



JAMES E. MCGREEVEY
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Veterinary Medical Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



PETER C. HARVEY
Attorney General

RENI ERDOS
Director

October 4, 2004

RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

on this date of: OCTOBER 19, 2004

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

By Certified and Regular Mail

Karin L. Johanson, D.V.M.
Three Rivers Holistic Veterinary Services
Post Office Box 151
Convent Station, New Jersey 07961

Re: I/M/O KARIN L. JOHANSON, D.V.M.
Complaint Number: 03-073

Offer of Settlement In Lieu of Disciplinary Proceeding

Dear Dr. Johanson:

This letter is to advise you that the New Jersey State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") has had an opportunity to review information it received concerning the care and treatment you provided to Joseph R. Attamante's American Shorthair cat, "Mimi," on or about September 3, 2003.

Specifically, the information reviewed by the Board included, but is not limited to, the following documents:

1. A complaint filed by Joseph R. Attamante with the Board's administrative office on or about October 3, 2003, as well as any and all attachments and exhibits;
2. A correspondence to the Board from Karin L. Johanson, D.V.M., dated October 12, 2003, as well as any and all attachments and exhibits; and
3. A letter, dated September 12, 2003, signed by Dr. Johanson and addressed to Mr. And Mrs. Attamante.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you engaged in professional misconduct, in violation of N.J.S.A. 45:1-21(e), in that you failed to adequately communicate with Mimi's owners regarding the cat's test results and that you utilized the improper and non-defined term of "veterinary nurse practitioner" in a written report you prepared in this matter.

Specifically, the Board's review into this matter revealed that Mimi was brought to your hospital on September 3, 2003. During the course of this visit, blood tests were taken which, according to Mr. Attamante, were performed at your recommendation. Following receipt of the results of these tests, the owner was contacted by your veterinary technician, Cindy, to discuss and explain the results to Mr. Attamante.

Apparently, the owner had additional questions concerning the blood results that he maintains Cindy could not answer. He, therefore, sought to speak to you via the telephone regarding the condition of his cat. This request by the owner was evidently denied and instead he was furnished with a letter detailing your office policy which required him to refer all of his questions to Cindy who would again confer with you and relay your answers to him. According to your September 2003 correspondence, if this procedure was unsatisfactory to the owner, he was then required to schedule a follow-up appointment with you in order to have his questions answered. Finally, the policy advised him that if your enumerated procedure was unacceptable to him, you would release Mimi's medical records so that he could seek veterinary services elsewhere. A copy of your September 12, 2003, correspondence to Mr. Attamante is attached for your convenience. The owner found the policy unacceptable and requested you forward the Mimi's medical records to another veterinarian in a letter to you dated September 19, 2003.

The Board has reviewed the entire record established in this matter and has preliminarily concluded that your lack of and failure to communicate with the owner timely in order to allay and answer his concerns concerning the health and condition of his cat constitutes professional misconduct in violation of N.J.S.A. 45:1-21(e). Specifically, the Board finds that communication to an owner as to the condition of their pet, including the results of diagnostic testing, is part and parcel of your veterinary duties. Your office policy of not directly communicating with the owners and requiring the owners gather information to and through a non-licensed staff person is inappropriate and should cease.

Additionally, the Board has concluded that your use of the term, "veterinary nurse practitioner," in your September 2003 correspondence to the owners is improper and misleading. There is no such title or training in veterinary medicine. This term suggests to consumers that your staff person has specific and additional training in veterinary medicine and is permitted to perform additional veterinary services as a result of this additional training. The information you have provided suggests that Cindy is either a veterinary assistant or technician. Therefore, the Board strongly recommends that you utilize her correct title when referring to her and cease using the misleading and non-defined term of "veterinary nurse practitioner."

At this juncture, the Board has determined that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings 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 disciplinary proceedings, should you consent to:

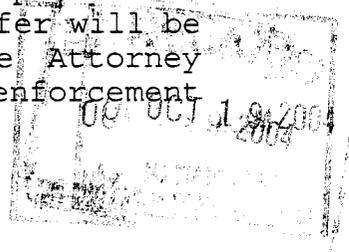
1. You are hereby formally reprimanded by the Board for engaging in professional misconduct in violation of N.J.S.A. 45:1-21(e); and
2. Pay a penalty in the amount of **\$1,000.00**, to be paid immediately upon your signing of the acknowledgment at the bottom of this letter, for your violation of N.J.S.A. 45:1-21(e).

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 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 appropriate disciplinary action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter

or the settlement offer herein, I suggest that you contact Deputy Attorney General Olga E. Bradford, who may be reached at (973) 648-3696.

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 fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of the appropriate enforcement action.



NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: *Leslie G. Aronson*
LESLIE G. ARONSON
Executive Director

ACKNOWLEDGMENT: I, **KARIN L. JOHANSON, D.V.M.**, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. 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 **\$1,000.00**, which is to be paid upon signing of this acknowledgment, for engaging in professional misconduct, contrary to the mandates of N.J.S.A. 45:1-21(e).

Karin L. Johanson
KARIN L. JOHANSON, D.V.M.

DATED:
cc: Deputy Attorney General Olga E. Bradford

CERTIFIED MAIL:
7002 0860 0000 9897 4741