

In the Matter of the Petition for Modification of Probation/Early Termination of
Sue Morizi

California Veterinary Medical Board

Case No:

OAH No: 2020050416

Attorney General's Exhibits

ATTORNEY GENERAL'S EXHIBIT NO.	DOCUMENT	MARKED	ADMIT
1	Notice of Hearing		
2	License History Certification		
3	Petition for Modification of Penalty and Attachments in Support		
4	Stipulated Settlement & Disciplinary Order; Amended Accusation		

Exhibit 1



May 19, 2020

Sue Kobrin Morizi, DVM
[REDACTED]
[REDACTED]

**RE: HEARING NOTICE
OAH Case No. 2020050416
Petition for Termination of Probation – Sue Kobrin Morizi, DVM**

Dear Dr. Morizi:

You are hereby notified that a hearing will be held before the Veterinary Medical Board, Department of Consumer Affairs:

NOTE: Pursuant to Governor Gavin Newsom’s Executive Order N-29-20, issued on March 17, 2020, this hearing will be held by videoconference with no physical public locations. Instructions on how to participate are attached and can also be found on our website.

Date: June 4, 2020

Time: 9:00 am.

Location (Videoconference link): <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eae9a300f41890bc533b18697a4c48161>

The hearing will be conducted before the Veterinary Medical Board, Department of Consumer Affairs and an administrative law judge of the Office of Administrative Hearings, who will preside over the Petition for Termination of Probation matter.

If you object to the petition being heard by videoconference, you must notify the presiding officer within ten (10) days after this notice is served on you. Failure to notify the presiding officer within ten (10) days will deprive you of a change in the place of hearing.

You may be present at the hearing. You have the right to be represented by an attorney at your own expense. You are not entitled to the appointment of an attorney to represent you at public expense. You are entitled to represent yourself without legal counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents, or other things by applying to:

**Office of Administrative Hearings
Attn: General Jurisdiction
2349 Gateway Oaks, Suite 200
Sacramento CA 95833**

INTREPRETER: Pursuant to section 11435.20 of the Government Code, the hearing shall be conducted in English language. If a party or party’s witness does not proficiently speak or

understand the English language and before commencement of the hearing requests language assistance, an agency subject to the language assistance requirement in section 11435.15 of the Government Code shall provide a certified interpreter or an interpreter approved by the administrative law judge conducting the proceedings. The cost of providing the interpreter shall be paid by the agency having jurisdiction over the matter if the administrative law judge or hearing officer so directs, otherwise by the party for whom the interpreter is provided. If you or a witness requires the assistance of an interpreter, ample advance notice of this fact should be given to the Office of Administrative Hearings so that appropriate arrangements can be made.

CONTINUANCES: Under section 11524 of the Government Code, the agency may grant a continuance, but when an administrative law judge of the Office of Administrative Hearings has been assigned to the hearing, no continuance may be granted except by him or her or by the presiding judge for good cause. When seeking a continuance, a party shall apply for the continuance within 10 working days following the time the party discovered or reasonably should have discovered the event or occurrence which establishes good cause for the continuance. A continuance may be granted for good cause after the 10 working days have lapsed only if the party seeking the continuance is not responsible for and has made a good faith effort to prevent the condition or even establishing the good cause.

Please visit the Board's website at www.vmb.ca.gov to get a copy of the agenda or feel free to contact me at (916) 515-5244.

Sincerely,

Virginia Gerard

Virginia Gerard
Probation Monitor

cc: Karen Denvir, Supervising Deputy Attorney General
Office of Administrative Hearings

Exhibit 2

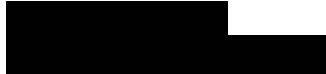


CERTIFICATION OF LICENSE HISTORY

This is to certify that I, Robert Stephanopoulos, Enforcement Manager of the Veterinary Medical Board (Board), Department of Consumer Affairs, State of California, share the responsibility of maintaining control and custody of the official records of the Board. I made or caused to be made a diligent search of the files and records concerning the license history of Sue Kobrin Morizi. I have determined that the official records prepared by Board employees, acting within the scope of their duties, show the dates and time periods listed herein for the issuance, expiration, periods of invalidity, and renewals of the license, as well as citations issued and periods of formal Board discipline:

Address of Record:

Sue Kobrin Morizi, DVM



VET No. 9387:

Issued: July 31, 1986
Expiration: February 28, 2022
Status: Current
Secondary Status: Probation

Discipline:

November 30, 2017 A Stipulated Settlement and Disciplinary Order adopted by the Board became effective in the matter of the Accusation against Dr. Morizi filed on September 26, 2016, in case number 1002055931. A First Amended Accusation was subsequently filed on October 28, 2016.

Given under my hand at Sacramento, California, this 27th day of May, 2020.

Robert Stephanopoulos, Enforcement Manager

Exhibit 3



Veterinary Medical Board

1747 N. Market Boulevard, Suite 230, Sacramento, CA 95834
Telephone: (916) 515-5220 Fax: (916) 928-6849 | www.vmb.ca.gov



PETITION FOR REINSTATEMENT OR MODIFICATION OF PENALTY

INSTRUCTIONS: Please type or print neatly. All blanks must be completed; if not applicable enter N/A. If more space is needed attach additional sheets. Attached to this application should be a "Narrative Statement" and two original verified recommendations from a veterinarian licensed by the Board who has personal knowledge of activities since the disciplinary action was imposed.

