

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

WEST VIRGINIA BOARD OF
VETERINARY MEDICINE,
Complainant,

v.

Case No. 0414A

Amanda Haddix, DVM
Veterinarian License Number: 19-2012
Respondent.

CONSENT AGREEMENT AND ORDER

After due investigation of a written complaint, the West Virginia Board of Veterinary Medicine (Board) determined that there was probable cause to believe that Amanda Haddix (Respondent) has exhibited unprofessional and unethical conduct in the practice of veterinary medicine, in violation of the provisions of W. Va. Code ' 30-10-1 *et seq.* and the Rules of the Board, 26 C.S.R. ' 1 *et seq.* The Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State.

Now, in lieu of hearing, the parties have reached an agreement for the resolution of Case Number 0414A and the parties agree to entry of the following Order in disposition of this matter.

FINDINGS OF FACT

The Board adopts the following findings in this matter:

1. That Amanda Haddix is a licensee of the Board with license number 19-2012 and is subject to the license requirements of said Board. Moreover, Dr. Haddix is an employee of Appalachian Animal Hospital.

2. The Board is a regulatory board created for the purpose of regulating the practice of veterinary medicine. W. Va. Code ' 30-10-1 *et seq.*

3. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual's veterinary medicine license because of authority granted to it by W. Va. Code ' ' 30-10-5 and 30-10-19.

4. That on or about April 8, 2014, the Board received a written complaint from an individual complaining of the treatment that her animal had received while in the care of the Respondent.

5. The written complaint alleged that an approximate seven year old dog had been taken to Appalachian Animal Hospital and was seen by Respondent on March 22, 2014, for problems with raspy breathing, panting, shaking and not eating. It was explained to the Respondent that the dog had also been licking his penis frequently.

6. The complaint alleged that the Respondent examined the dog and that when the Complainant asked that the Respondent listen to his heart and lungs, she was told that there was no need as the dog was panting due to a re-injury to his back. The Complainant stated that the

Respondent wanted a urine sample and the Complainant stated that the dog would not walk on a leash, the Respondent had her assistant put the dog on a leash and take it outside where the dog did not walk on the leash but was dragged by the assistant until the leash came off his neck as witnessed by the Complainant.

7. The Complainant stated that when she returned to the office, the Respondent was not in the exam room as she was getting pain medication for the dog. The Respondent mentioned that the dog needed some dental work, but that it was not an issue at the moment. The Complainant asked if the dog was overweight and the Respondent replied that the dog was a little chunky but not enough to affect his health.

8. The Complainant stated that she took the dog home and that the dog died the next morning. An autopsy found that the cause of death was congestive heart failure.

9. Respondent did file a timely response to these allegations, and states that she did perform a physical examination of the dog. She began the exam by asking the Respondent to repeat the history again, to confirm the information gathered at the time that the appointment was scheduled. The appointment sheet listed following complaints: did not eat for 2 days, shaking, licking penis, panting and acting as if there was pain in the back. The Respondent then began the exam; she conducted a prostate exam and then began palpating along the dog's neck and spine. The dog made soft whimpering sounds when the lumbar area was touched. Respondent explained to Complainant that the noise typically indicates pain. Respondent then felt the dog's abdomen to be certain that the pain was not coming from that area. The abdomen was palpated normally.

10. The Respondent requested information on the status of the dog's urination and the dog was sent outside with an assistant to attempt to get it to urinate. When dog returned, Respondent discussed medication for back pain and restriction from exercise.

11. Respondent indicated that she was asked at the end of the appointment about the dog's weight and that the Complainant was told that the dog was a bit overweight, that he had gained some. The Respondent also checked the dog's teeth and noted that there was moderate dental disease and recommended a cleaning in the near future.

12. Respondent indicated that there had been issues with administration of medication in the past by the Complainant. As such, the assistant administered the first dose of medication with instruction for the Respondent.

13. Before the Complainant left, the Respondent encouraged her to go outside with the dog in the next several days to make sure that it was urinating normally.

14. That upon recommendation of the Complaint Committee, after reviewing the complaint and accompanying documents, the Board, by unanimous vote, at its Board meeting on June 2, 2014, determined there was sufficient evidence to warrant further proceedings and that further action should be taken against the licensee, Amanda Haddix.

15. That the Respondent's actions constitute conduct, practices or acts in violation of W. Va. Code 30-10-19(g)(3) and 26 C.S.R. ' ' 1-9.1.e and 4-4.2.

CONCLUSIONS OF LAW

1. That the Board has jurisdiction to take disciplinary action against Respondent.
2. That based upon the allegations of unprofessional or unethical conduct set out above in the *Findings of Fact* section, the Board is authorized to suspend, revoke or otherwise restrict the license of the Respondent to practice veterinary medicine, pursuant to W. Va. Code ' 30-10-19.
3. That the Board has defined unprofessional conduct by adopting the standards of practice at 26 C.S.R. ' 4-1 *et seq.* and violations of these standards of practice may be grounds for disciplinary action by the Board pursuant to W. Va. Code ' 30-10-19(g)(3).
4. That the Board served a *Complaint* upon the Respondent pursuant to the laws and regulations of West Virginia.
5. Respondent failed to provide the proper care and treatment of the patient by failing to perform an adequate and complete physical examination including listening to the heart and lungs. Moreover, these actions constitute conduct, practices or acts in violation of W.Va. Code 30-10-19(g)(3) and 26 C.S.R. ' ' 1-9.1.e, 4-4.2.

CONSENT OF LICENSEE

I, Amanda Haddix, by affixing my signature hereto, acknowledge the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.

3. That I acknowledge that I am aware that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights regarding this matter, but intelligently, knowingly and voluntarily waive such rights.

4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. That I admit that my actions were unprofessional and a violation of the governing statute and rules of the Board.

The Respondent, Amanda Haddix, by affixing her signature hereon, agrees to the following:

ORDER

On the basis of the foregoing, the Board does hereby ORDER and DECREE that:

1. Respondent is hereby REPRIMANDED for her actions in this matter.

2. Respondent shall complete six (6) hours of Board approved continuing education in Cardiology, within six (6) months from the entered date of this *Consent Agreement and Order*.

These six (6) hours may be obtained either in person or on-line; however, these six (6) hours are in

addition to the standard requirement of eighteen (18) CE hours that a licensee must complete for license renewal.

3. Respondent shall reimburse the Board for the costs of these proceedings, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case. This reimbursement shall be paid within twelve (12) months from the entered date of this *Consent Agreement and Order*.

4. Any violation of this *Consent Agreement and Order*, or failure to adhere to its terms shall result in further disciplinary action, including the immediate suspension of the Respondent's license.

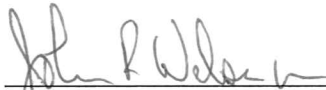
5. The Board is bound by agreement and by law to report the results of all disciplinary actions, including the instant matter, for posting in the AAVSB Veterinary Practitioners Disciplinary Database.

6. That this document is a public record as defined in W. Va. Code ' 29B-1-2(4).

7. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

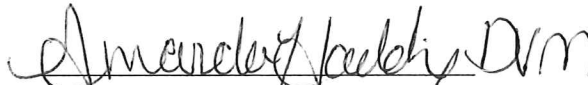
In recognition of this *Consent Agreement and Order* and these terms, we hereby affix our signatures.

WEST VIRGINIA BOARD OF
VETERINARY MEDICINE

By: 
JOHN R. WILSON, DVM
Chair

Entered: 10-11-14
DATE

Reviewed and agreed to by:

 DVM
Amanda Haddix, DVM, Respondent

9/24/14
DATE