

Summary of Discipline Committee Hearing



DR. GALINA MUSTERS

Hearing Date: December 16, 2014

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- attached the descending colon to the right abdominal wall rather than attaching it to the stomach
- failed to maintain the standard of practice of the profession
- 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
- failed to make proper records

BRIEF SUMMARY

The panel and the member revised the allegations and accepted the following Agreed Statement of Facts.

The member examined a nine-year-old Doberman that had an enlarged abdomen, restlessness and unproductive vomiting. The dog had a distended abdomen and required immediate surgery for suspected gastric dilation and volvulus (GDV). The client consented to the member performing a gastropexy.

The member decompressed and untwisted the stomach but rather than attaching the stomach to the right abdominal wall, she attached the descending colon to the right abdominal wall.

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 three months, two months to be remitted if the member completes a medical records workshop and a one-day mentoring session or course addressing surgical technique in companion animals. Prior to the workshop, the member must provide the reviewer with at least 10 patient charts
- The member will pay costs to the College of \$5,000
- Pursuant to legislation, this matter is published including the member's name

PANEL'S REASONING

The panel considered and accepted the evidence given by the expert for the College and the reporting letters from a board certified surgeon, who performed a subsequent gastropexy on the dog.

The surgeon reported examining the dog two months after the original procedure. Upon exploration of the dog's abdomen, the member discovered there was no evidence of a previous gastropexy, but instead a colopexy had been performed. The expert for the College reported, considering the evidence examined, the member did not perform the appropriate surgery and stated this was a serious breach in practice standards and contributed to the dog needing a second surgery. The member also failed to provide pertinent details in regards to her surgical

technique in her medical records, which fell below standards of the profession.

The panel first noted similar penalties imposed by the College in the past and found that the penalties in this case were within an acceptable range.

While the panel recognizes that costs are not meant to be punitive, it notes the costs order, coupled with the penalty of a suspension and publication of her name, will act as a deterrence for the member and members of the profession as a whole.

The panel also believes that the completion of a medical records workshop, a review of medical records, and an educational course or mentoring session addressing surgical techniques in abdominal surgery in companion animals will assist greatly in rehabilitating the member and protect the public.