TYPE OF PETITION [Reference Business and Professions Code section 4887]

Reinstatement of Revoked/Surrendered License or Registration [] Modification of Probation [X] Termination of Probation [X]

NOTE: A Petition for Modification and/or Termination of Probation can be filed together. If you are requesting Modification, you must specify in your "Narrative Statement" the term(s) and condition(s) of your probation that you want reduced or modified and provide an explanation. Please check all boxes above that apply.

PERSONAL INFORMATION

NAME: First Middle Last
SUE K. MORIZI

Other name(s) licensed under, if any:

HOME ADDRESS: Number & Street City State Zip

HOME TELEPHONE NUMBER WORK TELEPHONE NUMBER CELL NUMBER

E-mail address: CA License or Registration Number

Are you licensed by any other state(s) or country(ies) (please include license number(s), issue date(s), and status of license(s)):

N/A

ATTORNEY INFORMATION (If Applicable)

Will you be represented by an attorney? [X] No [] Yes (If "Yes," please provide the following information)

NAME:

ADDRESS:

PHONE:

DISCIPLINARY INFORMATION

Provide a brief explanation in your "Narrative Statement" as to the cause for the disciplinary action (e.g., negligence or incompetence, self use of drugs or alcohol, extreme departures from sanitary conditions, conviction of a crime, etc.)

Have you ever had your license revoked, suspended, voluntarily surrendered, denied, or placed on probation in any other state or country? [X] No [] Yes

(If Yes, give a brief cause for administrative action or license denial in your "Narrative Statement" section, including dates and discipline ordered (e.g., 5 years probation.)

VETERINARIAN/REGISTERED TECHNICIAN BACKGROUND

Total number of years in veterinary practice:

CONTINUING EDUCATION (List continuing education completed since the date of the disciplinary action)

refer to attached document

CURRENT OCCUPATION OTHER THAN VETERINARIAN OR REGISTERED VET TECHNICIAN

(Answer only if currently not practicing as a Veterinarian or Registered Vet Technician)

List employer, address, e-mail address, phone number, job title, and duties:

EMPLOYMENT HISTORY (list for the past 5 years only)

Provide the employer's name, address, phone number, job title and dates of employment:

(SELF) The Village Veterinary Hospital 7527 Draper Ave. La Jolla, CA ⁹²⁰³⁷

(858) 412-4776 (June 22, 2015 to present)

(SELF) The Animal Hospital of La Jolla 7601 Draper Ave. La Jolla, CA 92037

(858) 459-2665 (February 1989 to June 20, 2015) DISSOLVED

REHABILITATION

Describe any rehabilitative or corrective measures you have taken since your license/registration was disciplined. List dates, nature of programs or courses, and current status. You may include any community service or volunteer work.

refer to attached document

CURRENT COMPLIANCE

Since the effective date of your last Veterinary Medical Board disciplinary action have you:

1. Been placed on criminal probation or parole? Yes No
2. Been charged in any pending criminal action by any state, local or federal agency or court? Yes No
3. Been convicted of any criminal offense? (A conviction includes a no contest plea; disregard traffic offenses with a \$100 fine or less.) Yes No
4. Been charged or disciplined by any other veterinary board? Yes No
5. Surrendered your license to any other veterinary board? Yes No
6. Had your licensee manager's premise permit disciplined? Yes No
7. Had any civil malpractice claims filed against you of \$10,000 or more? Yes No
8. Become addicted to the use of narcotics or controlled substances? Yes No
9. Become addicted to or received treatment for the use of alcohol? Yes No
10. Been hospitalized for alcohol or drug problems or for mental illness? Yes No

NOTE: If your answer is "Yes" to any of the above questions, please explain in the "Narrative Statement."

COST RECOVERY

Was cost recovery ordered? No Yes If yes, what is the remaining balance? \$ 25,000

When is payment anticipated? 6/30/2020

DECLARATION

Executed on December 27 2019, at Los Jolla, CA 92037.
(City) (State)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that all statements and documents attached in support of this petition are true and correct.

Sue K. Morizi VMD PhD
Petitioner (print name)

Sue K. Morizi VMD PhD
Signature

The information in this document is being requested by the Veterinary Medical Board (Board) pursuant to Business and Professions Code section 4887. In carrying out its licensing or disciplinary responsibilities, the Board requires this information to make a determination on your petition for reinstatement or modification of penalty. You have a right to access the Board's records containing your personal information as defined in Civil Code section 1798.3. The Custodian of Records is the Executive Officer at the address shown on the first page.

