



RICHARD J. CODEY
Acting Governor

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NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 9-20-2005



PETER C. HARVEY
Attorney General

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

September 20, 2005

KIMBERLY S. RICKETTS
Director

By Certified and Regular Mail

Mailing Address:
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Fred S. Cuccinello, D.V.M.
Animal Hospital at Washington
450 Hurffville-Crosskeys Road
Post Office Box 720
Turnersville, New Jersey 08012-0720

CERTIFIED TRUE COPY

Re: **I/M/O FRED S. CUCCINELLO, D.V.M.**
Complaint Number: 03-053

Advisory Letter In Lieu of Disciplinary Proceeding

Dear Dr. Cuccinello:

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 a complaint it received, filed by Thomas and Donna Mandos, concerning the treatment which you rendered to their dog, "Cleo," then a one (1) year old Jack Russell Terrier, beginning on or about May 21, 2003.

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

1. A complaint filed, on or about July 28, 2003, by Thomas and Donna Mandos, as well as any and all attachments and exhibits; and
2. A correspondence, dated August 11, 2003, from Fred S. Cuccinello, D.V.M., to the Board, as well as any and all attachments and exhibits.

Upon review of all available information, the Board has determined that there is insufficient cause in this matter to warrant the filing of formal disciplinary charges. Notwithstanding this decision, the Board, however, asked me to convey to you its concerns with regard to this matter.

In reviewing this matter, the Board found that Cleo was brought to you at the Animal Hospital at Washington ("Hospital") on May 21, 2003, with complaints of vomiting throughout the prior week. Your physical examination revealed that the dog was normothermic and significantly dehydrated with a wobbly/staggering gait. Additionally, you found Cleo to be anorexic and adipsic for approximately two (2) days. Having treated the dog since July 2002 when she was a puppy, you were aware that she had a long history of foreign body ingestion.

Following your examination, you recommended that Cleo be admitted into the Hospital for a thorough work-up, including but not limited to, blood, urine, fecal tests and radiographs. The results of these tests supported your initial diagnoses which included dehydration, pancreatitis, leukocytosis and foreign body material in the stomach and/or small intestines. During her hospitalization, Cleo vomited various pieces of foreign body material which you indicated resembled furniture or pillow stuffing or stuffed animal pieces. Cleo was later discharged on or about May 24, 2003, after she was re-hydrated and able to eat and drink without any vomiting.

Cleo was returned to your Hospital on or about May 27, 2003 by the owner with continued complaints of vomiting. The last time you examined the dog was on June 7, 2003 at which time you concluded that Cleo had no foreign body or obstruction palpable. There is no indication in the records in this matter that you performed any additional diagnostic testing on the dog between May 27, 2003 and her last visit of June 7, 2003.

On or about June 9, 2003, the owner took Cleo to the Veterinary Hospital of the University of Pennsylvania ("VHUP") for a second opinion. VHUP ruled out the diagnosis of pancreatitis. Rather, an ultrasound was performed on Cleo and it and additional testing confirmed the existence of a foreign body, namely a rubber ball, that was surgically removed on June 9th. Cleo recovered uneventfully from the surgery.

The Board has concluded that the veterinary medical services you provided to Cleo do not substantially deviate from the acceptable standard of care in the practice of veterinary medicine to warrant the initiation of disciplinary action. However, the Board has concluded that you should have performed additional diagnostic testing, such as an ultrasound or x-rays given the dog's history of ingesting foreign bodies, through the period of May 27th when the dog was re-presented to you following hospitalization with continued and consistent complaints of vomiting and her last visit of June 7, 2003. In the alternative, the Board found that you could have referred Cleo to another practitioner for said testing

or other veterinary services in order to ascertain the cause of her vomiting. The Board notes that your failure to either perform additional testing or refer Cleo in this matter could have led to dangerous consequences had the foreign body not been discovered and removed. The Board strongly urges you to consider recommending and or performing additional diagnostic testing and/or the referral of the matter in similar cases in order to avoid this occurrence in the future.

As you may be aware, the Board is obligated to review every complaint received from consumers in order to assure that veterinarians licensed to practice in this State are complying with the applicable statutes, regulations and accepted standards of practice. Notwithstanding the concerns expressed in this letter, the Board has determined not to initiate any formal disciplinary action against you at this time. The Board suggests that you consider the issues raised in this correspondence and comply with the directives contained herein. This matter will now be considered closed by the Board and, as such, this letter will be a matter of public record.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By:



LESLIE G. ARONSON
Executive Director

cc: Deputy Attorney General Olga E. Bradford