

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

Rec'd
9-22-93
JB

In re: George Bitgood, D.M.V.

Petition No. 930408-47-002

CONSENT ORDER

WHEREAS, George Bitgood, D.V.M. of 62 Silver Street, Middletown, Connecticut, has been issued license number 000301, to practice veterinary medicine by the Department of Health pursuant to Chapter 384 of the General Statutes of Connecticut, as amended; and,

WHEREAS, certain allegations have been made against George Bitgood, D.V.M., hereinafter referred to as the Respondent, which allegations have been denied by the Respondent. Those allegations are:

1. At diverse periods between 1989 and April 1993, Respondent failed to maintain his veterinary premises and equipment in a clean and sanitary condition;

2. Respondent's care and treatment of two cats owned by John Rosendrantz in December of 1992 did not meet the standard of care expected of Connecticut veterinarians, in that Respondent operated on those animals under unsanitary conditions;

3. Respondent's care and treatment of a cat owned by Andrew Cameron in January and February of 1993 did not meet the standard of care expected of Connecticut veterinarians, in that Respondent operated on said animal under unsanitary conditions;

4. By his actions in (1), (2) and (3) above, Respondent has violated the provisions of §20-202 (9) of the General Statutes of

Connecticut by failing to conform to the accepted standards of the veterinary profession.

5. Respondent is presently practicing veterinary medicine in Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-202 of the General Statutes of Connecticut, George Bitgood hereby stipulates and agrees to the following:

1. He waives his right to a hearing on the merits of this matter;

2. He is hereby censured;

3. He is hereby required to pay a civil penalty of \$1000.00 on or by July 6, 1993;

4. His license shall be on probation for three (3) years under the following terms and conditions:

(a) He shall submit a report by a licensed veterinarian approved by the Department of Health Services of said veterinarian's inspection of the premises located at 62 Silver Street, Middletown, Connecticut (the "premises") which shall (1) detail said veterinarian's findings as to the cleanliness and sterilization of the entire premises and equipment; (2) indicates that Respondent's premises and equipment are in compliance with all applicable Connecticut laws and regulations and, further, meets the minimum acceptable standards of veterinary medicine; and (4) indicates that Respondent's in-office procedures and protocols for

maintaining proper cleanliness and sterilization conform to the minimum acceptable standards of veterinary medicine;

(b) Respondent shall not practice veterinary medicine until such report is received by the Department of Health Services. Thereafter, Respondent shall only perform emergency surgery and such non-emergency surgery as is intended to be performed on an out-patient basis without a reasonable expectation of the need for overnight stay by the subject animal.

(c) During the term of the probationary period, Respondent shall at his own expense retain a licensed veterinarian approved by the Department of Health Services (the "inspecting veterinarian") to inspect his veterinary premises, equipment and records on a periodic basis as indicated below;

(d) During the first two (2) months of probation, the inspecting veterinarian shall inspect and submit reports to the Department of Health Services on a bi-weekly basis. The first report shall be due on July 21, 1993, with subsequent reports due on the last day of every other week thereafter until a total of four (4) such reports have been submitted.

(e) During the next twelve (12) months of probation, such inspections and reports shall be done and submitted monthly. The first monthly report shall be due on October 1, 1993, with subsequent monthly reports due on the last business day of each month until a total of twelve (12) such reports are submitted.

(f) During the final twenty-two (22) months of probation, such inspections and reports shall be done and submitted quarterly. The first such report shall be due on December 1, 1994, and subsequent quarterly reports shall be due on the last business day of each third month thereafter until a total of (6) such reports are submitted.

(g) All reports referred to above shall address the ability of the Respondent to practice veterinary medicine with reasonable skill and safety, and shall include an assessment of whether the Respondent's veterinary premises and equipment meet minimum acceptable standards of cleanliness. Such reports shall be submitted to:

Lynne A. Hurley, Investigator
Department of Health Services
Division of Medical Quality Assurance
150 Washington Street
Hartford, Connecticut

with a copy thereof provided by the inspecting veterinarian to Respondent at the above-stated address.

(h) If the inspecting veterinarian finds that Respondent does not have the ability to practice veterinary medicine with reasonable skill and safety or concludes that Respondent's veterinary premises and equipment do not meet the minimum acceptable standards of cleanliness, he shall immediately notify the Department of Health Services in writing at the address noted in subparagraph (g) above.

(i) The Respondent hereby assumes full responsibility for the timely filing of the reports referred to above.

(j) That said three (3) year probationary period shall become effective on the date this Consent Order is signed by the last signatory.

5. During the three (3) year probationary period, Respondent shall at his own expense consult a physician on an annual basis (or more frequently in the discretion of said physician) for the purpose of assessing the Respondent's physical and mental condition as such pertains to his ability to practice veterinary medicine (as limited by this Consent Order) with reasonable skill and safety. Said physician (the "inspecting physician") shall be licensed by the State of Connecticut, shall practice medicine in Connecticut, and shall be approved by the Department of Health Services.