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of SAN DIEGO }

On DECEMBER 27, 2019 before me, FRANCISCO ARTURO ZUNO / NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared SUE KOBRIN MORIZA
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: PETITION FOR REINSTATEMENT OR MODIFICATION OF PENALTY

Document Date: _____ Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: SUE KOBRIN MORIZA

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

Signer's Name: _____

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

1) Efforts to maintain and upgrade professional skills through continuing education courses including:

- 6/2/17 (6 hours) Online Medical Records Course
- 12/7-10, 2017 (22 hours) FETCH DVM 360 Conference
 - 12/7/17- Money Matters and Masterful Management
 - 12/8/17-Veterinary Management
 - 12/8/17-Dermatology, canine otitis
 - 12/9/17-The Essentials of HR Veterinary Practice Management
 - 12/9/17-Oncology, the 3 P's of Lymphomas
 - 12/10/17-Veterinary Economics, Practice Owner Wisdom
- 12/17/17 (20 hours) Online Veterinary Law and Ethics*
purchased books: Legal Consents for Veterinary Practices and Law and Ethics of the Veterinary Profession for continued reference
- 12/21/17 (6 Hours) Online Medical Records*
*adopted forms and guidelines received in courses for hospital use
- 12/13-16, 2018 (40 hours) Fetch DVM 360 Conference
 - 12/13/18
 - Pain Management
 - Drug Abuse and Addiction part 1&2
 - Tick-borne diseases
 - 12/14/18
 - Dental extractions in cats
 - Treating chronic pain in senior pets
 - Anesthesia without opioids
 - Building a healthy team, techniques
 - Five seizure imposters
 - Senior chronic pain (NSAID and beyond)
 - Preventing secondary trauma PTSD
 - 12/15/18
 - CRI usage for anesthesia/analgesia
 - Needs care, now what?
 - 12/15/18-Veterinary hospice
 - Lymphoma
 - Pain management and nerve blocks
 - Pain medications and how they work
 - Mast cell tumors
 - 12/16/18

- New drugs in veterinary anesthesia
- Treating acute and chronic pain in cats
- Anesthesia for the geriatric patient
- Treating acute and chronic pain in dogs
- Hypertension-new guidelines/new drugs
- Protein losing nephropathy

12/18/18 (20 hours) Veterinary Law and Ethics
 1/2/19 (6 hours) Medical Record Keeping for Veterinarians
 12/2019 (16 hours) PRAC 116-2018 VETERINARY ETHICS (online course)
 12/12 -15, 2019 (27 hours) FETCH DVM 360 Conference

- 12/12/19 -
- Pain Management
 - Feline Medicine
 - Veterinary Leadership
 - Practice Management
 - Cardiology

- 12/13/19-
- Osteoarthritis
 - Drug Abuse and Addiction
 - Solutions that work
 - Practice Ownership
 - Nutrition
 - Telemedicine

- 12/14/19
- Medical Cannabis
 - Veterinary Leadership
 - Palliative Care
 - Dermatology
 - Hepatic Medicine
 - Ophthalmology
 - Nutrition

- 12/15/19
- Urology
 - Imaging
 - Toxicology
 - Behavior
 - Orthopedics
 - Neurology
 - Endocrinology

2) Efforts to establish safeguards to prevent repetition of original violations

(12/7/17) Controlled substances are kept in dual lock safe (see attached photo), keys are kept in a digital safe that only the managing licensee and I have the combination for; none of the staff have a combination .

(12/7/17) Anesthesia and Controlled Substance Logs have been updated to calendar logs with an ancillary binder containing controlled substance invoices. These are maintained daily.

(1/2/18) New forms have been adopted for patient exams, dentals and patient monitoring, Clients fill out newly adopted forms when a pet is dropped off for surgery, medical treatment and boarding or hospitalization. Client consent forms for procedure estimates, anesthesia, and boarding have been implemented. Every surgical patient is discharged with forms for the pet owner detailing discharge and pain medication instructions. Additionally forms are used to document medications and treatments administered during hospitalization or boarding.

3) Service to Community or Charitable Groups

(5/2019) Community Service served through Living Epistles Services -documents following this page.

(1/2/18 to present) Participation in Low Cost Spay and Neuter program through San Diego Humane Society.

(3/2018 to present) Involved in several rescue organizations to re-home stray and indigent animals currently in foster care.

(1/2/18 to present) Offer free exams for new pet adoptions from rescue groups and humane society. Offer 15-30% discount on services to foster animals from sanctuary and rescue groups.

4) There were no individuals affected by the violation.

5) Medical or psychotherapy was not recommended subsequent to thorough evaluation by a board approved psychiatrist and physician.

11/30/17 Random multiple weekly tests and daily check in with First Source Solutions to document sobriety

6) Use of appropriate self-help and/or rehabilitation groups
1/2010 Regular participation in Alcoholics Anonymous.

7) Appropriate use of peer review mechanisms.

Dr. Bruce Lindsey is the practice managing licensee of The Village Veterinary Hospital. Dr. Lindsey reviews the controlled drug invoices and oversees the management of the controlled drug inventory.

Dr. Larry Kosmin is a former VMB inspector/RVT educator, who reviews patient records weekly.

Dr. Seth Wallack provides radiology consultation of digital radiographs and mobile ultrasound services. These services provide detailed reports, recommendations and occasionally phone consultation with a radiologist or internal medicine specialist.

Dr. Paul Farrell, Dr. Nikol Frey, and Dr. Peter Slusser provide advanced mobile surgical services at my veterinary hospital when required.

Regularly consultation with specialists in hemodialysis at UC Davis, and Oncology, Ophthalmology, and Neurology at several local Specialty Hospitals.

