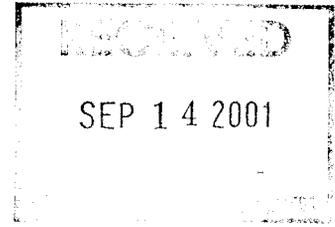


RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 9-14-01 *SR*



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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
: Administrative Action
Dominick Napoles, D.V.M. :
Licensed No. VI01411 :
: CONSENT ORDER
: TO PRACTICE VETERINARY MEDICINE :
IN THE STATE OF NEW JERSEY :
:

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners (hereinafter "the Board") upon receipt of an Enforcement Bureau report concerning an individual who was alleged to have engaged in the unlicensed practice of veterinary medicine. As part of that investigation, respondent was questioned and he provided a written statement. In that written document, respondent admitted that he sold to the unlicensed person "vitamins and antibiotics (amoxicillin, penicillin), but never any drugs (CDS)." He further stated that the vitamins were for personal use of the unlicensed person and that the antibiotics were for the animals that the unlicensed person sold in his pet shop. Admittedly, respondent had not visited the pet shop nor seen the animals for which he prescribed antibiotics.

Having reviewed the entire record, it appears to the Board that respondent issued prescriptions and medications to the unlicensed person without having established a veterinarian-client-patient relationship. These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h) for respondent's violation of N.J.A.C. 13:44-4.1 which requires that a bona fide

veterinarian-client-patient relationship exist prior to prescribing, selling, dispensing, or distributing any prescription item, and subsequently recording same in the medical record. It appearing that respondent desires to resolve this matter without admissions or denials and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 1ST DAY OF SEPTEMBER, 2001,
HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$500 for conduct which is in direct contravention of N.J.A.C. 13:44-4.1, thus a violation of N.J.S.A. 45:1-21(h). Payment for the civil penalties totaling \$500 shall be submitted no later than ten (10) days from the entry of this Consent Order, by certified check or money order made payable to the State of New Jersey and shall be sent to Diane Romano, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

2. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: John G. De Vries
John G. De Vries, D.V.M.
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Dominick Napoles DVN 9-1-01
Dominick Napoles, D.V.M. Date

