I'm not going to find fault in myself because I don't believe anybody could have done it much better.

25. The Respondent failed to demonstrate knowledge of his responsibilities of supervision of veterinary hospital staff, of which he was the owner and head veterinarian. He failed to understand his duty to supervise staff concerning the processing of veterinary drugs.
26. At other times during the testimony of the Respondent, he explained his practice errors resulting because he had "tried to do too much" implying that he was overwhelmed. In his answer to the Specification of Charges, the Respondent explained to Inspector Carney that the Respondent had overlooked the need for a valid Veterinarian-client-patient relationship when dealing with food producing animals "given all that Dr. Sanford was dealing with at the time." See. Answer, Paragraph 4(b), Page 2. The answer went on to explain that the Respondent was dealing with medical issues marital issues, previous addiction and previous disciplinary action during the period of 2010 through 2014. Id. page 6.

Miscellaneous Facts

27. The Respondent was evaluated by Dr. Thomas Powell, a licensed doctor of psychology. Dr. Powell gave the following opinion:

> Dr. Sanford appears to be emerging from a particularly difficult eight year period during which he experienced a contentious divorce, the range of physical maladies, significant work overload, emotional upheaval, and a time of alcohol dependency. As noted by Dr. Barnett and Dr. Bisbee, he was emotionally volatile and reactive leading to a number of interpersonal and professional difficulties. Documents describing his conduct prior to the 2010 case suggest a high level of volatility, reactivity and unhappiness, compromising his ability to safely perform his job duties at that time. Since then he has resolved the stress-inducing factors in his life. Today he enjoys a stable relationship with a healthy partner, a new home, a long-term therapeutic relationship with a knowledgeable psychologist, sobriety and a sense of order in his life. Details and charges related to his 2014 case are markedly different from those that occurred in 2010.

28. Dr. Powell testified that the Respondent, in his opinion, would be able to comply with the ethical obligations of his profession and that he was more able to that since his life had recently "quieted down" and become more stable. Dr. Powell did not have a professional opinion as to whether professional supervision would be necessary to assure that the Respondent's practice was within practice guidelines.
29. It was the position of the Respondent that he will not service bovine animals if so-ordered by the Board and that he would willingly take any educational courses which would

improve his practice. He is willing to self-govern his veterinary practice. He did not agree to a mandated practice supervision.

30. The veterinary license of the Respondent is vitally important to him, both professionally and personally.

Discussion and Conclusions of Law

31. The Board, in its consideration of this case, has weighed the facts and the arguments of the parties. The protection of the public is the paramount duty of the Board in the context of the practice rules and statutes regulating the veterinary profession. 26 VSA Sec. 3101.
32. The Vermont State Board of Veterinary Medicine has jurisdiction to investigate and adjudicate complaints of unprofessional conduct, and to license and renew licensees pursuant to 3 VSA Secs. 129, 129a, 814, 26 VSA Ch. 44, and the Vermont Board of Veterinary Medicine Administrative Rules, and the Office of Professional Regulation Rules.
33. A finding of unprofessional conduct is the gateway finding to the imposition of discipline against a professional's license. 3 VSA Sec. 129a(d). Upon a finding of unprofessional conduct on the part of a licensee, the Board may issue warnings or reprimands, suspend, revoke, limit, condition or prevent renewal of the respondent's license. 3 VSA Sec. 129(a)(3).
34. The State bears the burden of proof in a disciplinary proceeding to show by a preponderance of the evidence that the respondent has engaged in unprofessional conduct. 3 VSA Sec. 129a(c). The Board determines that the State has met its burden in the following areas.
35. The Board concludes that the Respondent has failed to comply with provisions of state and federal rules governing the practice of the profession, specifically BVM Rule 3.7 and 21 C.F.R.Sec. 530.5 and 510.105. This is unprofessional conduct. 3 VSA Sec. 129a(a)(3).
36. The Board concludes that the Respondent delegated professional responsibilities to a person or persons whom the licensee knows or has reason to know is not qualified by training, experience, education, or licensing credentials to perform them. He did this by distribution of injectable Gentamicin Sulfate to clients without supervision, with the mere hope that they would use it correctly, with proper precautions. He also allowed those of his staff who were not licensed to distribute drugs, medicines, and veterinary supplies without adequate supervision. This is unprofessional conduct. 3 VSA Sec. 129a(6).
37. The Board concludes that the Respondent failed to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession. He did this by gross failure to follow BVM Rule 3.7, as well as his lack of supervision of certain medication parts of his veterinary practice. This is unprofessional conduct.
38. The Board concludes that the Respondent failed to practice competently by reason of any cause on a single occasion or on multiple occasion, whether actual injury to a client, patient, or customer occurred. Failure to practice competently includes performance of unsafe or unacceptable patient or client care or failure to conform to the essential standards or acceptable and prevailing practice. The Respondent distributed drugs in a manner which put the general public at risk and in a manner which was outside of the

