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RECEIVED and FILED by the
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 THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
: Administrative Action
: :
KATHLEEN A. FURTH, D.V.M. :
License No. 29VI00434200 :
: CONSENT ORDER
: :
TO PRACTICE VETERINARY MEDICINE :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of
Veterinary Medical Examiners (hereinafter the "Board") upon receipt
of a consumer complaint filed by Michelle Puorro concerning
services rendered by the respondent Kathleen A. Furth, D.V.M., to
her one (1) year old female cat, "Misty," on or about February 5,
2004. The complaint alleges, among other contentions, that Dr.

Furth engaged in negligence and professional misconduct, as well as that she failed to respond to an emergency, in her treatment of Misty.

Ms. Puorro presented Misty, and two other cats, Misfit and an outdoor cat, to Dr. Furth at the Schoolhouse Animal Hospital (hereinafter the "Hospital") at approximately 10:00 a.m. on February 5, 2004, for the purpose of surgical sterilization under the New Jersey State Neuter Program.

Dr. Furth performed the surgery and asserted, in an undated correspondence received in the Board office on April 2, 2004, that the surgery was uneventful and that Misty recovered normally from the procedure. The cat was discharged from the Hospital at approximately 5:20 p.m. on February 5, 2004.

Later in the evening of February 5th at approximately 7:30 p.m., the owner returned Misty to the Hospital complaining that the cat was not acting right. Upon her physical examination of Misty, the respondent found that the cat was depressed, hypothermic and shocky. Additionally, she was unresponsive to external stimuli and her mucous membranes were white, the capillary refill was prolonged. Dr. Furth recommended that Misty be readmitted to the Hospital for treatment and supportive care.

The owner agreed with the respondent's recommendation and executed the Hospital's Consent form for Misty's readmittance. The

written consent form advises owners that the Hospital is not routinely staffed overnight but that arrangements for this type of care can be arranged if deemed necessary or desired. Ms. Puorro contends that she did not read the consent form and was not verbally advised that there would be overnight care for the cat given her condition upon readmittance. Dr. Furth maintains that, while it is the custom and practice of the Hospital to verbally advise clients of the lack of overnight care, she was personally attending Misty and is therefore unclear as to whether the owner was verbally advised of this information.

The records indicate that fluids, and an injection, were administered to Misty to correct the shock. She was also placed in a cage with blankets and hot water bottles in an attempt to raise her body temperature. Dr. Furth maintains that at approximately 8:30 p.m., Misty appeared to be better because she was sitting sternal and responding a little. An ultrasound examination performed of the cat's abdomen revealed no free fluid, such as blood, in her abdomen.

The Hospital staff, including the respondent, left the building shortly after 9:00 p.m. When Dr. Furth arrived at the Hospital at 8:15 a.m. on the following morning, February 6, 2004, Misty was laterally recumbent and non-responsive. Dr. Furth called the owner, at or about 9:15 a.m., to report that Misty had died

earlier that morning. The owner retrieved Misty from the Hospital and had a necropsy performed on Friday, February 6, 2004. The report from this procedure indicated that, among other findings, approximately 25-30 ml of free blood was present in the cat's abdominal cavity and concluded that Misty died due to internal blood loss.

The Board, following its review of the entire record, has concluded that the respondent, Kathleen A. Furth, D.V.M., engaged in repeated acts of negligence, contrary to N.J.S.A. 45:1-21(d), by: 1) failing to refer Misty to an animal hospital that could provide overnight care and treatment given the cat's serious condition on readmittance on February 5th; 2) utilizing improper surgical techniques resulting in the absence of tight ligatures; and 3) failing to adequately communicate to the owner that the Hospital would not provide any overnight care to Misty.

The Board finds that the facts detailed above establish a basis for disciplinary action. It appearing that the respondent desires to resolve this matter; 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

1st

day of

March

2006,

ORDERED that:

1. The respondent, Kathleen A. Furth, D.V.M., is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$2,000.00 for engaging in gross negligence in the performance of Jake's neutering in violation of N.J.S.A. 45:1-21(c).

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 Aronson, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties to N.J.S.A. 45:1-25.

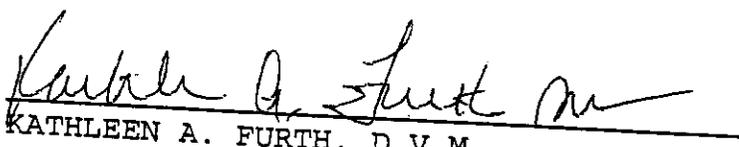
2. Failure to comply with any of the provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in

subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

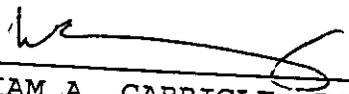
By: 
ALFRED R. SCERNI, ESQUIRE
President

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.


KATHLEEN A. FURTH, D.V.M.,

11/18/05
DATE:

Consent as to form and entry:


WILLIAM A. GARRIGLE, ESQUIRE
Attorney for the Respondent

DATED: 11-22-05