

old Persian cat, "Sabastian." The Board's review into this matter revealed that the respondent, Tracy Sane, D.V.M., also provided veterinary care and treatment to Sabastian.

On April 16, 2003, the owner noticed that Sabastian, a cat with a history of crystal urea, bladder stones and cystitis, was having difficulty urinating. She called Lincoln Avenue and Dr. El-Akbawy requested that she admit the cat so he could perform a complete analysis on his condition and she complied. Following his examination and treatment of the cat, Dr. El-Akbawy discharged Sabastian to the owner with medication to relax his bladder on April 19, 2003. Dr. El-Akbawy provided the owner with his cell phone number and advised her to contact him if Sabastian had any problems.

On the following day, Sunday, April 20, 2003, the owner reported that Sabastian started to vomit, was lethargic and could not walk. She contacted Dr. El-Akbawy and advised him that she believed the cat was blocked. The owner was directed to bring Sabastian to Lincoln Avenue where the cat was admitted on the same day. Respondent Dr. Sane was on duty at Lincoln Avenue on April 21, 2003. During this period of time, he worked at Lincoln Avenue on Mondays and Tuesdays, in place of Dr. El-Akbawy, and was most often the only veterinarian on duty at the hospital on these days.

On December 10, 2003, Dr. Sane appeared without counsel at an investigative inquiry held by the Board. During the inquiry,

the respondent testified that Dr. El-Akbawy met with him on Monday morning, April 21, 2003, in order to advise him on Sabastian's case. He maintained that Dr. El-Akbawy informed him that the dehydrated cat had been admitted into Lincoln Avenue following a procedure to unblock him which was performed by an associate veterinarian on April 20th. Dr. Sane advised that this personal meeting with Dr. El-Akbawy was unusual. Dr. Sane further testified that Dr. El-Akbawy told him that the cat's owner, Ms. Sperling, was a difficult client and advised him to avoid all contact with her. Finally, the respondent testified that he avoided any contact with Sabastian on Monday and did not examine or provide any treatment or care to the cat even though he was the only licensed veterinarian on the premises on that day.

On Tuesday, April 22, 2003, Dr. Sane, who was again the only veterinarian on duty at Lincoln Avenue on this day, testified that, following his review of Sabastian's lab results and a conversation with a veterinary technician about the cat, he concluded that Sabastian was seriously ill. He maintained that at some point during the day, he called Dr. El-Akbawy to report that the owner had been calling continuously concerning Sabastian's condition.

Finally, according to the respondent's testimony, Dr. Sane spoke to the owner in the mid-afternoon on April 22nd and informed her of the cat's lab results. Following their discussion,

the respondent directed a veterinary technician to prepare Sabastian for discharge because the owner would be removing the cat from Lincoln Avenue. Dr. Sane again did not examine the cat or make any notes in the patient record relative to Sabastian's condition because, as he testified, he intentionally refrained from participation in the case following his discussion with Dr. El-Akbawy on Monday morning.

Having reviewed the entire record in this matter, including the patient records and the testimony of the respondent at the investigative inquiry on December 10, 2003, it appears to the Board that Dr. Sane engaged in gross negligence, contrary to N.J.S.A. 45:1-21(c), which damaged or endangered the life, health, and welfare of Sabastian in that he failed to provide any care or treatment to Sabastian for two (2) days while the cat was hospitalized at the Lincoln Avenue facility. The Board finds that Dr. Sane was aware of the cat's serious condition and his reason for hospitalization. The Board concludes that as the only veterinarian on duty for those days, respondent had the overall responsibility for all of the animals in the hospital, including Sabastian. The Board further finds that his failure to examine the cat, review the files or record any information in the patient record for the two days he was on duty deviates from acceptable standards of care.

The parties desiring to resolve this matter without the need for further disciplinary proceedings; and the respondent acknowledging and not contesting the findings of 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, THEREFORE, ON THIS DAY OF OCTOBER 2005,

ORDERED THAT:

1. The respondent, Tracy Sane, D.V.M., is hereby reprimanded for his conduct as described above, in violation of N.J.S.A. 45:1-21(c).

2. Dr. Sane shall pay a civil penalty in the amount of \$2,500.00 for the violation found herein. Such penalty shall be paid by certified check or money order made payable to the State of New Jersey and submitted to the State Board of Veterinary Medical Examiners at 124 Halsey Street, Post Office Box 45020, Newark, New Jersey 07101, within fifteen (15) days following entry of this Order. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

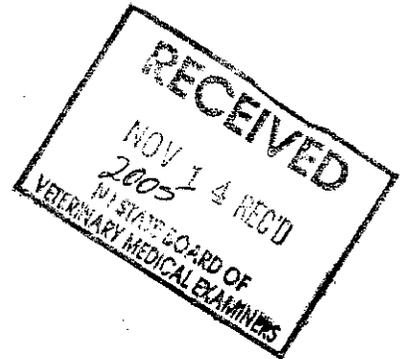
3. Dr. Sane shall pay the Board's costs in this matter in the amount of \$362.00. Such costs shall be paid by certified check or money order made payable to the State of New Jersey and submitted to the State Board of Veterinary Medical Examiners, at

the address listed in paragraph 2 above, within fifteen (15) days following entry of this Order.

4. Failure to comply with any of the provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt 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, 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.



TRACY SANE, D.V.M.

DATED: 