The College of Veterinarians of Ontario protects and serves the public interest in accordance with its mandate. One of the College’s many responsibilities is to oversee the professional conduct of Ontario’s veterinarians. The College receives, investigates and, if required, acts upon complaints made against licensed members.

The outcome of a Discipline hearing is public information. The College is committed to sharing disciplinary information with licensed members, the public and other stakeholders to maintain the public trust.

The College has a legal responsibility to disclose the names of members who have been found guilty of professional misconduct. The College publishes summaries of Discipline hearings to help inform licensed members and the public about the regulation of the veterinary profession. These summaries are intended to provide a greater understanding of the issues surrounding professional misconduct and the veterinary profession’s accountability to the public.

- The outcome of a Discipline case is specific to the particulars of that case. The published summary does not include all of the details of the decision.
- When the decision of a Discipline Committee results in a condition or limitation on a member’s licence, the Veterinarians Act requires that this be disclosed. The Committee’s decisions and reasons are not intended to set standards or to be instructive or prescriptive to veterinarians.
- Although the publication is not intended to be instructive to veterinarians, the summaries do provide licensed members with an opportunity to reflect on their own practices.

Findings from Discipline proceedings are found on the College’s website at www.cvo.org under Suspensions and Revocations. The findings are also posted on the “Public Register” under the name of the veterinarian involved.

For a complete copy of a Discipline decision, please contact the College directly.

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ALLEGATIONS OF PROFESSIONAL MISCONDUCT

• failed to maintain the standard of practice of the profession
• signed or issued a veterinary certificate, report or similar document without ascertaining, or taking reasonable measures to determine the accuracy of its contents
• an act or omission relevant to the practice of veterinary medicine that, having regard to the circumstances, would be regarded by members as disgraceful, dishonourable or unprofessional

BRIEF SUMMARY

A large-breed dog was the member's long-standing patient. The dog had a history of bilateral tibial-plateau-leveling osteotomy and chronic musculoskeletal pain in his hind legs and had been prescribed meloxicam for some time.

In an effort to find a less expensive source of meloxicam, the member issued a prescription for meloxicam to be obtained at a pharmacy. However, rather than issuing a prescription for 7.5 mg once per day, the member wrote the prescription for 75 mg once per day.

The pharmacy called the member to confirm the prescription, which he did. The client gave meloxicam to the dog in the amount prescribed for two days.

The client called the member as the dog was unable to walk. The member went to the client's home and found the dog recumbent, tachycardic and with pale mucous membranes. When the member saw the drug bottle, he realized that he prescribed a grossly excessive amount of meloxicam and he immediately advised the client.

The member took the dog to the clinic where he was treated for acute renal failure. However, the dog arrested and died not long after his admission.

DECISION

The member pleaded and was found guilty with respect to the allegations. The College and the member had negotiated an Agreed Statement of Facts, including an admission of professional misconduct.

PENALTY

• Reprimand
• Suspension of the member's licence to practise veterinary medicine for two months, one month to be remitted if the member completes a one day mentoring session dealing with practice management, including the proper management and recording of medication
• The mentor shall provide a report on issues discussed and the member's compliance with relevant standards of practice following the mentoring session
• A condition and limitation is imposed on the member's licence to practise veterinary medicine requiring the member to undergo two practice audits addressing practice management issues, including prescribing medication and proper documentation
• The member will pay costs to the College of $2,000
• Pursuant to legislation, this matter is published including the member's name

PANEL'S REASONING

The panel agreed the member issued a veterinary certificate or document without reasonable measures to determine the accuracy of its contents. The inaccuracy was evident in the written prescription.

Finally, the panel agreed the member's conduct would be regarded by veterinarians as unprofessional. He failed to verify the dosage, even when called by another professional, which should have been a flag to do so.

The parties had agreed upon penalty and presented it as a joint submission.

The penalty emphasizes remedial action by decreasing the suspension length for participation in rehabilitation, while maintaining the emphasis on the importance of professional conduct.