8) Participation in professional veterinary organizations or associations

Member of both CVMA and SDVMA

B) An assessment of the petitioner's rehabilitative and corrective efforts including the following:

1) Whether the efforts relate to the original violation:

Prior to the inception of the penalty to demonstrate to the board, the non-existence of a substance abuse issue. I underwent a comprehensive addiction evaluation with Dr James Profit. Both hair and fluid drug testing were negative, I enrolled and completed courses in medical record keeping and Veterinary Law and Ethics. I have subsequently taken multiple courses in these two sub disciplines. During the initial hospital inspection on October 27th, 2015, 21 deficiencies were noted, these deficiencies were corrected within a 2 week period subsequent to the inspection. To ensure compliance with veterinary record keeping, rules, and regulations I had the staff watch an instructional video developed by Iowa State University, College of Veterinary Medicine called Paw and Order. An employee handbook ensures compliance with rules and regulations, and requires signatures by all of The Village Veterinary Hospital employees. Forms extracted from various record keeping courses are implemented at the hospital.. The probation supervisor has been reviewing my records weekly and submits monthly reports to the board. Dr Kosmin has commended me on exceeding a gold standard of practice. A double key safe and a combination safe are inspected weekly by the managing licensee. The premise manager also reviews the controlled drug logs to ensure accuracy.

2) Date rehabilitative efforts were initiated.

Correction of deficiencies after the October 2015 inspection by the VMB, were immediately corrected within 2 weeks. Mitigation was initiated immediately, including continuing education, new forms, safes for controlled drugs and forms used for medical record keeping, surgery, anesthesia, and client consent forms. Rehabilitative efforts were continued after the terms and conditions of the penalty began on November 30th 2017.

3) Length, time, and expense associated with rehabilitative efforts or corrective actions.

I retained legal counsel to represent and assist me regarding the accusation filed against me by the VMB. I continue to pay monthly fees with regard to the debt incurred. My legal fees totaled \$40,000.

As part of probation The Village Veterinary Hospital was suspended for 7 days and I was suspended from the practice of veterinary medicine for 30 days, beginning the effective date of this decision, November 30th 2017. February 2017, I successfully obtained an SBA loan which cross collateralized my hospital and my residence. I submitted loan payments monthly on time for the entire year of 2017. During my suspension, I was without income the month of December 2017. I took out a loan at 31% to pay my December loan payment. I went back to work in January of 2018. I was 30 days late remitting the January payment. As a result of my late payment, suspension of my license, and license probation on February 7th 2018 I received a demand letter from the bank for involuntary pay off of the loan. Since then I have only been able to qualify for hard money loans at 10% because of my license probation. I am not eligible for traditional loans from a bank. The prepayment penalty of \$76,000 and \$200,000 refinance charges have created untold financial devastation. and stress.

During the month of December, I hired relief Veterinarians costing \$10,000. I hired a managing licensee who required a contract and monthly fees. The first licensee moved out of town in March after charging a total of \$18,000. The second and current licensee approved use of my original contract and is currently charging \$2,000 monthly. The cost of the addiction evaluation, on-going treatment program and quarterly written reports required by the board from the director of the rehabilitation program, and the required random drug testing totals \$8,000 a month.

The cost of probation includes a fine for investigation and prosecution in the amount of \$28,355.50, a fine of \$1500 and \$100 per month for probation monitoring. Continuing education requirements included 16 hours in each of 5 separate categories and 40 hours of ethics training costing about \$ 4,000 in total.

4) Assessment and recommendation of qualified professionals directly involved in the petitioner's rehabilitative efforts or acting at the request of the Board, including their description of the petitioner's progress and their prognosis of the petitioner's current ability to practice veterinary medicine.

See accompanying letters from Dr Bruce Lindsey, Dr Larry Kosmin, and Dr James Profit .

5) Whether rehabilitative efforts were voluntary and self motivated or imposed by order of a government agency or court of competent jurisdiction and complied with as a condition or terms of probation.

Voluntary mitigation steps were instituted immediately after the raid by the DEA and VMB. To demonstrate the absence of substance abuse issues, pro-active steps included addiction evaluation and drug testing. Voluntary completion of online interactive courses in Veterinary medical record keeping and Veterinary Law and Ethics afforded education and important changes allowing full compliance with the rules and regulations followed at my hospital. A complete over haul of ordering and logging policies and procedures were implemented voluntarily after the DEA and VMB raid. All 21 deficiencies noted by the VMB inspector on or about October 27th 2015 were corrected within 2 weeks of this date. Corrections were documented and photographs were sent to the VMB to confirm that all conditions were met.

All conditions and terms set forth by the decision in order have been satisfied. All federal and state laws and regulations related to the practice of Veterinary medicine have been obeyed. Quarterly reports have been submitted to the VMB on time. Probation monitoring costs have been paid through a Breeze account. There have been no supervision of internships at TVVH. Notices and acknowledgement of employees and relief Veterinarians were satisfied. I have not left California since the effective date of the decision, nor have I violated probation in any respect. Indirect record review and ancillary reports have been submitted to the VMB as required. I do not have any legal or beneficial interests in any other facility outside of the TVVH. I have completed the required continuing education in the specific areas of weakness required by the VMB. I have undergone both psychiatric (Dr Profit) and medical evaluation (Dr Robert Fox) as required by the VMB. I have attended a alcohol and drug rehabilitation program as required by the VMB. Quarterly reports are submitted to the board by the treatment director, Dr James Profit. I have submitted to random drug testing at First Source Solutions since the inception of probation as required by the VMB. I have abstained from the use of alcoholic beverages. I have completed 45 days of community service at Living Epistles Christian Center as required for the VMB. I have paid the \$1,500 fine as required by the VMB. I have completed the required ethics training as required by the VMB. I continue to employ a licensing premise manager as required by the VMB.

