



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF VETERINARY MEDICAL EXAMINERS
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

CHRISTINE TODD WHITMAN
Governor

PETER VERNIERO
Attorney General
MARK S. HERR
Director

April 9, 1998

VIA REGULAR AND CERTIFIED
MAIL RETURN RECEIPT REQUESTED

Mailing Address:
P.O. Box 45020
Newark NJ 07101
(973) 504-6500

Jerald F. Schreiber, DVM
Farmingdale Veterinary Clinic
11 Walnut Street
Farmingdale, New Jersey 07727

Re: Case Number 97-14
Kevin Brogan

Dear Dr. Schreiber:

The New Jersey State Board of Veterinary Medical Examiners has had the opportunity to review the above captioned matter.

This is to advise you that the Board found, based upon Mr. Brogan's complaint, your response and patient records, that you were negligent in the care of the complainant's dog. Specifically, it appears to the Board that you failed to maintain proper patient records. Such conduct is deemed to be professional misconduct as set forth in N.J.A.C. 13:44-4.9(a). Therefore, the Board is assessing the following penalties:

- a civil penalty of \$500 for poor recordkeeping
- an admonishment advising you that performing pyometras without an assistant is reckless; and to advise you to keep proper and complete records noting all treatments including details of surgery, amount of medication, and notation of tests performed.

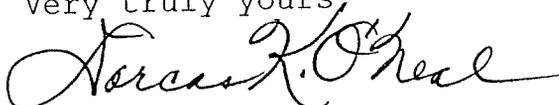
You are hereby afforded the opportunity to dispose of this matter without a hearing and without recourse to litigation by executing the attached form and returning it to the Board within ten (10) days together with your remittance made payable to the Board of Veterinary Medical Examiners in the amount of \$500.

April 9, 1998
Page two

If you wish a formal hearing in this matter, you may request the same within ten (10) days of the date of this letter. At the time of the hearing, you may appear with counsel of your choice and with witness and documentary evidence. At that time, the Board will not be bound to the terms stated in this letter and may, after presentation and evaluation of all the evidence presented, impose any of the sanctions contained in N.J.S.A. 45:1-22, which include revocation or suspension of licensure and assessment of penalties up to \$2,500.00 per violation. Additionally, the Board may, if the facts warrant, enter an order requiring the restoration of any monies acquired by unlawful acts and the payment of all costs in this matter.

If you do not reply to this letter within the required ten (10) day period, then the Board will make its determination on the evidence in the record and will take such action as may be allowed by law, which may include additional penalties pursuant to N.J.S.A. 45:1-21 based on your failure to respond to official Board correspondence.

Very truly yours



Dorcas K. O'Neal
Executive Director

DKO:bj
Enclosure

c Brenda Talbot Lewis, DAG

FILE

APR 16 1998

CERTIFICATION

BOARD OF VETERINARY
MEDICAL EXAMINERS

I, Jerald F. Schreiber, hereby acknowledge that I have read and reviewed the Board's letter of March 16, 1998 regarding allegations of violations of the Board's enabling act and/or Board regulations.

PLEASE CHECK ONE:

- I acknowledge the conduct which has been charged and agree to:
 - pay a penalty in the amount of \$500.00 (to be paid upon signing of this certification).
 - acknowledge the terms of the admonishment.

I am also aware that the action taken against me by the Board herein is a matter of public record, and that the Board's letter and this certification form are public documents.

I hereby waive any rights I may have to a hearing in this matter to defend myself against any charges, but ask the Board to **consider my explanation** before rendering its final decision. I understand that the Board may order any of the terms specified in its letter and that if it does so I will be obligated to comply. I am also aware that the action taken against me by the Board herein is a matter of public record, and that the Board's letter and this certification are public records.

I **request a formal administrative hearing** to contest the charges specified by the Board. I understand that I will be advised of the time, date and place for that hearing at another time. I am aware that I may be represented by an attorney and that at the time of the hearing I may submit to the Board testimony and documentation relevant to the charges. I understand that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than that herein offered and may order such other remedies as it may deem appropriate. I am also aware that this proceeding is a matter of public record and that the Board's letter and this certification are public documents.

Dated: April 17, 1998

Jerald F. Schreiber
(Signature)
Jerald F. Schreiber
(Print Name)

Pd 04/20/98
Pers dc # 1300
\$ 500.00