

Summary of Discipline Committee Hearing



DR. SANDRA WATZIN

Hearing Date: January 10, 2019

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- could not locate the retained testicle at any time prior to the neuter surgery
- failed to properly examine the dog pre- or intra-operatively to determine the location of the right testicle;
- failed to ascertain whether she removed the retained testicle during the surgery;
- failed to confirm whether the tissue she excised was in fact some or all of the retained testicle, including failing to recommend or perform a post-operative ultrasound, histology or blood work
- failed to maintain proper records
- 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 unprofessional

BRIEF SUMMARY

The member saw a dog for a neuter surgery. The member was already aware the dog had an undescended testis. The member performed the neuter surgery and charted that it proceeded "uneventfully."

The member subsequently saw the dog for post-operative care and regular check-ups.

Three years later, the dog had developed difficulty urinating and defecating and became lethargic. The dog was taken to another veterinarian where blood tests showed, among other things, marked leukopenia, neutropenia and thrombocytopenia. The dog was subsequently transferred to another hospital for emergency care.

At the hospital, the dog was started on intravenous fluids and antibiotics and later received a plasma transfusion and platelet concentrated plasma.

An abdominal ultrasound demonstrated a large peritoneal testicular mass and prostate cyst with prostatomegaly. Given these results, Sertoli cell tumor from right cryptorchid testicle was highly suspected along with bone marrow suppression secondary to the excessive secretion of estrogen from the tumor.

During surgery, a large right testicular mass was excised as well as a lymph node in the lower right abdomen. Histopathology confirmed the mass to be a Sertoli cell tumour and the lymph node to be hyperplastic.

The dog was discharged and placed on antibiotics. He improved over the course of the following weeks although pancytopenia persisted and resolved slowly.

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 from January 27, 2019 to February 24, 2019.
- Completion of the College's online learning module series Foundations for Medical Record Keeping: Companion Animal.
- A half day assessment to evaluate the members' knowledge of proper diagnostic and surgical protocols for cryptorchid neuter surgery.
- A one day mentorship on the issues raised in this case including proper diagnostic and surgical protocols for cryptorchid neuter surgery.
- A follow-up half day assessment to review what the member learned in the mentorship.
- A peer review of up to eight medical records. If necessary, two additional reviews of medical records will be conducted to evaluate the quality of the records and the results of the reviews may be reported to the Executive Committee for possible action.
- The member will pay costs to the College of \$3,500
- Pursuant to legislation, this matter is published including the member's name

PANEL'S REASONING

Reasons for Decision: During its deliberations, the Panel reviewed the Agreed Statement of Facts and considered the nature of the professional misconduct that the member had admitted to. The Panel agreed the member failed to adequately examine her patient or to conduct follow up laboratory tests to determine whether the retained testis had been removed, as well as her failure to maintain proper records, constituted professional misconduct as alleged.

Reasons for Penalty and Costs Decision: In listening to arguments presented by College counsel, the panel was aware that it would be very unusual for a Discipline panel to reject all or part of an agreed submission on penalty and costs without exceptional and compelling reasons. The panel found no such reasons.

College counsel presented four similar cases which all included a reprimand, a period of licence suspension ranging from one month to four months, some form of remedial educational measures, and publication of the member's name. The panel found the proposed penalty and assessment of costs to be within the acceptable range for this type of professional misconduct.

The panel agreed that the proposed penalty

sent a strong message to the member to consider each case fully and to ensure that additional diagnostics are considered when a question arises related to a case. The Panel also agreed that the penalty took into account the member's previously unblemished record and that the proposed remediation plan appropriately targeted the shortcomings the member admitted to in the Agreed Statement of Facts.

The function of the College is to protect the public interest and the panel was of the opinion that the conditions of the joint submission fulfilled that mandate. General deterrence was provided by publication of the facts of the case (including publication of the member's name) and by the licence and financial penalties imposed. Specific deterrence was provided by the reprimand that served to impress upon the member the seriousness of her misconduct and the dishonour that it brought to the profession. The public reprimand and publication of the case provide transparency for the proceedings and provides an opportunity for other members to learn from this case.