

RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 3-26-14

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS

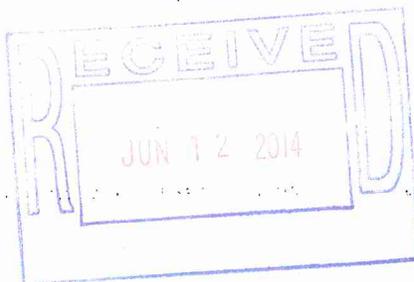
IN THE MATTER OF :
FRANCISZEK V. VON ESSE, V.M.D. :
TO PRACTICE VETERINARY MEDICINE :
IN THE STATE OF NEW JERSEY :
_____ :

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners (hereinafter the "Board") upon receipt of an application for licensure as a veterinarian in this State filed by Franciszek V. Von Esse, V.M.D.

Beginning in or about May 2012, Franciszek V. Von Esse, V.M.D., initiated the process for licensure via endorsement as a veterinarian in the State of New Jersey. The Board reviewed all of the relevant documentation submitted with his application. However, subsequent to the filing of the application, the Board received



information which indicated that Dr. Von Esse had engaged in the unlicensed practice of veterinary medicine in the State of New Jersey prior to the approval of his application.

Dr. Von Esse appeared before the Board, without legal counsel, at an investigative inquiry on November 28, 2012. During this inquiry, he advised the Board that he initially submitted his application for a temporary license to its administrative office on or about May 18th, 2012. Dr. Von Esse further maintained that, over the course of the next several months, either he or a member of St. Francis Veterinary Center was in regular communication with Board staff regarding the status of his application. In addition, he testified that he immediately responded to each and every request made by the Board office, including, on three separate occasions, the request that he resubmit a copy of his application. Dr. Von Esse advised that he believed he had made every effort possible to have his license application processed in a timely fashion. Dr. Von Esse temporary license was ultimately issued on November 1, 2012. Finally, Dr. Von Esse admitted during the inquiry that he had practiced veterinary medicine without a license beginning in May of 2012 continuing until his temporary license was received in November of 2012. He testified that he thought that once he had initiated the licensure process that he was permitted to practice veterinary medicine.

Following his testimony and a review of the relevant documents submitted in this matter, the Board found that Dr. Von Esse had engaged in the practice of veterinary medicine in this State without a license, in violation of N.J.S.A. 45:16-9, beginning in or about May 2012 and continuing until on or about November 28, 2012. His licensure application was approved by the Board on December 7, 2012.

It appearing that the applicant Franciszek V. Von Esse, V.M.D., desires to resolve this matter without recourse to any additional or formal proceedings; and the applicant not contesting the findings of the Board contained in the within Order; and the applicant waiving his right to a hearing and the Board finding that the disposition of the matter as set forth herein is adequately protective of the public health, safety and welfare, and other good cause appearing:

IT IS, THEREFORE, ON THIS ^{14TH} day of ~~JANUARY~~ ^{MARCH} 2014,

HEREBY ORDERED AND AGREED THAT:

1. Franciszek V. Von Esse, V.M.D., is hereby formally reprimanded for his conduct as described above, namely, the unlicensed practice of veterinary medicine, contrary to N.J.S.A. 45:16-9.

2. Dr. Von Esse is hereby assessed a civil penalty in the amount of \$1,500.00 for his violation of N.J.S.A. 45:16-9. Said penalty shall be paid by certified check or money order made payable to the State of New Jersey and submitted to the Board of Veterinary

Medical Examiners, to the attention of Jonathan Eisenmenger, Executive Director of the Board, at 124 Halsey Street, Post Office Box 45020, Newark, New Jersey 07101, contemporaneously with the signing of this Order.

In the alternative, the respondent may pay the civil penalty, totaling \$1,500.00 in equal monthly installments payments of \$125.00 for a total of twelve (12) months. The first payment shall be made simultaneously with submission of this Order with subsequent installments due on the fifteenth of each month thereafter until the total amount is paid in full.

Any failure to make any installment payment within ten (10) days of the due date shall cause the entire remaining balance to become immediately due and payable without further notice. Further, failure to pay the penalty within the time period allotted above will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules, and may result in subsequent disciplinary proceedings before the Board for failure to comply with an Order of the Board.

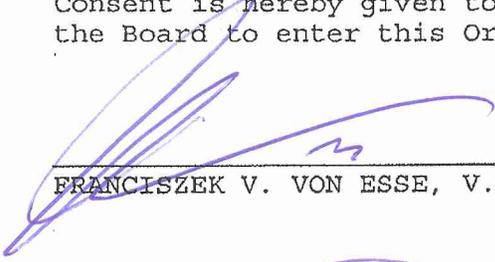
3. Failure on the part of the applicant to pay the civil penalty or the installment payments timely would constitute a violation of the Order, proof of which would constitute grounds for disciplinary action by the Board, including, but not limited to, suspension of his license to practice veterinary medicine.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By:

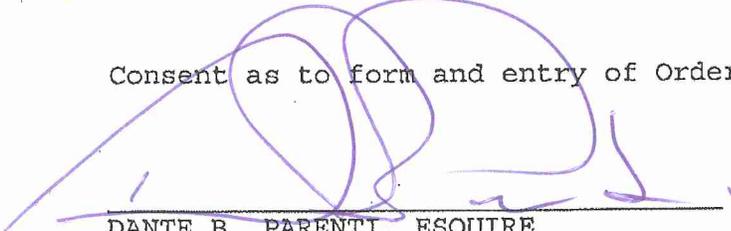

MARK W. LOGAN, V.M.D.
President

I have read and understand
the within Order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this Order.


FRANCISZEK V. VON ESSE, V.M.D.

DATED: 9 March 2014

Consent as to form and entry of Order.


DANTE B. PARENTI, ESQUIRE
Hoffman DiMuzio

DATED: 3-11-14