The panel recognized that the member did readily console the client, and admit immediately his mistake, upon recognizing the likely problem.
Summary of Discipline Committee Hearing

DR. LAURA PALUMBO

Hearing Date: September 18, 2014

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

Spay and Dental Surgery through a Mobile

• failed to meet the standards of practice of the profession by:
  a. performing procedures contrary to the Minimum Standards for Veterinary Facilities – Companion Animal Hospital
  b. performing procedures outside a properly accredited facility
  c. failing to place a peripheral intravenous catheter
  d. failing to place an endotracheal tube
  e. using an inappropriate anaesthetic protocol
  f. failing to arrange for appropriate surgical assistance

London Animal Care Centre (LACC)

• prescribed, dispensed and/or administered controlled substances, in particular Euthanyl, without recording details of use
• administered anaesthesia without first weighing patients
• failed to maintain proper records

BRIEF SUMMARY

Spay and Dental Surgery through a Mobile

The member went to the clients’ home and performed a dental cleaning and extracted several teeth from the clients’ cat. The member performed these procedures on the clients’ kitchen table with the assistance of an untrained auxiliary. The member returned to the clients’ home and performed a spay surgery on the cat on the kitchen table with the assistance of an untrained auxiliary. Neither was performed as a result of an emergency.

London Animal Care Centre (LACC)

When providing veterinary services at LACC, the member euthanized pregnant cats by means of intraperitoneal injection. On a number of occasions the member left LACC after she administered pentobarbital (Euthanyl) to cats, before verifying that they died. Further, on these occasions the member left various quantities of Euthanyl with LACC staff to administer in her absence should any cats remain alive. The member left the Euthanyl in syringes that were not secured.

When performing spays and neuters on cats, the member administered isoflurane by mask rather than through an endotracheal tube.

DECISION

The member pleaded and was found guilty with respect to the allegations. The College and the member had negotiated an Agreed Statement of Facts, including an admission of professional misconduct.

PENALTY

• Reprimand
• Suspension of the member’s licence to practise veterinary medicine for two months, one month of which shall be remitted if the member completes two days of mentoring addressing the standards and requirements relating to euthanasia and controlled substances; completes one day of mentoring addressing the shelter medicine issues raised in this matter; and prepares a research paper addressing the proper management and documentation of the use of controlled substances, shelter medicine best practices, the importance of accreditation and describing what was learned during the period of mentoring
• The member is responsible for the costs, including the costs of the mentor’s time, but not charged more than $1,000 for any single meeting or report that is required by the mentor or the reviewer

• The member will pay costs to the College of $2,250
• Pursuant to legislation, this matter is published including the member’s name

PANEL’S REASONING

During deliberations, the panel asked the Independent Legal Counsel (ILC) whether they were bound to the expert evidence regarding the standards of practice of the profession. The ILC confirmed the panel ought to accept the expert’s opinion as to the standards of practice. The parties agreed with the advice provided.

By accepting the Agreed Statement of Facts, the member recognizes that performing dental extractions and dental cleaning and performing an ovariohysterectomy (OVH) in a client’s home falls below the standards of veterinary medicine in Ontario and is contrary to the Minimum Standards for Veterinary Facilities-Companion Animal Mobiles. The panel agreed.

While the experts were cognizant of the moral dilemma faced by the member with regard to the cat’s owners’ reluctance to take her to a veterinary hospital and threat of euthanasia, they agreed the member failed to take appropriate steps in the circumstances.

The panel finds that while some cats in Ontario may live in less than ideal conditions, veterinarians must maintain the minimum standard of veterinary care for these animals. In the case of the clients’ cat, these options for alternative veterinary care were not fully explored. Although the cat’s owners refused to take her to a veterinary hospital for dentistry and an OVH, they did take her to a veterinary clinic when she showed evidence of incision dehiscence.

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The member admitted that she performed intraperitoneal euthanasia on pregnant cats which was defined as below the acceptable standard of practice by the expert witness. She has also admitted to leaving the facility before confirming the animals had died.

The member has admitted to not properly recording controlled drugs including pentobarbitol (Euthanyl) and analgesics and anaesthetics such as ketamine and Torbugesic. The member admitted to leaving pentobarbitol with support staff to administer to the animals that were previously euthanized.

The panel noted that proper handling and recording the use of narcotics and controlled substances is an important requirement for veterinarians. Failure to do so is not only dangerous; it could result in criminal sanctions. Of more concern is the possible abuse of such drugs by herself or other staff at LACC. The most serious consequence would be intentional or accidental death.

In addition to keeping inadequate drug logs, the member admitted to keeping inadequate surgery and anaesthetic logs, which is a requirement of the minimum standards of practice. The member did not include the weight of animals in the logs and has admitted that animals over 15 lbs. were not weighed. This is a concern not only due to the lack of proper medical record keeping, but concern over the adequacy and safety of the drugs administered without an accurate measurement of the animal’s weight.