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NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 12/3/01

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law- 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Veterinary Medical Examiners

By: Darlene Lapola
Deputy Attorney General
Tel. (973) 648-4447

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 :
Kenneth Dazen, V.M.D. :
License No. VI002600 :
TO PRACTICE VETERINARY MEDICINE :
IN THE STATE OF NEW JERSEY :

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners (hereinafter "the Board") upon receipt of a consumer complaint by Shannon Sullivan concerning services rendered by respondent on Ms. Sullivan's rabbit "Peanut Butter." According to Ms. Sullivan, Peanut Butter had a loss of appetite. On March 22, 2001, Dr. Dazen's technician, under the direction of Dr. Dazen, took two radiographs of the rabbit. After a review of the first radiograph, Dr. Dazen determined that a second radiograph from a different angle would be necessary in order to properly diagnose the rabbit's gastrointestinal condition.

Mrs. Sullivan contacted Dr. Dazen later in the evening to advise that the rabbit was not using its hind legs. Although Dr. Dazen requested that she return with Peanut Butter to the office for a follow-up, she instead took the rabbit to another veterinarian who diagnosed the fractured vertebrae. Dr. Dazen states that because he was treating Peanut Butter for a gastrointestinal problem, he

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NOV 29 2001
NJ STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

admittedly did not notice that the second radiograph showed that the rabbit sustained a fracture to its vertebrae, which was not present in the first radiograph, while under the care of his office.

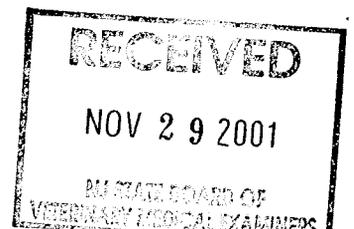
Having reviewed the entire record, it appears to the Board that these facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(d) in that respondent assumed the responsibility of treating Peanut Butter for the gastrointestinal condition and directed his technician, who was under his supervision, to restrain the rabbit which sustained a fracture. Additionally, the Board finds that respondent admittedly failed to observe from the second radiograph that the rabbit sustained such a fracture while under the care of his office. It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS 29th DAY OF October, 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 \$1,500 in that respondent allowed for his technician, who was under his supervision, to restrain the rabbit in such a way so as to allow for the rabbit to fracture its vertebrae; and that respondent failed to observe on the second radiograph, the rabbit's fractured vertebrae while treating the rabbit for a gastrointestinal condition. Payment for the civil penalties totaling \$1,500, shall be submitted no later than ten days (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 De Vries, DVM
John De Vries, D.V.M.
Board President

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

Kenneth D. Dazen, V.M.D. 10/29/01
Kenneth D. Dazen, V.M.D. Date

Robert A. Gleaner, Esq. 10/31/01
Robert A. Gleaner, Esq. Date
Counsel for Kenneth D. Dazen, V.M.D.