essential standards and prevailing practice of the profession. This is unprofessional conduct. 3 VSA Sec. 129a(b)(1 and 2).

39. The Board does not conclude that the Respondent committed any acts which show "moral unfitness" to practice veterinary medicine under 26 VSA Sec. 2431(b)(2).
40. While the Respondent argues that no order of supervision of his practice is required in order to protect the public, the Board concludes otherwise. First, although the charges in this case are not as stark as the charges in 2010, the Board seriously considered imposing another suspension given the prior, recent discipline case. Second, the Respondent, at times during his testimony, failed to acknowledge deficiencies in supervision and administration. He seemed to state that he did not know what his responsibilities in this area were, despite being the head of a veterinary practice with 36 years of experience. Thus, peer supervision is needed.
41. It was the State's position that conditions upon the license and practice of the Respondent would be adequate protection of the public and the Board agrees that the conditions which follow, if followed by the Respondent, should protect the public from the concerns raised in this case. Of course, it is ultimately up to the Respondent to assure that he practices his profession in a safe and capable manner. The Board is impressed with the progress he has made in his personal life and the Board weighed this carefully in making its determination of remedy in this case.
42. The conditions which are ordered below were revised from those requested by the State. The Board is hopeful that the Respondent will make the best use of the ordered supervision to resolve the practice issues which were present in his case and improve his overall practice.

ORDER

It is **ORDERED AND ADJUDGED** as follows:

A. The Board of Veterinary Medicine hereby **CONDITIONS** the Respondent's license to practice as a veterinarian for a **MINIMUM OF THREE (3) YEARS from the date of entry below.** The conditions will be as follows:

(1) Issuance of License.

Upon the commencement of these conditions, Respondent shall be issued a license labeled "conditioned."

(2) Length of Time Conditions Imposed.

The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the conditions until Respondent completes a minimum of three (3) years of supervised veterinary practice in which he works at least forty (40) hours every two (2) weeks as a veterinarian. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis. The supervision shall include all veterinary practice the Respondent engages in during the conditional period.

(3) Prohibitions:

While working under this conditional license, Respondent is prohibited from working on food production animals, including dairy and meat.

(4) Supervision:

Within one (1) month of the commencement of the conditions, the Respondent shall retain a licensed veterinarian to provide supervision to the Respondent when he engages in any practice of veterinary medicine. This veterinarian shall be approved by the Board. The Respondent shall be supervised for a minimum of three (3) years. The independent veterinarian shall provide reports to the Board as outlined below.

(5) Reports from Supervisor and/or Employers.

Within one (1) month of the commencement of the conditions, the Respondent shall cause the veterinarian providing the Respondent's supervision to submit to the Board a report evaluating the Respondent's work performance. Thereafter, on a quarterly basis for the remainder of the conditioned period, the Respondent shall cause the veterinarian to submit to the Board an evaluation of Respondent's work performance. All reports shall indicate satisfactory performance and adherence to the essential standards of practice for veterinary medicine. All reports shall be submitted in writing on the veterinarian's letterhead. The responsibilities of the veterinarian shall be as follows:

a) The veterinarian shall conduct an audit on three (3) cases per month selected at random for the first year of the conditional license;

b) The veterinarian shall discuss with staff any practice concerns that have surfaced including issues of Veterinarian-client-patient relationships and drug inventory/dispensing; and,

c) The discussions with staff shall be on a confidential basis so that Respondent is not aware of which staff may or may not be reporting.