6) Nature and status of ongoing and continuing rehabilitative efforts.

The forms extracted from continuing education courses in veterinary medical record keeping continue to be implemented to document physical examinations, medications used and dispensed, and owner consent for anesthesia and medical procedures. The calendar logs are used to document the use of controlled substances in the hospital and controlled medication dispensed to pet owners. All controlled medications are kept in a double locked safe and a combination safe. Accompanying invoices of controlled drugs

that are ordered are kept in a binder next to these logs. I continue to attend the above mentioned treatment program and I continue to comply with random drug testing at First Source Solutions. In addition, I continue to enroll and complete continuing education courses.

7) Petitioner's compliance or non-compliance with all laws and regulations since the date of the original offenses.

There has been complete compliance with all Federal and State laws and regulations relating to the practice of veterinary medicine.

8) Petitioner's cooperation or non-cooperation in the Board's investigation of Petitioner's petition for reinstatement or reduction of penalty and the facts surrounding that petition.

I have completely cooperated with the Veterinary Board's investigation and completed every imposed requirement set fourth by the Veterinary Medical Board

9) Petitioner's attitude toward her commission of the original violation(s) and her attitude in regard to compliance with legal sanctions and rehabilitative efforts.

Form 1989 to 2015 I co-owned a Veterinary hospital with my ex-husband, also a veterinarian , who served as manager. In 2014 the hospital property was sold and the hospital facility that we leased for 25 years was demolished. We were divorced in 2014. I purchased a building half a block down the street to establish a solo practice. I employed an architect, designer, and 2 contractors to build a new state-of-the-art animal hospital, doing business as The Village Veterinary Hospital (TVVH) which opened at the end of June 2015. Managing a business as a solo practitioner for the first time was a daunting task. New equipment, accounts, and veterinary software were purchased, patients records were scanned, and the computer was cloned. New items and services including pharmaceutical accounts and protocols to run the business were put in place, these challenges were accompanied by staff problems and financial issues. On a personal note, I was experiencing an extremely contentious divorce. Since the raid, 4 months after opening the hospital, deficiencies were immediately corrected. The management of the hospital has significantly improved with time and experience. New forms and protocols extracted form continuing education courses with regard to medical record keeping and veterinary laws and ethics were of tremendous benefit to running the practice. I have maintained complete sobriety since January 9th, 2010. For this reason, ongoing treatment and random drug testing has been redundant, unnecessary, and costly.

C) The original violation for which action was taken against the petitioner's license, including the following:

1) Type, severity, number, and length of violations.

Nine causes for discipline were alleged: fraud or deception in the practice of veterinary medicine, altering medical records, assisting in violating regulations adopted by the board, failure to maintain prescribers record, failure to document valid veterinarian-client-patient relationship, failure to maintain patient records, failure to maintain controlled substance disposition log, failure to maintain anesthesia records, failure to maintain minimum standards.

I have been placed on five years probation with 28 terms and conditions. The 30 day license suspension and ensuing probation has been severely devastating with regard to cost and time commitments. I have been unable to qualify for a traditional bank loan , I am facing complete financial ruin and foreclosure of both my residence and hospital. This would not only impact me but create collateral damage for my children and veterinary clients.

2)Whether the violations(s) involved intent, negligent, or other unprofessional conduct.

There was no intent, negligence, or other unprofessional conduct. Four months after opening the new Village Veterinary Hospital, the DEA and the veterinary board raided the facility. Deficiencies were cited including inaccurate logging, missing medications and controlled substances. I was devastated by the findings of the raid and understand the concerns of the Veterinary Medical board. I am fully aware that despite the diverse challenges I faced in establishing a solo practice and running a business, ultimately all of the issues and deficiencies noted are my responsibility. I have taken this matter very seriously and I have effectively implemented all of the necessary procedures and protocols to exceed the gold standard of practice in veterinary medicine. The forms extracted from courses in veterinary medical record keeping have been reviewed weekly by my probation supervisor and found to be more than satisfactory. The calendar logs and double-lock and combination safes have adequately ensured complete compliance and oversight of all controlled injectable and oral substances. The accompanying invoices for all controlled substances ordered, allow additional oversight.

3) Actual or potential harm to the public, patients, or others.

The steps I have taken overwhelmingly show the my patients are completely safe and the public is protected. Actual or potential harm to the public or patients were not part of any of the Boards accusations. The incompetence in areas of communication, technical abilities, and compliance with hospital protocols and policies demonstrated by the first staff member hired as a site manager/technician was a disgruntled employee who triggered the raid by the DEA and the Veterinary Board in October of 2015. He simultaneously abandoned his job and has had no further affiliation with my hospital. Background checks, radiology testing, use of a comprehensive employee handbook, and extensive training has prevented employee violations.

4) Length of time since the violations(s) was committed.

The initial raid by the DEA and the Veterinary Board took place on or around October 27th, 2015. The effective date of the decision and order was November 30th, 2017. The

2 year extensive discovery performed by the DEA did not result in uncovering any criminal activity.

5).Petitioner's cooperation or lack of cooperation in the investigation of the original offense.

I have completely cooperated with the investigation by the DEA and the Veterinary Medical Board. The original DEA raid included a 5 hour inquisition and complete search of the hospital and my vehicle. I also fully cooperated with the Veterinary Medical Board, inspector, who was on site and performed an independent investigation.

