



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
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April 19, 2006

Certified Article Number

7160 3901 9848 8723 3472

SENDERS RECORD

Richard C. Walsh, DVM
12901 Vint Hill Rd.
Nokesville, VA 20181

RE: Order of the Special Conference Committee

Dear Dr. Walsh:

Enclosed is a Copy Teste of the Order entered by the Board of Veterinary Medicine following the Special Conference held on April 13, 2006. Should the Board office not receive written notification requesting a Formal Hearing within thirty-three days of the date on the Certificate of Service, this Order becomes final.

This Order will be forwarded to Ann Tiller, Compliance Manager for the Department of Health Professions. Ms. Tiller will assign a Case Manager to monitor your compliance with the terms of the Order on behalf of the Board. Please direct all questions, documents, and correspondence related to compliance with your Order to your assigned Case Manager at (804)662-9510, or c/o the Compliance Unit, Dept. of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712. For more information on the compliance process, see: http://www.dhp.virginia.gov/enforcement/compliance_faq.htm on the Department's website.

Sincerely,

Elizabeth A. Carter, Ph.D.
Executive Director

Enclosure

pc: Robert Nebiker, Director, Dept. of Health Professions
Jane Smith, Administrative Proceedings Division
Susan Tokarski, Senior Investigator
Ann Tiller, Compliance
Committee members

Board of Audiology & Speech - Language Pathology - Board of Dentistry - Board of Funeral Directors & Embalmers - Board of Medicine - Board of Nursing
Board of Nursing Home Administrators - Board of Optometry - Board of Pharmacy - Board of Counseling
Board of Physical Therapy - Board of Psychology - Board of Social Work - Board of Veterinary Medicine
Board of Health Professions

VIRGINIA:

BEFORE THE BOARD OF VETERINARY MEDICINE

IN RE: RICHARD C. WALSH, D.V.M.
License No.: 0301-002340
Complaint No.: 102372, 104424

ORDER

Pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Veterinary Medicine ("Board"), composed of John T. Wise, D.V.M., and James W. DeBell, D.V.M., met with Richard C. Walsh, D.V.M., on April 13, 2006, in Henrico County, Virginia. Dr. Walsh was present and was not represented by counsel. The purpose of the informal conference was to receive and act upon evidence concerning the allegations in the Notice of Informal Conference dated March 3, 2006.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After consideration of the evidence and statements concerning the allegations, the Committee makes the following Findings of Fact and Conclusions of Law:

1. Richard C. Walsh, D.V.M., holds license number 0301-002340, which was issued by the Virginia Board of Veterinary Medicine on July 7, 1983. Said license will expire on December 31, 2006, unless renewed. Dr. Walsh was Veterinarian-In-Charge at Seven Corners Animal Hospital, Falls Church, Virginia, at all times material to the findings below.
2. During an inspection of Dr. Walsh's facility on or about August 23, 2005:
 - a. Dr. Walsh violated § 54.1-3807(5) of the Code, and 18 VAC 150-20-140(6) and 18 VAC 150-20-190.F of the Regulations, in that an Inspector from the Department of Health Professions ("Inspector") found five (5) expired medications within his working stock of drugs.
 - b. Dr. Walsh violated §§ 54.1-3807(4) and (5) and 54.1-3404(B) of the Code, and 18 VAC 150-20-140(6) and 18 VAC 150-20-190.I of the Regulations, in that his biennial inventory dated September 6, 2005, did not include his current stock of morphine 15 mg/ml (Schedule II).

c. Dr. Walsh violated § 54.1-3807(4) and (5) and 54.1-3404(C) of the Code, and 18 VAC 150-20-140(6) and 18 VAC 150-20-190.H of the Regulations, in that he failed to maintain all his invoices for morphine 15 mg/ml. Additionally, his DEA-222 forms used as official receipts for Duragesic Patches 25 and 50 mcg (fentanyl, Schedule II) lack the date and quantity received. Further, he prescribed and purchased five (5) Duragesic Patches 25 mcg for Client B's dog "Tinkerbell," administered one patch to Tinkerbell, and placed the other four in his working stock.

3. Dr. Walsh violated § 54.1-3807(5) of the Code, as further defined in 18 VAC 150-20-140(6) and 18 VAC 150-20-195.A of the Regulations, in that his clinical records for Circe and ten patients pulled at random during the August 23, 2005, inspection lack complete medical information, including, but not limited to, pertinent medical data, weights, vital signs and drugs administered. Additionally, his clinical records for some patients were mixed with other patients, making it difficult to follow the course of treatment for some them.

