

on March 20, 2003, and "informed them that Sweet Pea tested negative for the[se] three tests."

The Board concludes that cause for disciplinary action against Dr. Garson exists. Specifically, the Board finds that the respondent engaged in gross negligence, in violation of N.J.S.A. 45:1-21(c), by failing to recognize a positive test result on the lab report and advising the owner, who owned additional cats, that Sweet Pea had tested negatively for FIP, a highly contagious infectious disease.

The Board has concluded that the conduct described above in detail provides grounds for the imposition of disciplinary action against the respondent.

The respondent, wishing to resolve this matter without further proceedings, without admissions and without the recourse to formal disciplinary proceedings; and the Board being satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

IT IS on this *24th* day of *July* 2003,

ORDERED that:

1. The respondent, Benito Garson, V.M.D., is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,500.00, for engaging in gross negligence. Payment for the civil penalty 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 Board of Veterinary Medical Examiners and shall be forwarded to Leslie G. Aronson, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101. Any subsequent violations will subject respondent to enhanced penalties as provided in N.J.S.A. 45:1-25.

2. Failure to comply with any provisions of this Order or remit any and all civil

penalty and costs payments required by this Order will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules, 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: *Alfred R. Scerni, Jr.*
ALFRED R. SCERNI, JR., ESQUIRE
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.

Benito G. Garson 9/22/03
BENITO G. GARSON, V.M.D. Dated:

This Order is good to as to form and entry.

Deborah A. Holzman 9/22/03
DEBORAH A. HOLZMAN, ESQUIRE
Attorney for Benito G. Garson, V.M.D.