

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Louis B. Pieper, D.V.M.

Petition No. 970702-047-014

CONSENT ORDER

WHEREAS, Louis B. Pieper of Startford, Connecticut (hereinafter "respondent") has been issued license number 47-001371 to practice veterinary medicine by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 384 of the Connecticut General Statutes, as amended; and,

WHEREAS, the Department alleges that:

1. On or about June 3, 1997, while working as a veterinarian at Barnum Animal Hospital in Bridgeport, Connecticut, respondent operated on the left hind leg of Slider, a dog belonging to Bonnie McIlhoney.
2. This surgery was supposed to have been performed on Slider's right hind leg.
3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-202.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the 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 and 20-202 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§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 (\$1000) 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's license shall be placed on probation under the following terms and conditions:
 - a. Respondent shall, within sixty days of the effective date of this Consent Order, develop a system in his office to ensure that the correct body part is identified prior to surgery.
 - b. Respondent shall obtain at his own expense, the services of a veterinarian, pre-approved by the Department (hereinafter "supervisor"), to review the system referred to in paragraph 3a.
 - (1) The supervisor shall have the right to monitor respondent's practice by any reasonable means which he or she deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
 - (2) Respondent shall be responsible for providing a written supervisor report directly to the Department verifying to the Department that the system referred to in paragraph 3a is in place and being used, and that respondent is practicing with reasonable skill and safety.
 - c. The probationary period shall end when the Department receives and accepts the report referred to in paragraph 3b(2).
4. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

5. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7a above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

8. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a veterinarian, upon request by the Department, with notice to the Board for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric and/or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that his failure to cooperate with the Department's investigation shall constitute an admission that his conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).
9. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
11. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
12. 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.

13. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
14. 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.
15. 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.
16. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services 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.
17. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
18. Respondent has the right to consult with an attorney prior to signing this document.

*

*

*

I, Louis B. Pieper, 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.

Louis B Pieper
Louis B. Pieper

Subscribed and sworn to before me this 21st day of May 1998.

**My Commission Expires
October 31, 1999**

Robert K. Donnell
Notary Public ~~or person authorized~~
~~by law to administer an oath or affirmation~~

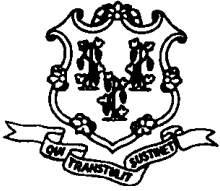
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 27th day of May 1998, it is hereby accepted.

Cynthia Denne
Cynthia Denne, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Board of Veterinary Medicine on the 22 day of July 1998, it is hereby ordered and accepted.

Jordan P. Dan
Connecticut Board of Veterinary Medicine

S: sm. Pieper/legal/co. 4/98



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

October 21, 1998

Louis B. Pieper, D.V.M.
755 Barnum Avenue
Stratford, CT 06497

Re: Consent Order
Petition No. 970702-047-014
License No. 001371
D.O.B. ██████████

Dear Dr. Pieper:

Please accept this letter as notice that you have completed the terms of your license probation, effective 10/21/98.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Consent Order.

Sincerely,

Richard Goldman
Paralegal Specialist II
Division of Health Systems Regulation

cc: Debra Tomassone
Bonnie Pinkerton



Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 12HSR
P.O. Box 340308 Hartford, CT 06134
An Equal Opportunity Employer