If the Respondent leaves his current or future self-employed practice, the Respondent shall cause every veterinary employer that the Respondent has worked for during remainder of the conditioned period to submit to the Board an evaluation of Respondent's work performance and attendance during that period on a quarterly basis. All quarterly reports shall indicate satisfactory performance and attendance. All reports shall be submitted in writing on the employer's letterhead.

(6) Required Coursework.

Respondent shall enroll in and complete successfully a course in Veterinary Ethics that is pre-approved by the Board. (The Board pre-approves the course *Veterinary Law and Ethics* offered by Iowa State University, Course instructor, James F. Wilson, DVM, JD.) Failure to complete such a course within one (1) year shall constitute a violation of this Order. The Respondent shall submit documentation to the Board of satisfactory completion of the course.

(7) Notification to Employers.

If the Respondent leaves his current or future self-employed practice, the Respondent shall provide a copy of this Order to all employers in any current or future setting during the conditioned period in which Respondent practices as a veterinarian and inform them of Respondent's conditional license status. Within ten (10) days of leaving self-employed practice and any subsequent veterinary employment, Respondent shall cause Respondent's immediate supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of this Order and the ability to comply with the conditions therein

(8) Interview with Board or its Designee.

Respondent shall appear in person for interviews with the Board or its designee upon request.

(9) Out of State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Order. The Board will approve out-of-state practice so long as Respondent can still comply with the provisions of this Order.

(10) Notification of Place of Employment/Personal Address/Telephone Number.

Within five (5) days of the date of entry of this Order, Respondent shall notify the Board, in writing, of his current place of employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in employment (including resignation or termination), personal address, or telephone number.

(11) Notification to Other States.

In the event that the Respondent is licensed as a veterinarian in any other state(s), he must inform the veterinary licensing board of the state(s) in which the Respondent is licensed of the conditional status of his Vermont veterinary license within thirty (30) days of the date of entry of this Order. If the Respondent fails to provide such notification, it will be considered a violation of this Order.

(12) License Renewal.

If the Respondent's license expires while this Order is still in effect, this Order does not automatically extend the license. In that situation, in order to continue to practice as a veterinarian, the Respondent must timely apply for renewal, pay the applicable fee and demonstrate that he has otherwise complied with the requirements for license renewal.

(13) Costs.

The Respondent shall bear all costs of complying with this Order.

(14) Violation of this Order.

If the Respondent violates the terms of this Order in any respect, the Board, after giving the Respondent notice and an opportunity to be heard, may rescind or modify this Order and impose additional appropriate disciplinary actions. If a complaint of unprofessional conduct is made against the Respondent during the term of this Order, this Order shall be automatically extended until the unprofessional conduct matter is concluded.

(15) Completion of Conditional License Period.

After the conditional license period, the Respondent may petition the Board, or it's designee to remove any and all conditions on his license. The Respondent must present proof that he has fully complied with the terms of this Order. The Respondent must demonstrate, to the satisfaction of the Board, that he poses no danger to the public or the practice of veterinary medicine and that he can safely and competently perform the duties of a veterinarian.

B. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal, and license reinstatement.

C. This Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

D. This Order will remain part of the Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

Vermont Board of Veterinary Medicine

By: J. Drexel Wheeler DVM
J. Drexel Wheeler DVM, Chair

Dated: 1- 11 - 2016

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 1/11/16

APPEAL RIGHTS

A party aggrieved by a final decision of a board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, 89 Main St., Fl. 3, Montpelier, VT 05620-3402 within 30 days of the entry of this Order. If an appeal is filed, the Director of the Office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the board. In cases of alleged irregularities in procedure before the board, not shown in the record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§ 129(d) and 130a.