4. Dr. Walsh violated Term # 6 of the Board's Order, in that he failed to maintain a course of conduct in his practice under the statutes and regulations of the Board as evidenced by the inspection deficiencies above.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that:

1. Richard C. Walsh, D.V.M., shall be assessed a monetary penalty of Two Thousand Five Hundred Dollars (\$2500.00), said penalty to be paid to the Board by certified check or money order within thirty (30) days from the date that this Order is final. If the monetary penalty is mailed, it shall be mailed by certified or registered mail. If said monetary penalty is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full monetary penalty plus the additional assessment within one hundred (100)

days of the date of entry of this Order shall constitute grounds for an administrative proceeding.

2. Within three (3) months from the date this Order becomes final, Dr. Walsh shall successfully complete six (6) hours of continuing education ("CE") in the area of record-keeping. Prior to registration, Dr. Walsh shall submit to the Board a syllabus or course outline and receive approval from the Board for said course. Such requests for approval shall be submitted to the Board at least fifteen (15) days before the beginning of said course. These CE hours shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Further, Dr. Walsh shall submit documentation to the Board of satisfactory completion of the course. Any CE hours obtained for the requirement of license renewal shall not be used towards compliance with this term.

3. Dr. Walsh's veterinary practice shall be subject to one (1) unannounced inspection within six (6) months post-completion of the CE required in Term #2. The Inspector of the Department of Health Professions shall obtain ten (10) copies of patient records from Dr. Walsh's practice. The patient records shall be primarily for patients treated by Dr. Walsh since the completion of the required CE. Dr. Walsh shall be solely responsible for the payment of a Two Hundred Dollar (\$200.00) inspection fee to be paid to the Board within thirty (30) days of the inspection. If the inspection fee is mailed, it shall be sent by certified or registered mail. If said fee is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full fee plus the additional assessment within one hundred (100) days of the inspection shall constitute grounds for an administrative proceeding. In the event that the inspection reveals a possible violation of the laws or regulations pertaining to the practice of veterinary medicine in the Commonwealth of Virginia, or Chapter 34 of Title 54.1, (§§ 54.1-3400 et seq.; Virginia Drug Control Act) of the Code, the Board specifically reserves the right to conduct further proceedings in this matter.

4. Dr. Walsh shall have physical and psychological evaluations done at his own expense by specialists satisfactory to the Board and shall have a written report of each evaluation, including diagnosis,

Richard C. Walsh, D.V.M.

recommended course of therapy, prognosis, and any recommendation sent to the Board within thirty days of completion of each evaluation. Dr. Walsh shall submit the name and curriculum vitae of a practitioner for approval by the Board. Upon approval, Dr. Walsh shall advise the Board when he has made an appointment. Upon Board review, the Board reserves the right to reconvene the informal conference.

5. Dr. Walsh shall comply with the recommendations of the specialists, if any. If therapy is recommended, quarterly written progress reports by the therapist shall be sent to the Board quarterly by the last day of the months of March, June, September and December, until the period of probation ends or he is discharged from treatment. Dr. Walsh is fully responsible for ensuring that required reports are properly submitted and received by the Board in a timely manner until discharged from treatment. The Board may provide the therapist with a copy of this Order and communicate with the therapist concerning his progress. The therapist will provide a written discharge summary to the Board within thirty (30) days of termination of treatment. The therapist shall provide written notification immediately if he withdraws from treatment prior to discharge.

6. Dr. Walsh shall execute an authorization allowing for free communication between the Board and any evaluating practitioner.

7. Dr. Walsh shall maintain a course of conduct in his practice of veterinary medicine commensurate with the requirements of Chapter 38, Title 54.1 of the Code, and the Regulations of the Board of Veterinary Medicine. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of veterinary medicine in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Richard C. Walsh, D.V.M., and an administrative proceeding shall be convened to determine whether Dr. Walsh's license to practice veterinary medicine in the Commonwealth shall be suspended or revoked.

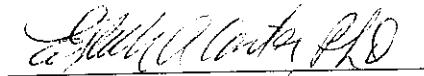
Pursuant to § 54.1-2400(10) of the Code, this Order shall become final thirty (30) days after service unless a written request for a hearing before the Board is filed with Elizabeth A. Carter, Ph.D., Executive

Richard C. Walsh, D.V.M.

Director, Board of Veterinary Medicine. In the event that this decision is served by mail, three (3) days shall be added to the thirty (30) day period.

Pursuant to § 2.2-4023 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

FOR THE BOARD:

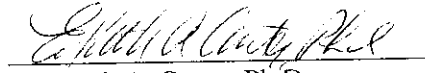


Elizabeth A. Carter, Ph.D.
Executive Director

ENTERED: April 19 2006

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed to Richard C. Walsh, D.V.M., at 12901 Vint Hill Road, Nokesville, Virginia 20181, on the 19th day of April, 2006.



Elizabeth A. Carter, Ph.D.
Executive Director
Board of Veterinary Medicine