D)Prior disciplinary ad criminal actions taken against the petitioner by the Board, any state, local, or federal agency or court including:

1) Compliance with all terms of probation, parole, previous discipline or other lawfully imposed sanction including any order of restitution.

There were no prior disciplinary or criminal actions taken by any state, local, or federal agencies. I have been in compliance with all terms of my probation and any orders of restitution.

2)Whether the petitioner is currently on or has been terminated from probation or other lawfully imposed sanction.

My license is currently on probation.

3) Petitioner's legal and regulatory history prior to and since the violation(s).

Other than the current matter, I have not been the subject of any investigations or disciplinary actions whatsoever; prior to or sense this imposed sanction.

E)Supporting statement, supporting my petition are attached in the form of a declaration.

The following documents required in the petition packet are attached and include:

1). a detailed outline of my activities as a veterinarian since the disciplinary action was taken against my license.

Since the disciplinary action was taken against my license, I have obeyed all federal and state laws and regulations, substantially related to the practice of Veterinary medicine. I have not supervised a registered intern and have not performed any duties of a preceptor. A notice to my employees was acknowledged and signed before the effective date of this decision by the board. I have paid cost recovery and fines as required by the board . I did not enter any veterinary hospital during my 1 month suspension from November 30th-December 30th 2017. The Village Veterinary Hospital was not used for 7 days beginning the effective date of the decision for any act

constituting the practice of veterinary medicine, surgery, dentistry, or the various branches thereof. A notice of the board ordered suspension was posted during the period of suspension. I have submitted quarterly reports to the board on the forms provided and I have been in compliance with all terms and conditions of probation. I work about 47 hours a week at my hospital, The Village Veterinary Hospital in La Jolla Ca. Dr. Larry Kosmin reviews at least 75% of my patient records. As my probation supervisor, Dr Kosmin submits monthly reports to the board, and has stated that I am in compliance with all existing statutes and regulations governing the practice of veterinary medicine. I have demonstrated exceptional standards of practice in the diagnosis and treatment of patients. My managing licensee, Dr Bruce Lindsey, has acted to oversee the drugs maintained for controlled drugs, controlled drugs are kept in a double lock safe. Additional bottles of controlled drugs are kept in a combination safe. Only Dr Lindsey and I have keys to the double lock safe and the combination needed to open the safe. Dr Lindsey has substantiated my on going compliance with controlled substance, prescribing, and regulations.

I have completed courses in continuing education totaling 16 hours during the first year of my probation, and 8 hours during year 2 of my probation, in each of the following practice areas: Practice Management, Medical Record Keeping, Controlled Substance Prescribing, Controlled Substance Diversion Prevention and Controlled Substance Regulatory Compliance. I have completed more than 40 hours of ethics training in Veterinary Law and Ethics courses. I have successfully completed psychological and medical evaluations. I have participated in a drug and alcohol rehabilitation program. I have paid all treatment costs associated with this program. Documentary evidence of participation has been provided in the form of quarterly reports, written by my supervisor, Dr Profit. I have submitted to random drug testing with First Source Solutions. I have paid all costs associated with the program. I have completely abstained from controlled substances except when prescribed by a licensed practitioner, and I have abstained completely from the use of alcoholic beverages. I have provided 45 hours of community service at Living Epistles Christian Center. I have paid the fine and monitoring costs as directed by the board.

2). Written recommendations from 2 California licensed veterinarians who have personal knowledge of my activities since the disciplinary penalty was imposed in the form of a notarized declaration. Dr. Larry Kosmin is my probation monitor. Dr. Bruce Lindsey is my managing licensee.

3). I am currently only licensed in California to practice veterinary medicine.

4). Please see attached proof of completed continuing education courses as required by the VMB.

5). Please see attached proof of community service. I am an active member of the California Veterinary Medical Association, the San Diego Veterinary Medical Association, and VIN (Veterinary Information Network).

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

executed on December 27, 2019 at La Jolla, CA. 92037

Sue K. Morizi VMD PhD

Petitioner (print name)

Sue K Morizi VMD PhD

signature

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of SAN DIEGO }
On DECEMBER 27, 2019 before me, FRANCISCO ARTURO ZUNO NOTARY PUBLIC
Date Here Insert Name and Title of the Officer
personally appeared SUE MORIZI
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Declaration of Petition for Early Termination of Penalty

Document Date: _____ Number of Pages: 11

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: SUE MORIZI

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

Signer's Name: _____

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

Community Service Certificate

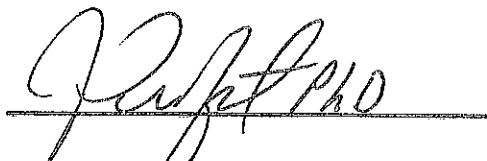
With great thanks to

Dr. Sue Morizi

For services in support of our community

On _____ August 02, 2019 _____

At _____ Living Epistles Christian Center, Inc. _____



Dr. James L. Profit, Jr. PhD
Pastor



Jenni S. Profit
Administrative Director

Living Epistles Christian Center
1081 Camino Del Rio South Ste.103
San Diego, CA 92103
Phone: 619-867-2516

August 02, 2019

Subj: Verification letter for community services

EIN: 33-0586144

TO WHOM IT MAY CONCERN:

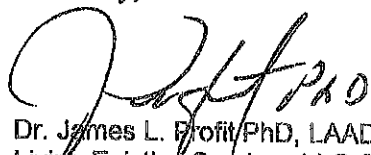
I am hereby writing this letter to verify and confirm the community service undertaken by Dr. Sue Morizi at our church (Living Epistles Christian Center). Dr. Sue Morizi proved to be a very hard working, caring and dedicated adult woman. She demonstrated dependability when it was mostly needed, when asked to work; always put in the best possible efforts into our programs and work needed at our facility.

