

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF VETERINARY MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

VIRGINIA ANN LEIS, D.V.M.
License No. 69-01-005521,

File No. 69-18-150492

Respondent.

ORDER OF SUMMARY SUSPENSION

The Department filed an *Administrative Complaint* against Respondent as provided by the Public Health Code, MCL 333.1101 *et seq*, the rules promulgated under the Code, and the Administrative Procedures Act, MCL 24.201 *et seq*.

After careful consideration and after consultation with the Chairperson of the Board of Veterinary Medicine pursuant to MCL 333.16233(5), the Department finds that the public health, safety, and welfare requires emergency action.

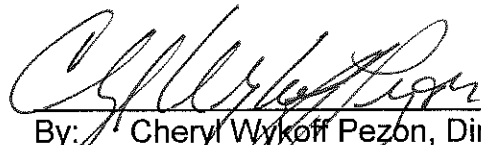
Therefore, IT IS ORDERED that Respondent's license to practice veterinary medicine in the state of Michigan is SUMMARILY SUSPENDED, commencing the date this *Order* is served.

MCL 333.7311(6) provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Code.

Under Mich Admin Code, R 792.10702, Respondent may petition for the dissolution of this *Order* by filing a document clearly titled **Petition for Dissolution of Summary Suspension** with the Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, P.O. Box 30670, Lansing, MI 48909.

MICHIGAN DEPARTMENT OF
LICENSING AND REGULATORY AFFAIRS

Dated: 10/9/18, 2018


By: Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

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ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs by Cheryl Wykoff Pezon, Director, Bureau of Professional Licensing, complains against Respondent Virginia A. Leis, M.D. as follows:

1. The Michigan Board of Veterinary Medicine is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee (DSC) is empowered to discipline licensees for Code violations.
2. Respondent holds a Michigan license to practice veterinary medicine. Respondent also holds an active controlled substance license.
3. At times relevant to this Complaint, Respondent practiced from at the Agawa Companion Hospital (facility), in Saginaw, Michigan.
4. After consultation with the Board Chairperson, the Department found that the public health, safety, and welfare requires emergency action. Therefore, the Department summarily suspended Respondent's license to practice veterinary medicine

in the state of Michigan pursuant to MCL 333.16233(5), effective on the date the accompanying Order of Summary Suspension was served.

5. For historical purposes, the following events occurred:

- a. On October 18, 2002, the Michigan Department of Community Health executed an Administrative Complaint against Respondent based on unsanitary conditions at her clinic, her failure to provide adequate controls against theft and diversion, her failure to maintain an accurate inventory of controlled substances, and her allowing her veterinary license and controlled substance license to lapse while still practicing as a veterinarian and prescribing controlled substances. On April 30, 2003, in an effort to facilitate resolution of the Complaint, Respondent entered into the Health Professional Recovery Program (HPRP). This entry was based, in part, on her history of migraines and daily use of Stadol to treat the migraines. On August 21, 2003, the Board entered into a Consent Order and Stipulation with the Respondent where she was placed on probation for two (2) years and fined \$1,000.
- b. On May 26, 2006, the Michigan Department of Community Health executed a First Superseding Administrative Complaint against Respondent based on her dispensing controlled substances and not reporting it to the Michigan Automated Prescription System (MAPS), non-compliance with her HPRP monitoring agreement, and her failure to properly document the receipt of controlled substances. On December 12, 2006, the Board entered into a Consent Order and Stipulation with the Respondent where she was placed on probation for one (1) year and fined \$1,000.

6. Buprenorphine/naloxone (Suboxone) is an opioid schedule 3 controlled substance commonly used in opioid dependence treatment. Suboxone is known as "prison heroin," and is commonly abused and diverted. Subutex is buprenorphine without naloxone.

7. Butorphanol tartrate (e.g. Stadol, Dolorex) is an opioid schedule 4 controlled substance. Dolorex is the form approved for use in animals. It has been shown to have five (5) to seven (7) times the analgesic activity of morphine.

8. Tramadol (e.g., Ultram) is an opioid Schedule 4 controlled substance.

9. On or about April 9, 2018, Saginaw County Animal Control (SCAC) received a complaint that Respondent, among other things, was abusing and neglecting animals at her facility. The complainant also indicated that Respondent displayed bizarre behaviors, mistreated staff, failed to pay bills, and used controlled substances intended for animals.

10. On or about April 13, 2018, SCAC and the Saginaw Police Department (SPD) executed a search warrant on the facility. As a result, the facility was condemned, and all of the animals were seized. In addition, several controlled substances, including Buprenorphine and Tramadol, were found in Respondent's sleeping area.

11. On or about April 13, 2018, Respondent was interviewed by SPD. Respondent stated that she diverted medications meant for animal use, including Dolorex, on a daily basis.

COUNT I

Respondent's conduct constitutes a violation of a general duty, consisting of negligence or failure to exercise due care, in violation of MCL 333.16221(a).

COUNT II

Respondent's conduct fails to conform to minimal standards of acceptable, prevailing practice for the health profession in violation of MCL 333.16221(b)(i).

COUNT III

Respondent's conduct demonstrates a mental or physical inability reasonably related to and adversely affecting his ability to practice in a safe and competent manner in violation of MCL 333.16221(b)(iii).

COUNT IV

Respondent's conduct demonstrates Respondent's lack of a "propensity . . . to serve the public in the licensed area in a fair, honest, and open manner," MCL 338.41(1), and accordingly a lack of "good moral character," in violation of MCL 333.16221(b)(vi).

COUNT V

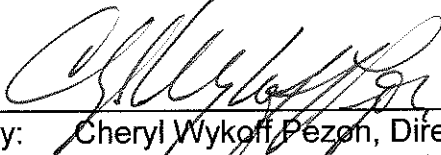
Respondent's conduct, as set forth above, constitutes selling, prescribing, giving away, or administering drugs for other than lawful diagnostic or therapeutic purposes, in violation of MCL 333.16221(c)(iv).

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to answer it in writing and to show compliance with all lawful requirements for retention of the license. Respondent shall submit the written answer to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this complaint. If Respondent fails to answer, the Department shall transmit this complaint directly to the Board's Disciplinary Subcommittee to impose a sanction pursuant to MCL 333.16231(9).

MICHIGAN DEPARTMENT OF
LICENSING AND REGULATORY AFFAIRS

Dated: 10/9/18, 2018


By: Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing