



RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 12/31/01 *MC*

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

DONALD T. DiFRANCESCO
Acting Governor

JOHN J. FARMER, JR.
Attorney General
MARK S. HERR
Director

November 27, 2001

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

By Certified and Regular Mail

Ms. Tryna Pruden
1110 Halsey Street
Brooklyn, NY 11207

DEC 31 2001

Re: Tryna Pruden- Expired Permit
Offer of Settlement on Charges of Unlicensed Practice

Dear Dr. Pruden:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners ("Board") has had an opportunity to review information which alleges that you performed veterinary medical services in the State of New Jersey without being licensed to do so and without your having a valid permit. Specifically, the information reviewed included:

1. A consumer complaint filed by Rebecca Pisano,
2. A response submitted by Gerald M. Buchoff, BVSc prepared by his attorney,
3. Medical records concerning the patient Bailey,
4. The temporary permit issued to you,
5. Your failing score results from the October 20, 2000 practical examination.

Based on the available information, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:16-9.7 which states:

No person shall enter upon or continue the practice of veterinary medicine, surgery or dentistry in any of the their branches, unless he has complied with the provisions of this chapter and has been licensed by the board. No person shall use any title or degree appertaining to the veterinary profession or practicing veterinary medicine, surgery or dentistry in any of their branches without being licensed and registered in conformity with the provisions of this chapter.

Additionally, the Board has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:16-9.7 which provides that:

November 27, 2001

A qualified licensed practitioner of the profession may employ as assistants not more than two qualified veterinary graduates who have obtained a temporary permit; provided that the assistants have met all the requirements of the board as set forth in the practice act. An applicant for such a temporary permit must associate himself with a qualified licensed veterinarian and his labors shall be limited to the practice of the qualified veterinarian. Each assistant shall be under the responsible supervision of a licensed practicing veterinarian. Said applicant must present himself for examination at the next scheduled examination of the board. There shall be a fee determined by the board for the aforementioned permit, which fee shall be applied toward the examination fee, but shall be forfeited if the applicant fails to present himself at the next scheduled examination. If the applicant does not pass the examination, additional permits may be issued but not to exceed 3. Application for such permit shall be countersigned by the registered licensed veterinarian with whom the candidate will be associated. A candidate who has failed to appear for an examination or who has failed an examination and who has subsequently thereto failed to renew his permit is disqualified to practice the profession of veterinary medicine, surgery, and dentistry.

The Board has preliminarily concluded that the above violation is sufficient to warrant the initiation of a formal enforcement proceeding against you. Notwithstanding that determination, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of formal proceedings, should you consent to:

1. Sign an agreement to cease and desist from practicing veterinary medicine until such time that you either obtain a valid permit or are licensed as a veterinarian in New Jersey;
2. Pay a penalty in the amount of \$5,000, to be paid at the rate of \$420 per month commencing on December 17, 2001 (or \$420 per month thereafter until the amount is paid in full).

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. In such event, this letter will be a matter of public record.

In the event that you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of enforcement proceedings. You are advised, however, that in the event formal charges are filed, the Board may seek civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts are found to so warrant, seek an order requiring you to reimburse certain monies and/or requiring you to pay costs and/or legal fees incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, please contact Deputy Attorney General Darlene Lapola, who may be reached at (973) 648-4447.

November 27, 2001

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within five (5) days following your receipt of this letter. In the event that the Board receives no response from you within five (5) days, the Board's settlement offer will be withdrawn and the matter will be referred to the Attorney General's Office.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: *Diane I. Romano*
DIANE I. ROMANO
Executive Director

ACKNOWLEDGMENT AND AGREEMENT TO CEASE AND DESIST

I, *Dr. Pruden*, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I admit having engaged in the practice of veterinary medicine while unlicensed to do so on one or more occasion(s). I agree to cease and desist from practicing veterinary medicine until such time that I either obtain a valid permit or become licensed as a veterinarian in New Jersey. I am aware that if I violate this agreement, the Board may institute legal proceedings against me to obtain an injunction and to seek monetary penalties to be calculated as second offenses pursuant to law. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against these charges of wrongdoing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$5,000 (to be paid at the rate of \$420 per month commencing on December 17, 2001 and the 17th of each month thereafter until the amount is paid in full by means of a check or money order made payable to the State Board of Veterinary Medical Examiners of New Jersey and provided to the Executive Director of the Board.)

Dated: *12/22/2001*

Tryna Pruden
Tryna Pruden

cc: Darlene Lapola, Deputy Attorney General