

**BEFORE THE MINNESOTA
BOARD OF VETERINARY MEDICINE**



In the Matter of
David M. Abramowicz, D.V.M.
License No. 11689

**AGREEMENT FOR
CORRECTIVE ACTION**

This Agreement for Corrective Action (“Agreement”) is entered into by and between David M. Abramowicz, D.V.M (“Licensee”) and the Complaint Review Committee (“Committee”) of the Minnesota Board of Veterinary Medicine (“Board”) pursuant to the authority of Minn. Stats. § 156.127, subd. 2 (2013) and § 214.103, subd. 6(a) (2013). Licensee and the Committee hereby concur that this Agreement shall be based on the following:

FACTS

1. On June 16, 1990, Licensee became licensed as a veterinarian in the State of Minnesota.
2. Licensee practices veterinary medicine in South St. Paul, Minnesota.
3. Licensee provided veterinary services for Indie, a six-year-old Chihuahua, owned by R.S. On December 31, 2013, Licensee performed an exploratory abdominal surgery on Indie. Indie died on January 1, 2014. The Board asserts that Licensee failed to adequately address the dog’s perioperative medical needs.
4. Licensee was the primary provider of veterinary services for Gracie, a two-year-old cat, owned by L.S. & E.S. On February 19, 2014, Licensee administered rabies vaccine and rhinotracheitis-calici-panleukopenia-chlamydia vaccine mixed in the same syringe to Gracie.

Gracie died unexpectedly following the administration of the vaccines and the extra-label use of a medication. The Board asserts Licensee failed to attribute the clinical signs described by the owners to a severe vaccine reaction. Licensee failed to label the dispensed veterinary prescription drug for Gracie with his name and clinic address, and species of patient as required by Minnesota Statute § 156.18, subd. 2 (2013).

5. The Board asserts Licensee failed to maintain complete medical records for Indie and Gracie.

6. On May 14, 2014, Licensee met with the Committee, composed of John Lawrence, D.V.M., Board member, and Michelle Vaughn, D.V.M., Board member, to discuss allegations made in a Notice of Conference dated April 22, 2014. Jennifer Middleton, Assistant Attorney General, represented the Committee at the conference. Julia Wilson, D.V.M., Executive Director of the Board, also attended the conference.

7. The Committee views licensee's conduct as in violation of Minn. Statute § 156.18, subd. 2 (Label of dispensed veterinary drugs); Minn. R. 9100.0800, subp. 1 (General Standard of Practice) and subp. 4 (Record keeping); Licensee and the Committee have agreed to enter into this Agreement for Corrective Action.

CORRECTIVE ACTION

Based on the foregoing information, Licensee and the Committee hereby agree to the following corrective action:

8. Within thirty days of the date of this Agreement, Licensee must submit to the Committee the dates, number of hours and titles of all continuing education courses taken by Licensee in the two-year period preceding his last license renewal.

9. Within three months of the date of this Agreement, Licensee must submit to the Committee evidence of completion of Section 7, "Medical Records" in the Individual Modular Course of the "*Online Veterinary Law and Ethics Course*" offered by James F. Wilson, D.V.M., J.D. at Iowa State University.

10. Within twelve months, Licensee must complete interactive continuing education as prescribed in the following list of topics. Courses must be pre-approved by the Complaint Review Committee, and these credit hours may not be counted towards the Licensee's next license renewal.

- a. Four hours on the topic of pain management in small animals;
- b. Two hours on the topic of perioperative management of surgical emergencies;
- c. One hour on the topic of fluid therapy in critical cases;
- d. Two hours on the topic of feline behavior; and
- e. Two hours on the topic of feline dermatology.

11. Within two months of the date of this Agreement, Licensee must contact a technical representative for each of the manufacturers of the vaccines used in his practice. Licensee must discuss whether it is appropriate to mix rabies with other vaccines in the same syringe prior to administration. Licensee will then provide the Committee with a written summary of those discussions and submit his amended vaccine administration protocol for small animals for approval.

OTHER INFORMATION

12. Licensee has been advised by the Committee representatives that Licensee may choose to be represented by legal counsel in this matter. Licensee is represented by Jon Geffen,

Attorney at Law, 333 Washington Ave. N. Suite 415, Minneapolis, MN 55401.

13. Upon Licensee's satisfactory completion of the corrective action referred to above, the Committee agrees to dismiss the complaint concerning the matters referred to in paragraph 3 above. Licensee agrees that the Committee will be the sole judge of satisfactory completion. Licensee understands that if, after dismissal, the Committee receives additional credible complaints alleging conduct similar to that referred to in the facts above, the Committee may reopen the dismissed complaints.

14. If Licensee fails to complete the corrective action satisfactorily or if the Committee receives additional credible complaints alleging conduct similar to that referred to in the facts above, the Committee may, in its discretion, reopen the investigation and proceed according to Minn. Stat. Ch. 14, 156, and 214. Licensee agrees that failure to complete corrective action satisfactorily constitutes failure to cooperate under Minn. Stat. § 156.123 and may subject Licensee to disciplinary action by the Board.

15. Licensee is responsible for all costs incurred as a result of compliance with this Agreement.

16. The effective date of this Agreement shall be the date it is executed by the Committee. The Agreement will remain in effect until the Committee dismisses the complaint, unless the Committee receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Committee may, in its discretion, proceed according to Minn. Stat. § 14, 156, and 214.

17. Licensee understands this Agreement does not constitute disciplinary action. Licensee further understands and acknowledges this Agreement and the dismissal letter issued

upon successful completion of the corrective action are classified as public data pursuant to Minn. Stat. § 13.41, subd. 5.

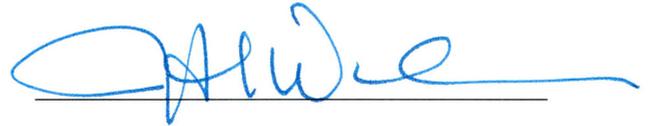
18. Licensee hereby acknowledges he has read and understands this Agreement and has voluntarily entered into it. This Agreement contains the entire agreement between the Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

Dated: 10/9/14



DAVID M. ABRAMOWICZ, DVM
LICENSEE

Dated: 10/27/14



JULIA WILSON, D.V.M.
EXECUTIVE DIRECTOR
FOR THE COMPLAINT REVIEW
COMMITTEE