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NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
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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: :

MORSY A. ALSAMADISI, BVSc : CONSENT ORDER

TO PRACTICE VETERINARY MEDICINE :
IN THE STATE OF NEW JERSEY :

This matter was opened to the State Board of Veterinary Medical Examiners (“Board”) following the Board’s review of three (3) consumer complaints which alleged that Morsy A. Alsamadisi, BVSc, among other charges, had engaged in professional misconduct, negligence, misdiagnosis and false advertising concerning the veterinary medical services that the respondent had provided to the consumers’ respective pets.

Specifically, in the first complaint, Meredith Downes alleged that Dr. Alsamadisi had engaged in professional misconduct, negligence and misdiagnosis in his treatment of her twelve (12) year old Rottweiler, “Spanky” on or about July 9, 2002. Ms. Downes

contended that she presented Spanky to Dr. Alsamadisi on the evening of July 9th complaining that she believed the dog had some type of infection of her uterus. According to the complainant, Dr. Alsamadisi concluded, without the benefit of any diagnostic testing other than an abdominal x-ray, that Spanky had an infection but aggressively pushed and encouraged the owner to elect euthanasia for the dog due to her advanced age and his opinion that she would not survive necessary surgery. Ms. Downes in fact did elect to euthanize Spanky later in the evening of July 9, 2002.

The second consumer, Cathy Zwigard, maintains that she took her two (2) month old puppy, "Pebbles," to Dr. Alsamadisi's hospital, All Pets Vets Hospital ("Hospital"), on or about April 15, 2002, for a free office examination, free initial fecal examination and free deworming as advertised on a flyer distributed by Shake A Paw pet store. Ms. Zwigard contends that the respondent engaged in false and misleading advertising and professional misconduct when Dr. Alsamadisi proceeded to vaccinate Pebbles, dispense heart worm medication presenting her with a bill totaling \$105.00.

Finally, Frances Aimino alleges that Dr. Alsamadisi engaged in professional misconduct and misdiagnosis in the treatment he rendered to her three and one-half (3 ½) year old female Chihuahua, "Chayla," between July 8, 2002 and February 16, 2003. Chayla was purchased by the consumer at Shake A Paw pet store and the respondent was listed in the store as a recommended veterinarian. Ms. Aimino presented Chayla to Dr. Alsamadisi numerous times complaining of hair loss that she maintains was never properly diagnosed.

On September 24, 2003, the Board held an investigative inquiry at which Dr. Alsamadisi appeared with counsel. In regard to the Downes complaint, the respondent

advised the Board that, following his examination of Spanky, he recommended several options to the owner, including; detailed blood testing; referral to a specialist; and euthanasia. He contends that the owner initiated the issue of euthanasia for the dog.

In addressing the allegations contained in the Zwigard complaint, Dr. Alsamadisi testified that he provided Pebbles with a free office examination, free initial fecal examination and free deworming as he advertised. However, the respondent maintained that he charged the owner for the vaccinations and Heart Guard medication the dog received and that he had received permission to proceed with these billable services after his explanation to the owner.

Additionally, Dr. Alsamadisi presented to the Board at the inquiry handwritten patient records for Pebbles that were different from those he had furnished to the Board on an earlier date. He testified that he did not amend or alter the patient records in any way. Rather, Dr. Alsamadisi opined that he must have inadvertently produced two sets of records for this particular animal after a long and busy day. Later, the respondent contended that perhaps his receptionist had made a mistake by printing an entry in the record utilizing an erroneous date.

Finally, concerning the third complaint, the respondent indicated that the owner presented the animal complaining of hair loss in July 2002. He testified however that, while the hair was thin at this time, he made no notes of this in the patient record. Additionally, Dr. Alsamadisi prescribed Pet Tabs Plus for Chayla but failed to note this in the patient records. Finally, approximately six (6) months later, Dr. Alsamadisi scraped the puppy and found demodex larva. Following the scraping, the respondent performed a mitaban dip, prescribed Clavamox and injected the dog with ivomectin and vetalog.

