

BEFORE THE OKLAHOMA STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
STATE OF OKLAHOMA

( COPY )

STATE OF OKLAHOMA, ex rel., )  
OKLAHOMA STATE BOARD OF )  
VETERINARY MEDICAL EXAMINERS )

IN THE MATTER OF THE )  
COMPLAINT AGAINST: )

) Case No. C-11-064

Leopard Gloria J., DVM )  
LICENSE NO. 3779 )

Respondent.

## **FIELD CITATION AND ORDER**

Cathy Kirkpatrick hereby issues this citation in her official capacity as Executive Director of the Oklahoma State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board").

### **LICENSING HISTORY**

1. That the respondent, Gloria J. Leopard ("Respondent"), holds Oklahoma Veterinary Medical License No 3779.

### **CITATION**

#### **(CLASS "A" VIOLATION)**

2. As a Class "A" violation pursuant to OAC 775:30-1-1(a)(1), a citation and administrative penalty of \$500.00 is hereby issued to the Respondent in accordance with 59 O.S. 2001 S 698.19a for violation(s) described below.

"If, upon completion of an investigation, the Executive Director of the State Board of Veterinary Medical Examiners has probable cause to believe that a licensed veterinarian or other person has violated provisions of the Oklahoma veterinary practice act or rules promulgated there to take Executive Director the issue a field citation to the licensed veterinarian or other person as provided in this section. Each field citation should be in writing and shall describe with particularity the nature of the violation, including but not limited to a reference to the revision of the Oklahoma veterinary practice act to have been violated."

## CAUSE FOR CITATION

Respondent practices veterinary medicine in the state of Oklahoma for the Cats Only Veterinary Clinic in Norman, Oklahoma. On or about July 18, 2011, the Board received a written complaint from Michael Graff of Norman, Oklahoma. Mr. Graff stated that between May 31, 2011 and June 23, 2011 he took his six (6) year old female Siamese cat, Inara to the Respondent for treatment. Mr. Graff stated that on May 31, 2011 Inara was vomiting and had diarrhea. Mr. Graff stated Inara spent time at the Respondent's clinic and at his residence with various types of medications prescribed and or administered by Respondent. Allegations were made that Respondent made incorrect conclusions from the blood test results and did not perform adequate testing to ensure the side effects of the powerful antibiotics did not cause problems to Inara's kidneys while on the antibiotics, namely Gentacin and Amikacin. Mr. Graff further alleged that Respondent refused to perform additional tests when Inara failed to improve. Subsequently the Respondent referred Mr. Graff to OSU for further diagnosis and treatment of Inara due to Respondent's unavailability for the next few days and lack of a relief veterinarian. Apparently Inara improved under the care received from OSU. After being released from OSU, Mr. Graff utilized the services of Rose Rock Veterinary Clinic in Norman, Oklahoma for follow up treatment, where Inara's condition apparently continued to improve.

On September 23, 2011 Respondent appeared before the Board's Probable Cause Committee and the allegations made against her by Mr. Graff were discussed. Respondent maintains she gave the best care that Mr. Graff allowed her to do and could not think of anything else she could have done to change the outcome of the case. Respondent refutes the allegations of Mr. Graff concerning the additional testing and stated that no further tests were conducted due to the costs of the tests. This statement conflicts with the amount of money allegedly spent by Mr. Graff at Respondent's clinic, the Rose rock clinic and OSU.

A complete copy of the treatment records for Inara, with Respondent's name redacted, were sent to an outside specialist of veterinary medicine independent of the Board for review, who concluded the use of an aminoglycoside antibiotic as the first antibiotic of choice for most infections is too aggressive and should be done on the basis of bacterial culture and sensitivity results, especially where Inara had no evidence of infection from the blood work dated June 1, 2011 and the renal values at that time were within normal limits. Further, Respondent's recommended treatment of the mixing of Gentocin into fluids for subcutaneous injection by the cat owners is not found as an accepted practice described in any known veterinary literature, probably due to the concerns length of treatment or drug toxicity. Also, despite increases in renal values, the use of Amikacin even though there was no indication of infection on the complete blood count, was cause for concern in treating Inara and could have contributed to the cats renal toxicity. A prudent veterinarian should have recognize renal compromise on the blood work performed and not used an aminoglycoside antibiotic at that time.

The actions of the Respondent constitute a violation of the Oklahoma Veterinary Practice Act 59 O.S. 2001 S 698.1–698.26 ("Act"), and the Administrative Rules of the Board, to wit:

**POSSIBLE VIOLATIONS:**

**S 698.14a DISCIPLINARY ACTIONS**

E. The Board may take disciplinary action or other sanctions upon clear and convincing evidence of unprofessional or dishonorable conduct, which shall include, but not be limited to:

22. Violation of any provisions of the Oklahoma Veterinary Practice Act or the rules and policies of the Board or of an action, stipulation or agreement of the Board.

**775:10-5-30 Unprofessional conduct**

(14) Failing to practice veterinary medicine with regional skill and safety. For the purpose of this provision, reasonable skill and safety shall refer to the level of care, skill and diligence in treating patients as is ordinarily used in the same or similar circumstances by an average members of the profession in good standing in the community.

On September 23, 2011, and as a result of alleged violations of the Act, the Probable Cause Committee met, reviewed the case file and decided probable cause exists in this matter that the Respondent did violate the Act as aforesaid; and recommended that an administrative penalty in the amount of \$500.00 was appropriate in this case.

**ORDER OF ABATEMENT**

The Respondent is hereby ordered to immediately take such measures as are necessary to prevent further violations of the Act while the State of Oklahoma. Specifically, the Respondent is directed to perform veterinary medicine was sufficient skill and safety as required by the Act.

**ORDER**

Upon receipt of this citation, you are further ordered to pay administrative penalty (fine) in the amount of \$500.00 as provided by 59 O.S. 2001 S 698.19a of the Act for the violations of law as described above. Payment shall be made within the time period indicated below, and less contested as provided in the Act.

**NOTICE**

Unless contested through a written request of an informal conference within (10) business days after the service of the Citation as provided by 59 O.S. 2001 S 698.19a of the Act, the citation shall become a final order of the Board. Payment should be made by check or money order and made payable to the Oklahoma State Board of Veterinary

Medical Examiners, 201 N. E. 38th Terrace, Suite 1, Oklahoma City, Oklahoma 73105.  
Please indicate the above referenced case number on the check or money order.

Pursuant to 59 O.S. 2001 S 698.19a (F), a veterinarian or other person, in lieu of contesting a field citation may transmit to the Board the amount assessed in the citation as an administrative penalty, within the (30) day time period referenced above. If a hearing is not requested as aforementioned, payment of any fine shall not constitute an admission of the violation charged, but as a final order the Board, compliance therewith is mandatory.

Also, pursuant to 59 O.S. 2001 S 698.19a (E), where an administrative penalty is paid to satisfy an assessment based on the finding of a violation, payment of the administrative penalty shall be represented as satisfactory resolution of the matter for purposes of public disclosure.

Dated: October 12, 2011

<Signature>

Cathy Kirkpatrick, Executive Director,  
Oklahoma State Board of Veterinary  
Medical Examiners