

suspension while the remaining months were to be served as a stayed suspension with conditions. One of the conditions placed on the respondent's license, during the suspension period, was that he relinquish his right to issue a prescription for, or dispense any prescription CDS item or fill any CDS prescription issued by another licensed veterinarian and that he surrender his CDS and DEA registrations.

On or about August 2003, the respondent petitioned the Board for the removal of certain constraints placed on his license to practice veterinary medicine. Specifically, Dr Levy requested that the Board remove the restrictions placed on his CDS and DEA registrations so that he may, among other duties, be able to, in his new capacity as a housecall veterinarian, euthanize pets in their owners' homes.

In connection with and in support of his petition to remove the restrictions on his CDS and DEA registrations, the respondent submitted a report from Louis E. Baxter, M.D., FASAM, Executive Medical Director of the Physicians' Health Program/Healthcare Professionals' Program, which detailed Dr. Levy's past treatment for substance abuse and his present condition and efforts to maintain his sobriety.

It appearing that the respondent has completed a treatment program, demonstrated sufficient rehabilitation, fitness and ability to practice veterinary medicine; and that the

Physicians' Health Program/Healthcare Professionals' Program supports the lifting of the restrictions on his CDS and DEA registrations; and the Board finding that this Order is adequately protective of the public interest; and for good cause shown;

IT IS, THEREFORE, ON THIS 18th DAY OF MAY 2004,

ORDERED THAT:

1. The restrictions placed on the CDS and DEA registrations of the respondent Harvey Levy, D.V.M., are hereby removed to enable him to apply for such registrations.

2. Dr. Levy shall participate in the Physicians' Health Program/Healthcare Professionals' Program until October 31, 2006 when the stayed suspension period is concluded. Such participation shall include:

i. Absolute abstinence from all psychoactive substances unless prescribed by a treating physician for a documented medical condition with notification to the Executive Medical Director of the PHP.

ii. Documented attendance at meetings of Alcoholics Anonymous/Narcotics Anonymous in accordance with the suggestions made by the Executive Medical Director of the PHP.

iii. Random weekly urine monitoring with reduction as per the Executive Medical Director of the PHP. In addition to screening routinely performed via urine monitoring, tests shall also be performed with respect to the presence of Vicodin;

iv. Aftercare as directed by the Executive Medical Director of the PHP.

v. Regular visits with a member of the PHP on a schedule to be determined by the Executive Director of the PHP;

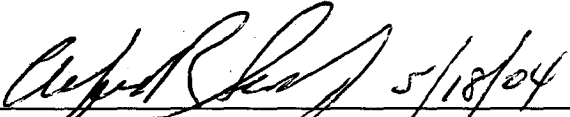
vi. Quarterly reports and any supporting documents submitted to the Board of Veterinary Medical Examiners detailing respondent's compliance with and participation in the PHP with immediate notification to the Board of any evidence of non-compliance or relapse. The respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treatment or other program outlined in this Order as may be required in order that all reports, records and other pertinent information may be provided to, and utilized, by the Board in a timely manner;

3. Respondent shall ensure that all patient medical records comply with the American Animal Hospital Association standards and statutes and regulations pertaining to the Veterinary Practice Act;

4. Any significant deviation from the terms of this Order without the prior written consent of the Board shall constitute a violation, proof of which shall be grounds for activation of the entire period of suspension by this Order or other appropriate disciplinary action as the Board may determine

and may constitute grounds for new charges to further suspend or
revoke respondent's license.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By:  5/18/04
ALFRED R. SCERNI, JR., ESQUIRE
President