

Rec'd 3/17/21

BEFORE THE IOWA BOARD OF VETERINARY MEDICINE

IN THE MATTER OF:)	
)	CASE NO. 19-011
CARI VAN ZWEDEN, D.V.M.,)	
)	
RESPONDENT.)	COMBINED STATEMENT OF CHARGES,
)	SETTLEMENT AGREEMENT, AND FINAL
)	ORDER
)	
)	

COME NOW the Iowa Board of Veterinary Medicine (“Board”) and CARI VAN ZWEDEN, D.V.M. (“Respondent”), and hereby enter into this Combined Statement of Charges, Settlement Agreement and Final Order (“Agreement”) pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), and 811 Iowa Admin. Code 10.9.

A. STATEMENT OF CHARGES

1. Respondent was issued Iowa license 7936 on May 15, 2013. Respondent’s license is currently active and will next expire on June 30, 2023.
2. Respondent’s address as reported to the Board is Sioux Center Veterinary Clinic, PC, 1253 North Main, Sioux Center, Iowa 51250.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 169 and 272C.

Count I

4. Respondent is charged with aiding, assisting, procuring, or advising unlicensed individuals to practice veterinary medicine in violation of Iowa Code sections 169.13(1)(e) and 811 Iowa Admin. Code 10.6(1)(b)(13).

Count II

5. Respondent is charged with improper delegation of duties to employees in violation of Iowa Code sections 169.13(1)(e) and 811 Iowa Admin. Code 10.6(2)(e).

B. FACTUAL CIRCUMSTANCES

6. A complaint was received by the Board alleging that Respondent was repeatedly allowing Sioux Center Veterinary Clinic (“Clinic”) staff, who were not licensed veterinarians, to perform services that qualify as the practice of veterinary medicine, and no veterinarian was present to directly supervise the provision of such services.

7. An investigation was conducted at the request of the Board. As part of its investigation, records were received and reviewed by the Board.

8. Based upon the results of its investigation, the Board alleges that at least three Clinic staff performed certain veterinary services repeatedly from at least May 2019 through December 2019 without proper supervision by Respondent. The alleged services included, but were not limited to: performing surgeries, administering vaccinations and/or antibiotics, and assessing or diagnosing animal injuries or conditions.

9. The unsupervised services involved primarily livestock but also included a companion animal in at least one instance.

10. Respondent does not admit the allegations contained in this Combined Statement of Charges, Settlement Agreement and Final Order nor to any alleged facts herein, but in order to amicably resolve the matter presently before the Board, Respondent has agreed to enter into this Combined Statement of Charges, Settlement Agreement and Final Order.

C. SETTLEMENT AGREEMENT AND FINAL ORDER

11. Respondent agrees to pay to the Board a civil monetary penalty of \$10,000.00. Respondent shall remit full payment of the civil monetary penalty within 30 days of the date this

Order is executed by the Board. Payment of the civil penalty shall be made in the form of a money order or check made payable to the State of Iowa and mailed to the Iowa Board of Veterinary Medicine (Wallace Building), Animal Industry Bureau, 502 E. 9th Street, Des Moines, Iowa 50319.

12. Respondent's license is suspended for a period of three (3) months commencing April 1, 2021.

13. Respondent shall, at her sole expense, take the following courses offered online through Iowa State University's College of Veterinary Medicine, in partnership with Drip Vet: Veterinary Law and Ethics; and Medical Record Keeping (available at <https://dripvet1.teachable.com/courses>), or other equivalent courses as approved by the Board. These hours shall be taken in addition to the hours normally required for license renewal for any triennium and must be taken within 30 days of the date this Order is executed. Respondent shall provide written documentation of successful completion of the continuing education courses within 45 days of the date this Order is executed.

14. Respondent's license shall be put on probation for a period of three (3) years from the date the suspension is lifted. While on probation, Respondent shall submit quarterly reports to the Board (on October 5, 2021; January 5, 2022; April 5, 2022; July 5, 2022; October 5, 2022; January 5, 2023; April 5, 2023; July 5, 2023; October 5, 2023; January 5, 2024, April 5, 2024, and July 5, 2024) which include information for the preceding three months regarding his/her compliance with this Settlement Agreement and Final Order as set forth in the attached quarterly report template (Attachment A).

15. Respondent shall be required to utilize sequentially numbered invoices at the practice, and the invoices shall clearly state: 1) what veterinary services were provided; 2) who

provided the veterinary services; and 3) if a licensed veterinarian was required to supervise the services, the name of the veterinarian present. During the pendency of Respondent's probation, Respondent agrees that the Board or Board staff shall be able to perform unannounced inspections to review Respondent's records, including documentation of services performed by non-veterinarian staff.

16. This Combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

17. By entering into this Agreement, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Agreement and Order and voluntarily waives any objections to the terms of the Agreement and Order, including the right to appeal.

18. This Agreement and Order is voluntarily submitted by Respondent to the Board for consideration.

19. Respondent acknowledges she has a right to be represented by counsel in this matter.

20. Respondent agrees that counsel for the State may present this Agreement and Order ex parte to the Board.

21. This Agreement and Order is subject to approval of the Board. If the Board fails to approve this Agreement and Order it shall be of no force or effect to either party.

22. This Agreement and Order shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violation.

23. In the event Respondent violates or fails to comply with any of the terms of this Agreement and Order, the Board may initiate appropriate action to revoke or suspend

Respondent's licenses or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

24. This Agreement and Order is a public record available for inspection and copying upon execution of the Agreement and Order in accordance with the requirements of Iowa Code chapter 22 and 272C.

25. The Board's approval of this Agreement and Order shall constitute a FINAL ORDER of the Board.

WHEREFORE, the terms and conditions of this Combined Statement of Charges, Settlement Agreement, and Final Order are agreed to and accepted by the Iowa Board of Veterinary Medicine and the Respondent.

Respondent

Cari Van Zweden, DVM
CARI VAN ZWEDEN, D.V.M.

3/16/21
Date

Iowa Board of Veterinary Medicine

Dwayne J. Lake, DVM
CHAIRPERSON

3/25/21
Date

Copies to:

Jacob J. Larson
Assistant Attorney General
Office of Iowa Attorney General
Hoover State Office Building
1305 E. Walnut Street
Des Moines, Iowa 50319

Phone: (515) 281-5341
Fax: (515) 281-4209
E-mail: jacob.larson@ag.iowa.gov
ATTORNEY FOR THE IOWA BOARD
OF VETERINARY MEDICINE

Rebecca A. Brommel
Dorsey & Whitney LLP
801 Grand Avenue, Suite 4100
Des Moines, Iowa 50309
E-mail: brommel.rebecca@dorsey.com

ATTORNEY FOR RESPONDENT