

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

In re: Dennis J. Thibeault, D.V.M.

Petition No. 2007-0221-047-011

CONSENT ORDER

WHEREAS, Dennis J. Thibeault, D.V.M. of Chaplin, Connecticut (hereinafter "respondent") has been issued license number 0002879 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 respondent admits that:

1. Respondent was in practice, with other veterinarians, at Brooklyn-Canterbury Large Animal Clinic (hereinafter "the veterinary service"), Canterbury, Connecticut during 2003-2007.
2. The veterinary service provided care and treatment to Dakota, a 23 year-old gelding, during 2003-2007.
3. On the evening of January 10, 2007, Dakota was lying down. Dakota was experiencing labored breathing, and would not get up. Cheryl Boundy (hereinafter "petitioner") contacted the veterinary service. Licensed staff from the veterinary service arrived within one hour, and treated Dakota for colic.
4. From that initial contact on the evening on January 10, 2007, through the evening of January 15, 2007, petitioner contacted the veterinary service on five occasions, and respondent examined Dakota once.

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5. Respondent failed to perform one of more internal palpations, which are usually performed in cases of extended colic, such as Dakota's, or to refer Dakota for further evaluation.
6. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-202(2).

WHEREAS, subsequent to the initiation of this petition, in January 2009, respondent attended and successfully completed continuing education in the management of equine colic in veterinary documentation standards during the pendency of this petition.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and 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. 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 failure to cooperate with the Department's investigation shall be considered by the Department and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
6. 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.
7. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Office of Practitioner Licensing and Certification of the Bureau of Healthcare Systems of the Department.
8. 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.
9. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Board in which his compliance with this Consent Order is at issue.

10. 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.
11. 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.
12. 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.
13. Respondent has the right to consult with an attorney prior to signing this document.
14. 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.
15. 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, Dennis J. Thibeault, 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.

Dennis J. Thibeault, D.V.M.
Dennis J. Thibeault, D.V.M.

Subscribed and sworn to before me this 3rd day of May 2010.

Mary K. Brown
Notary Public or person authorized
by law to administer an oath or affirmation

MARY K. BROWN
NOTARY PUBLIC
1-31-12

The above Consent Order having been presented to the duly appointed agent of the

Commissioner of the Department of Public Health on the 14th day of

May 2010, 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 _____

on the 27th day of June 2010, it is hereby ordered and accepted.

Mary Anne O'Dell
Connecticut Board of Veterinary Medicine