

1984-1219-047-030

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STATE OF CONNECTICUT
BOARD OF VETERINARY REGISTRATION
AND EXAMINATION

THOMAS A. MILOS, D.V.M.

V.

DEPARTMENT OF HEALTH SERVICES

MEMORANDUM OF DECISION

The Board of Veterinary Registration was presented by the Department of Health Services with a Statement of Charges dated November 15, 1985. The Statement of Charges alleged violations of § 20-202 of the Connecticut General Statutes. The Board issued a Notice of Hearing on November 19, 1986 which provided that a hearing would be held on December 4, 1985 at 9:00 A.M. Dr. Milos was present at the hearing.

Each member of the Board involved in this decision attests that he has reviewed the record of the proceedings and that this decision is based entirely on the record.

FACTS

1. Thomas A. Milos, D.V.M., was at all pertinent times, licensed to practice veterinary medicine by the State of Connecticut, Department of Health Services.

2. Pursuant to Conn. Gen. Stat. § 4-182 (c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the requirements for the retention of the license.
3. On October 4, 1984, Kelly Hemond brought her dog to Dr. Milos' office for scheduled surgery. The dog was to be neutered and have its dew claws removed.
4. On an earlier visit to Dr. Milos's office, the dog had attempted to bite Dr. Milos. Dr. Milos indicated on the dog's chart that "caution" should be used when handling this dog.
5. On October 4, 1984, Dr. Milos did not have available any assistants to help with the scheduled surgery.
6. When Dr. Milos went to remove the dog from his cage in preparation for surgery, the dog became extremely agitated, snarled and lunged at the door whenever Dr. Milos approached the door of the cage.

7. Dr. Milos attempted to get the dog out of the cage using a restraint pole but was unable to do so.
8. Dr. Milos then attempted to inject a tranquilizer into the dog while it was in the cage.
9. During Dr. Milos' attempt to anesthetize the dog, the syringe needle broke off and became lodged in the dog's leg.
10. Dr. Milos did not examine the dog to verify the location of the needle and told Ms. Hemond that he was unsure whether the needle had entered the dog.

DISCUSSION

FIRST COUNT

11. Conn. Gen. Stat. § 20-202 provide in pertinent part that the Board:

"...may take any of the actions set forth in section 19a-17 for any of the following causes:
(2) proof that the holder of such license or certificate...has been guilty of cruelty, unskillfulness or gross negligence towards animals and birds.

12. The Board finds that Dr. Milos is guilty of unskillfulness in attempting to administer sedation to a fractious patient without adequate restraint. Dr. Milos was aware that no technician was available to aid him and that Ms. Hemond's dog was potentially problematic. Despite the dog's obvious agitation and attempts to lunge at Dr. Milos, Dr. Milos, after failing to loop a restraint pole on the dog attempted to inject it in its cage. Such an attempt was improper and fraught with dangers and in fact resulted in the lodging of a broken needle in the dog. The Board also feels that Dr. Milos' inadequate handling of the situation once the needle had broken off the syringe was improper. Dr. Milos did not determine the location of the needle and told the owner that he was unsure whether the needle was inbedded in the animal.

SECOND COUNT

The Second Count is dismissed. This count assumes that the mere absence of a technician during the procedure to be performed on Ms. Hemond's dog is a violation of § 20-202. Such an assumption is incorrect.

ORDER

Pursuant to its authority under Conn. Gen. Stat. § 20-202 and § 19a-17, the Board hereby orders the following:

(1). That Dr. Milos is hereby reprimanded for the aforementioned violation of § 20-202;

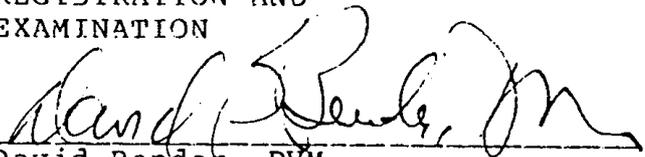
(2). That Dr. Milos is hereby fined seventy-five (75) dollars to be paid to the State of Connecticut within 30 dyas of the date of this decision.

BOARD OF VETERINARY
REGISTRATION AND
EXAMINATION

DATE:

5/21/86

BY:



David Bender, DVM
Chairman