

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

In re: Sherwood Gerard, D.V.M.

Petition No. 871027-47-010

CONSENT ORDER

WHEREAS, Sherwood Gerard, D.V.M., of Prospect Avenue, Hartford, Connecticut, has been issued license number 582, to practice veterinary medicine, surgery or dentistry by the Department of Health Services pursuant to Chapter 364 of the General Statutes of Connecticut, as amended; and

WHEREAS, Sherwood Gerard, D.V.M., hereinafter referred to as the Respondent, hereby admits as follows:

1. That from 1972 to 1987 he obtained and used to excess controlled substances.
2. That he diverted controlled substances and failed to keep the required receipt and disposition records for his controlled substance stock.
3. That by his actions in 1. and 2. above he has violated the provisions of §20-202 of the Connecticut General Statutes by failing to conform to the accepted standards of the veterinary profession.

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

1. That he waives his right to a hearing on the merits of this matter;
2. That he is not currently practicing as a veterinarian.

3. That his license to practice veterinary medicine, surgery or dentistry in Connecticut is hereby placed on probation for three (3) years commencing 1 October 1988 subject to the following terms and conditions:

- (a) that he will attend a minimum of one Narcotics Anonymous or Alcoholics Anonymous meeting per week and that he will provide or will cause to have provided monthly reports concerning his record of attendance for the first two (2) years, and quarterly reports for the third year;
- (b) that for the first two years he will submit to observed random urine screens for controlled substances a minimum of twice per month then for the third year these screens will be performed at the discretion of his therapist or counselor. Said screens must be negative for controlled substances except as prescribed by a licensed physician;
- (c) that he shall participate in regularly scheduled group or individual counseling a minimum of twice per month for two years with a Connecticut licensed therapist or counselor, who shall provide written quarterly reports, due on the first business day after every third month. Thereafter during the third year of probation, said counseling shall continue until the treating therapist or counselor determines that the course of treatment has been sufficiently productive and can conclude in a positive manner;

(d) that the aforementioned reports and the results of the urine screens shall be submitted to:

Celia Bumstead Carroll
Board Liaison
Department of Health Services
150 Washington Street
Hartford, Connecticut 06106

(e) the respondent hereby assumes full responsibility for the timely filing of the reports referred to in 3(a) through 3(d) above.

4. That he will refrain from the ingestion, inhalation, injection, or other use of any controlled substance, unless directly prescribed by a licensed physician; in the event that a medical condition arises requiring treatment by a licensed physician utilizing controlled substances, he shall notify the Department of Health Services and Board of Veterinary Medicine initially by telephone, followed up in writing within ten (10) days and upon request, provide such written documentation of the treatment, by the treater, as is deemed necessary by either.
5. That in the fall of 1987 he completed a thirty day program for drug rehabilitation at Conifer Park.
6. That in the fall of 1987 he voluntarily surrendered his two Connecticut controlled substance registrations;
7. That he will not apply or reapply for Connecticut controlled substance registrations for a period of three years. If after application(s) or re-application(s) he is granted Connecticut controlled substance registration(s), he will submit to observed random urine screens for controlled substances a minimum of twice per month for as long as he holds such registrations. The results shall be submitted to the Board of Veterinary Medicine liaison.

8. That he will notify the Board in advance, in writing, of the date he plans to return to the practice of veterinary medicine, surgery or dentistry in Connecticut. Any practice of veterinary medicine, surgery or dentistry without Connecticut controlled substance registration must be within a group practice.
9. That he will notify the Department of Health Services in writing prior to joining any group practice, and shall provide all members of any such practice with copies of this Consent Order and his signed voluntary surrenders of his Connecticut and Federal controlled substance registrations.
10. That any deviation by the Respondent from paragraphs 3., 4., 7., 8 or 9. above shall constitute a violation of this consent order and his license to practice veterinary medicine, surgery or dentistry will be automatically suspended for one year.
11. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Board of Veterinary Medicine (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-202 of the General Statutes of Connecticut, as amended, is at issue.
12. That 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, that said 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 him of any rights that he may have under the laws of the State of Connecticut or of the United States.

13. That this Consent Order is effective the first day of the next month after which the seal of the last signatory is fixed to this document.
14. That he 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.

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

Sherwood Gerard V.M.D.
Sherwood Gerard, D.V.M.

Subscribed and sworn to before me this 9th day of September 1988.

Victoria A. Cooper
Notary Public or person authorized
by law to administer an oath or
affirmation *my Commission expires*
March 31, 1992

The above Consent Order having been presented to the duly appointed agent of the Commissioner of Health Services on the 17th day of September 1988, it is hereby accepted.

Stanley K. Peck
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 14th day of September 1988, it is hereby ordered and accepted.

John R. Quinn
For the Connecticut Board of
Veterinary Medicine

3. With regard to the FIRST COUNT the Board finds that Mr. Spaziante's abuse of heroin and cocaine violates the above cited Section of Connecticut General Statutes §20-238.

ORDER

The Board hereby orders in the case, Petition No. 880108-25-001 of Michael Spaziante that he shall be placed on probation for 1 year and as a condition of probation he shall obtain 3 random urine screens for heroin and cocaine. The reports of those screens shall be sent to the Board on a quarterly basis.

Connecticut Board of Hairdressers
Barbers and Cosmeticians

10-22-1990
Date

Ralph Cobuzzi
by Ralph Cobuzzi, Chairperson

5535Q/ha



STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES

*filed
11-4-91
g*

23 October 1991

Sherwood Gerard, D.V.M.
332 Prospect Street
Apt. 106K
Hartford, CT 06106

*MTC 200-01
11/5/91*

Re: Petition No. 871027-47-070

Dear Dr. Gerard:

I am writing to inform you that the terms of your Consent Order, dated 14 September 1988 have been completed.

This letter serves to confirm that you have completed all of the stipulations of your Consent Order and that the terms of your probation have been completed. Notice will be provided to our Licensure and Renewal Section to remove any restrictions from your license that may have developed as a result of said action effective 23 October 1991.

I hope this information is helpful to you.

If you have any questions regarding this matter, please direct them to my attention at the number listed below.

Very truly yours,

Lynne A. Hurley
Lynne A. Hurley
Investigator
Public Health Hearing Office

LAH:cja
6546Q/24
10/91

cc: David J. Pavis, Chief, PHHO
John Boccaccio, Chief, L&R