6. The inspecting physician shall submit to the Department of Health Services annual reports, due on or by the first day of July of each year beginning in 1993 and continuing for the duration of the probationary period. Said reports shall set forth his findings upon his examination pursuant to paragraph 5 hereof. Said reports shall be submitted to:

Lynne A. Hurley, Investigator
Department of Health Services
Division of Medical Quality Assurance
150 Washington Street
Hartford, CT

Copies of the inspecting physician's reports shall also be provided to the Respondent at his above-stated address.

It is further stipulated and agreed that such reports shall be retained by the Department in confidence and for use only in connection with matters pertaining to Respondent's license to practice veterinary medicine. Respondent shall not practice veterinary medicine in accordance with the terms and conditions hereof as previously described in paragraph 4(b) until the first inspecting physician's report described above has been submitted to the Department.

7. During the probationary period, Respondent shall advise the Department of Health Services in writing of any change in his office or home address.

8. Any deviation by the Respondent from the terms of probation specified above shall constitute a violation of probation and will result in the following procedure:

a. Respondent will be notified in writing that the term(s) of probation have been violated provided no written prior consent for deviation from the term(s) had been granted by the Department of Health Services.

b. Said notification shall include a description of the act(s) or omission(s) which violate the probation.

c. Respondent will be allowed fifteen (15) days to demonstrate to the Department of Health Services that he was in compliance with the terms of the probation, or to cure the violation of the terms of the probation.

d. That if Respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date contained in the notification of violation to the satisfaction of the Department of Health Services, his license shall be revoked unless he requests a hearing as provided below.

e. Respondent must initiate said hearing through a written request sent by certified mail to the Department of Health Services within fifteen (15) days from notification by the Department that there has not been compliance or cure demonstrated to it pursuant to the above provisions.

f. Respondent shall be entitled to a hearing before the Connecticut Board of Veterinary Medicine if he requests the same in timely fashion.

g. Said hearing, and the evidence presented to said Board by either the Department of Health or Respondent thereat, shall be limited to the alleged violation(s) of the term(s) of probation.

9. Any report filed pursuant to the terms of the probation specified above which reasonably indicates, directly or indirectly, that Respondent is unable to practice veterinary medicine, as limited hereunder, with reasonable skill and safety or within the minimum accepted standards of his profession shall constitute a deviation from the terms of probation and shall result in the procedures listed above.

10. Respondent understands and agrees that in any proceedings before the Connecticut Board of Veterinary Medicine concerning (1) Respondent's compliance with the term(s) of this Consent Order or (2) Respondent's compliance with §20-202 of the General Statutes of Connecticut, he shall not contest the allegations prefacing this Consent Order.

11. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive Respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.

12. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department of Health Services at any time prior to its being executed by the last signatory. If so withdrawn by the Department, then this Consent Order is null and void and of no effect and may not be used by the Department or any other person or entity for any purpose, including as evidence in any proceedings, upon the allegations in the preface hereof or otherwise, in any forum.

13. Subject to the approval of the Connecticut Board of Veterinary Medicine, this Consent Order shall be retroactively effective to July 9, 1993. In the event that the Connecticut Board

of Veterinary Medicine refuses to execute this Consent Order, this Consent Order shall be null and void and of no effect as aforesaid.

14. Respondent permits a representative of the Public Health Hearing Office of the Division of Medical Quality Assurance, Connecticut Department of Health Services to present this Consent Order and the factual basis for said Consent Order to the Connecticut Board of Veterinary Medicine. He understands, that said Board has complete and final discretion as to whether or not an executed Consent Order is approved or granted. He further agrees that the Pre-Hearing Review form signed by him is incorporated by reference into this Consent Order.

15. That he has consulted with an attorney prior to signing this document.

I, George Bitgood, D.V.M., have read the above Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


George Bitgood, (D.V.M.)

Subscribed and sworn to before me this 11 day of July, 1993

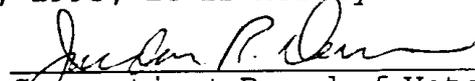

Notary Public or person
authorized by law to administer
an oath or affirmation

The above Consent Order, having been presented to the duly appointed agent of the Commission of Health Service on the 16th day of July, 1993, it is hereby accepted.



Stanley K. Peck, Director
Division of Medical Quality
Assurance

The above Consent Order, having been presented to the duly appointed agent of the Connecticut Board of Veterinary Medicine on the 8th day of Sept, 1993, it is hereby ordered and accepted.



Connecticut Board of Veterinary
Medicine



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

July 9, 1996

Dr. George Bitgood *Dr. DVM*
62 Silver Street
Middletown, Connecticut 06457

Re: Consent Order
Petition No. 930408-47-002
License No. 000301
S.S.N. [REDACTED]
D.O.B. [REDACTED]

Dear Dr. Bitgood:

Please accept this letter as notice that you have completed the terms of the above-referenced Consent Order, effective the date of this letter.

Notice shall be sent to our License and Registration section to remove any restrictions on your license related to this Consent Order.

Thank you for your cooperation.

Very truly yours,

Bonnie Pinkerton

Bonnie Pinkerton
Nurse Consultant
Division of Medical Quality Assurance

cc: Debra Tomassone



Phone:

Telephone Device for the Deaf (860) 509-7191

410 Capitol Avenue - MS # _____

P.O. Box 340308 Hartford, CT 06134

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