From its review of the testimony and written documentation in this matter, the Board finds that cause for disciplinary action against Dr. Alsamadisi exists as a result of the conduct detailed above,. Specifically, the Board finds that Dr. Alsamadisi engaged in the use or employment of dishonesty, deception and misrepresentation in the Zwigard matter, contrary to N.J.S.A. 45:1-21(b), in that the patient records submitted to the Board for Pebbles had been altered and/or fabricated. Specifically, the Board concluded that, although the sentences may be on different lines, the sentences in the two sets of patient records, (one dated erroneously February 9, 2002, since the dog was born on or about March 20, 2002, and another dated April 15, 2002), are exactly identical as though one record was copied directly from the other with the exception of the inserted entry of July 22, 2002, that does not appear on the other record.

Additionally, the Board finds that the respondent has violated or failed to comply with the provisions of the statutes and regulations administered by the Board, in violation of N.J.S.A. 45:1-21(h) in that his patient records failed to comply with the mandates of N.J.A.C. 13:44-4.9. Specifically, the records for Pebbles failed to indicate the name, address and telephone number of the owner of the animal and the name, initials or identifying information to indicate the identity of the licensee. Moreover, the records in the Aimino matter failed to indicate that the respondent noted that the dog's hair was slightly thin and that he had prescribed vitamins for the dog.

Finally, the Board concludes that the respondent's conduct of injecting Chayla with vetalog, given the dog's young age and size, constitutes professional misconduct, in violation of N.J.S.A. 45:1-21(e) and provides grounds for the imposition of disciplinary

action, in that vetalog was a contraindicated drug for Chayla's condition and that the respondent utilized the wrong dosage given the dog's size and weight.

It appearing that the respondent desires to resolve this matter without the need for formal disciplinary proceedings; and the respondent acknowledging and not contesting the findings of fact and conclusions of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

IT IS on this 19th day of **NOVEMBER** 2004,

ORDERED that:

1. The respondent, Morsy A. Alsamadisi, BVSc, is hereby formally reprimanded for engaging in dishonesty, deception and misrepresentation, in violation of the statutes and regulations administered by the Board, and professional misconduct, contrary to N.J.S.A. 45:1-21(b) and (e) respectively, by altering and/or fabricating patient records and by prescribing a contraindicated drug and prescribing the wrong dosage.
2. Dr. Alsamadisi is also reprimanded for failure to comply with the regulations governing patient records.
3. Dr. Alsamadisi is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$5,000.00 for engaging in the use of fraud, deception and misrepresentation in the Zwigard matter by altering and/or fabricating Pebbles' patient records, contrary to N.J.S.A. 45:1-21(b).
4. Dr. Alsamadisi 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 professional misconduct in his

treatment of Chayla, contrary to N.J.S.A. 45:1-21(e), for his use of a contra-indicated drug in an erroneous dosage.

5. The respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,000.00 for violation of N.J.S.A. 45:1-21(h), and specifically N.J.A.C. 13:44-4.9, in that his patient records in the Zwigard and Aimino matters failed to comply with the Board's regulation governing patient records.

6. Payment for the civil penalties detailed in Paragraphs 2, 3 and 4 which total in the aggregate amount \$7,500.00, shall be submitted no later than thirty (30) 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.

7. The respondent is hereby assessed costs in the amount of \$977.44 incurred by the State of New Jersey in this matter. Payment for the costs shall be submitted by certified check or money order made payable to the Board of Veterinary Medical Examiners and submitted to the Board no later than thirty (30) days from the entry of this Consent Order. Payment shall be forwarded to Executive Director Aronson at the address enumerated in Paragraph 5 above.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: Mark W. Logan VMD
MARK W. LOGAN, V.M.D.
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.

Morsy A. Alsamadisi
MORSY A. ALSAMADISI, BVSc

DATED: 10-20-04

Sean Colquhoun
SEAN COLQUHOUN, ESQUIRE
Attorney for Morsy A. Alsamadisi, BVSc

DATED: 10/29/04