We at Living Epistles Christian Center, work for the benefit of the local community and need volunteers from time to time to help with various projects. Dr. Sue Morizi came at a crucial time, integrating immediately in our work structure, helping our organization to serve our community with the services we offer; e.g. anger management, healthy parenting, alcohol/drug education, domestic violence education to name a few services. Dr. Sue Morizi proved to be an intricate part of our organization during her stint of service. At our Spring Leadership conference, Dr. Sue Morizi interacted closely with the executive members; also, preparing all the conference handouts. Too many laborious and tedious hours to mention, of which we were extremely grateful for her skilled services. Dr. Sue Morizi also took on the task of informing and instructing people about our local church and up-coming community events. She single-handedly made sure all the neighborhood guests were completely knowledgeable of our services via handouts she developed. Dr. Sue Morizi's courteous persona was an excellent addition to our staff. Dr. Sue Morizi seemed to keep a pleasant attitude and was well liked by our staff at Living Epistles Christian Center, as well as other volunteers. Dr. Sue Morizi made a commitment to continue to provide her services at Living Epistles Christian Center as needed, promising she would only be a call away when needed.

I hereby confirm Dr. Sue Morizi put in forty-five (45) hours of community service and a certificate for the same is enclosed along with this letter for your reference.

We would be glad to provide any other information if needed. You can reach us on 619-867-2516 or email us at

Sincerely,



Dr. James L. Profit/PhD, LAADC, CAODC-A
Living Epistles Services LLC CEO/Founder
The Bridges of San Diego Inc. Owner/Program Director



Living Epistles Services

P.O. BOX 28532

San Diego, CA 92198

Phone# 619.867.2516

Email: docpro_leap@yahoo.com

December 29, 2019

To: Veterinary Medical Board/Registered Veterinary Technician Committee

Subject: Petition for Reinstatement or Reduction of Penalty

Dr. Sue Morizi PhD, VMD was originally assessed and evaluated on January 14, 2018 using the American Society of Addiction (ASAM) criteria, consistent with the medical Diagnostic Statistical Manual (DSMV); beginning and has continued working a comprehensive, multidimensional intensive outpatient treatment to date at Living Epistles Services. The six dimensions consisting of: Acute Intoxication and/or Withdrawal potential, Biomedical conditions and complications, Emotional, Behavioral and Cognitive conditions or complications, Treatment acceptance or Readiness, Relapse potential and Recovery Environment. Dr. Sue Morizi was assessed using these six dimensions, providing easy facilitation of comprehensive ongoing assessment and treatment planning. Based on Dr. Sue Morizi initial assessment, her level of care was determined, along with problem areas identified and a treatment plan was initiated. Dr. Sue Morizi did not present with any intoxication or withdrawal potential; therefore, no detoxification was necessary. Although, many patients may need this type of treatment prior to admitting into a program to begin their treatment. Studies indicate patients with minimal or no risk of withdrawal can be safely treated in an Intensive Outpatient setting. Throughout Dr. Sue Morizi's treatment she did not exhibit any serious medical complications necessitating inpatient treatment; another plus in her ongoing sobriety. Dr. Sue Morizi did not require a protective environment or any type of structured care due to severe emotional, behavioral or cognitive conditions. Dr. Sue Morizi's regard for treatment has been immensely agreeable throughout the duration of the program. Dr. Sue Morizi's relapse potential is off the charts low, evidenced by having maintained full remission status for the last nine years. Dr. Sue Morizi's recovery environment has been maintained as being a safe and sober one.

Dr. Sue Morizi began working this comprehensive, multidimensional intensive outpatient program October 16, 2017 with the therapeutic expectation of exhibiting and demonstrating observable and measurable changes.

The following are examples of treatment goals in the area of withdrawal Dr. Sue Morizi explored. Dr. Sue Morizi has not demonstrated a need of any type of intensive medical management due to having severe acute withdrawals syndrome; nor did she demonstrate protracted or subacute withdrawal symptoms due to being in full remission and virtually asymptomatic.

Dr. Sue Morizi's treatment goals in the area of biomedical problems and complications.

- Continue to work with identified primary care physician
- Identify any outstanding medical or dental problems and implement in treatment plan
- Develop a personal plan for health maintenance
- Develop a personal plan for wellness

Dr. Sue Morizi's treatment goals for emotional, behavioral and cognitive conditions or complications were identified through a multidisciplinary and multidimensional assessment. Dr. Sue Morizi did not demonstrate a need for any type of pharmacotherapeutic interventions. The treatment goals included:

- Appropriately Recognizing, Labeling, Expressing and Processing Emotions.
- Identify and Openly Discuss Feelings of Shame and Guilt Associated with Alcohol and Other Drug Use.
- Identifying problems that May Require Psychotherapeutic Support
- Anger Management and Impulse Control Techniques
- Practicing Cognitive Techniques
- Learn and Implement Assertiveness Skills

Dr. Sue Morizi's treatment goals in the area of Readiness and Treatment Acceptance

- Recognizing the Inability to Control the Use of Alcohol and Other Drugs
- Accepting Personal Responsibility for Recovery
- Understanding the Association Between Negative Consequences and Continued Use of Substance.
- Recognizing and Understanding the Relationship with Psychoactive Substances is Self-Defeating.

