

Summary of Discipline Committee Hearing



DR. MURRAY BONSHOR

Hearing Date: September 21, 2020

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- failed to seek medical history
- failed to adequately examine & assess the dog
- failed to obtain the client's informed consent to treatment in that:
 - the client was not advised about the risks of treating the dog without a definitive diagnosis
 - there was either no discussion or an inadequate discussion about the possible side effects of the medications used
 - there was either no discussion or an inadequate discussion concerning the off-label use of medication
 - the member did not discuss the risks of using Flunixin and Prednisone at the same time
- treated the dog with inappropriate medication
- administered Flunixin without taking an adequate history
- failed to advise the client on the use of other pain medication following administration of Flunixin
- used Flunixin and Prednisone at the same time
- dispensed injectable medication when oral medication was available
- failed to provide instructions for storing liquid Penicillin
- inappropriately treated the dog with Amikacin
- dispensed a 10-day course of treatment of Amikacin in one syringe
- failed to properly dispense medication
- dispensed and/or prescribed excessive amounts of medication
- failed to record the name, strength and quantity of each drug he dispensed
- failed to record on the dispensed drug container the name, strength and quantity of the drug; the date the drug was dispensed; the member's name and address; the identity of the animal or group of animals for which it is dispensed; the name of the owner of the animal, and the prescribed directions for use
- failed to use a child resistant package
- failed to maintain adequate records
- an act or omission inconsistent with the Act
- 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
- treated an animal receiving veterinary services from another member without notifying the other member and obtaining the relevant information

BRIEF SUMMARY

The member examined a mastiff mix due to right forearm lameness. The dog had been under the care of veterinarians at another animal hospital. The member did not attempt to obtain information from the dog's previous veterinarian(s).

The member treated the dog for possible acute arthritis and possible osteitis. He administered the four intramuscular injections: Flunixin (0.6mls); Prednisone (50mg); Na Penicillin G (500,000 IU); and Amikacin (250mg/ml 1 ml).

A vial of Na Penicillin G and a 20 ml syringe without a label (presumably Amikacin), along with several syringes and needles were dispensed for a 10-day treatment course to be administered twice daily by the client.

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
- The member's licence to practice veterinary medicine is suspended for 12 months or longer until the member complies with the remediation components of the order
- complete a one-day assessment to evaluate the member's knowledge of issues raised in this case
- completion of five mentoring sessions that focus on the need for a proper assessment and a review of medical history, the requirement to obtain informed consent for treatment, the need for a proper veterinarian-client-patient relationship before treatment, drug interactions, proper dispensing and labelling of drugs, and record-keeping
- quarterly meetings with a mentor for two years with an emphasis on the issues in this matter and implementation of the mentor's recommendations
- up to four record reviews
- a follow-up assessment to review what the member learned in the mentorship and remediation
- The member will pay costs to the College of \$10,000

PANEL'S REASONING

The Panel found the member's conduct was unprofessional in that he failed to live up to the standards of the profession.

The treatment plan placed the dog at unnecessary risk. The expert established the potential risks associated with Amikacin, as well as the potential adverse interactions of NSAIDs, corticosteroids, and Amikacin, should have been explained to the client to obtain informed consent. A safer treatment path was possible and should have been attempted first. This includes advising diagnostics where appropriate, trying oral medications, and communicating the risks of treating empirically and the risks and benefits of the prescribed medications.

Requiring a client to administer four intramuscular injections a day for 10 days is an invasive treatment protocol that can damage the human animal bond from the discomfort of the injection. It sets a client up for treatment failure.

The Amikacin was dispensed as a single, unlabeled, syringe intended to provide multiple doses. This antibiotic has potentially nephrotoxic and ototoxic effects. Providing a multi-dose syringe generates high risk of inaccurate dosing,

and can expose the animal to a sub-therapeutic or excessive dose. The combination of Amikacin and a NSAID should be done with caution, due to the potential nephrotoxicity associated with both medications. The choice of Amikacin as an empirical antibiotic for "open-diagnosed" polyarthritis fell below the standard.

The Na Penicillin G was dispensed without instructions on storage, thereby reducing the effectiveness of this treatment. Oral antibiotics are available and should have been offered.

The member injected Flunixin and Prednisone without obtaining sufficient history of which pain medication the dog had been taking. Administering Flunixin to a patient that may already be taking NSAID pain relief is concerning. Administering a corticosteroid with a NSAID is generally avoided in companion animal medicine due to the risk of gastric ulceration. The client should be counselled about the potential risks associated with this combination when a 3-5 day washout period between the two classes of anti-inflammatories is not taking place.

The insufficient or absent labelling of the dispensed medications increases the risk of administration errors and reflects poorly on the profession.

Reasons for penalty and costs decision

The Panel accepts the limits on its role when evaluating a joint submission on penalty and an agreement on costs. A joint submission should be accepted unless it would bring the administration of justice into disrepute or otherwise be contrary to the public interest. An agreement on costs should be accepted unless it is clearly unreasonable.

Counsel for the College summarized four general principles relevant to penalty: protection of the public, general deterrence, specific deterrence, and rehabilitation.

The College submitted evidence of previous findings against the member in 1992 and 2009. The Panel is concerned the inappropriate dispensing of medications, and failures to obtain informed consent, are repeated offences. Thus, the penalty must reflect the seriousness of this matter and serve to rehabilitate the member and specifically deter future reoccurrence of this conduct, to protect the public.

In addition, the penalty reinforces the necessity of the veterinarian-client-patient relationship in the profession. Continuity of care for the patient involved, via communication with the client, their original veterinarian, and physical examination of the animal in question, is vital to providing the highest standard of care for the patient in question.

The Panel considered the submissions regarding the start date of the suspension. A start date of November 15, 2020 would provide reasonable and sufficient time for the member's practice to adjust its operations and ensure clients can make arrangements for continuity of care of the patients. The Panel considered the findings of the case involved serious and repeated deficiencies, and therefore, an extended delay in the suspension start date would not be appropriate.