

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH**

In re: Richard Vargoshe, D.V.M.

Petition No. 2007-1115-047-027

CONSENT ORDER

WHEREAS, Richard Vargoshe, D.V.M., of Woodbury, CT (hereinafter "respondent") has been issued license number 000510 to practice veterinary medicine by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 384 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. During October 2007, respondent performed a neutering procedure on Gus, an English Mastiff belonging to Mr. and Mrs. S. V., and provided post-operative care to Gus.
2. Respondent negligently and/or unskillfully provided care and treatment to Gus:
 - a. by failing to completely, properly and/or accurately document post-operative care instructions in Gus' medical records; and/or
 - b. by failing to completely, properly and/or accurately document post-operative phone conversations with Mr. and/or Mrs. S. V. concerning Gus' condition, including, without limitation, failing to document admonitions provided to Mr. and/or Mrs. S. V. for failing to follow post-operative care instructions.
3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-202(2).

WHEREAS, respondent has successfully completed a course in documentation standards, pre-approved by the Department. *See*, Attachment "A."

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing and specifically denies said allegations, but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut Board of Veterinary Medicine (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-202 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-202 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent shall pay a civil penalty of one thousand dollars (\$1,000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
3. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
4. Respondent shall pay all costs necessary to comply with this Consent Order.
5. This Consent Order is effective on the date this Consent Order is accepted and ordered by the Board.
6. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-202 of the General Statutes of Connecticut, as amended, is at issue.
7. 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 rights that he may have under the laws of the State of Connecticut or of the United States.
8. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
9. Respondent permits a representative of the Legal Office of the Healthcare Systems Branch to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
10. Respondent has the right to consult with an attorney prior to signing this document.
11. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
12. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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

Richard Vargoshe
Richard Vargoshe, D.V.M.

Subscribed and sworn to before me this 20th day of November 2009.

MAUREEN A. BLISS
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2012

Maureen A Bliss
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 Commissioner of the Department of Public Health on the 3rd day of December 2009, it is hereby accepted.

Jennifer Filippone
Jennifer Filippone, Section Chief
Practitioner Licensing and Investigations
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Vt. Bd. on the 27th day of January 2010 2009, it is hereby ordered and accepted.

Mary Anne O'Neill
Connecticut Board of Veterinary Medicine