Dr. Sue Morizi's treatment goals for relapse potential included awareness, early identification and management of progressive relapse signs, as well as early intervention planning for relapse.

- Understanding the Relationship Between Triggers, Craving and Relapse
- Accurately Identifying Personal triggers for Alcohol and Other Drug Craving and use.
- Developed, Integrate and Internalize Skills and Strategies for Coping with Triggers and High-Risk Situations.
- Identifying and Stop Participating in High-Risk Behaviors and Activities and has Discontinued High Risk-Relationships.
- Developed Alcohol and Other Drug Refusal Skills.

Dr. Sue Morizi's treatment goal for recovery environment.

- Develop Living Habits That Promote Abstinence and Recovery
- Develop Community Support That Specifically Promotes Abstinent Behavior and a Healthy Lifestyle.
- Develop Strategies and Skills That Enhances Personal Socialization
- Develop a Spiritual and Moral Environment
- Continue with Planned Structured Participation in 12-Step Recovery
- Identify Community Resources That May Help with Recovery

Dr. Sue Morizi's length of participation in the treatment program has been a twenty-six-month tenure; working at the comprehensive intensive outpatient level of care and transitioning to the general level of care in the last previous months. Dr. Sue Morizi is accountable to this program three nights weekly for three hours each day; prior to stepping down to two nights a week, and now to one night weekly.

Dr. Sue Morizi has been responsible for payment of the treatment received from this program at a reduced rate, totaling \$28,800.00 over the last twenty-six months. Dr. Sue Morizi has a balance of zero at this writing to the Living Epistles Services treatment program.

Dr. Sue Morizi expresses a high motivation to complete this treatment and to be able to move smartly alone in her life; being able to continue providing quality professional veterinary physician services. Dr. Sue Morizi does not present as being impaired to any degree which would negatively prevent her from performing her duties in the highest capacity as a Veterinarian. Dr. Sue Morizi's level of competency has and does not appear to be questionable in her ability to safely practice veterinary medicine at this writing. Throughout this treatment period, Dr. Sue Morizi presented as a competent physician without the ideal of being a risk threat of hurting any patient animals or the owners of any animals she served. Furthermore, it is my professional and clinical opinion, Dr. Sue Morizi has not presented as a threat to current veterinary staff or potential staff. Dr. Sue Morizi will continue to operate under the stipulation given by the veterinary board with no additional restrictions implemented, other than the previously identified ones mandated to be a licensed, practicing veterinarian. It is my professional recommendations Dr. Sue Morizi participate in a continuum of care program for fifty-two weeks to continue to interrupt previous relapse patterns and to further extend length of sobriety. Dr. Sue will expand degree and type of involvement in alcoholic anonymous by continual attendance of alcoholic anonymous daily meetings, to involve the use of significant others in her abstinence program, continue to enhance her work stability, continue to improve working relationships, continue to provide the highest level of services possible, and to immediately address any emotional, behavioral or cognitive difficulties in solving problems that may affect her sobriety. It is my professional and clinical opinion Dr. Sue Morizi be fully reinstated as a qualified practicing veterinarian professional with no further restriction; having the necessary and current qualifications and skills to safely engage in the practice of veterinary medicine within the scope of current law and acceptance standards of practice.

Although, Dr. Sue Morizi was imposed by order of a court of competent jurisdiction to comply with as a condition or term of probation to participate in a rehabilitation program for alcohol/drug use disorder. Dr. Sue Morizi has been extremely cooperative throughout this period of treatment; always expressing a high motivation of getting treatment started and having accurate clarity of understanding when processing the severity of illicit drug use. Dr. Sue Morizi's attitude was of extreme motivation to get this journey started, to "get back to providing the highest level of excellent veterinary care as possible".

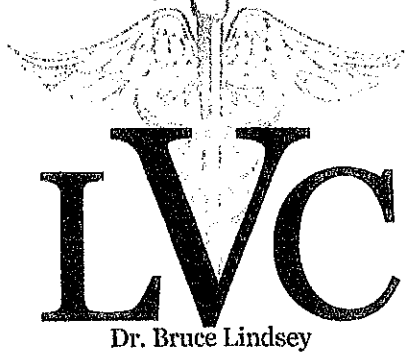
I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

If you have any further questions, contact us at the address or phone numbers listed.

Sincerely,



Dr. James L. Profit, Jr. PH.D., LAADC, MCC, CAODC-A, M-RAS, CART
Living Epistles Services CEO/ Program Director
The Bridges of San Diego Co-Owner/Program Director



Office: 858-459-1516 Cell: 760-294-3142 Fax: 858-569-0782 Website: LindseyVetCare.com

I declare under perjury to the state of California under the laws of the State of California that the forgoing is true and correct.

I, Bruce Reed Lindsey, UC Davis Veterinary School graduate, have been the managing licensee of Village Veterinary Hospital in La Jolla since the spring of 2018. I have previously been President of the San Diego County Veterinary Association, and have served on both CVMA House of Delegates and the Board of Governors. I assumed the licensee management role following the previous licensee, a veterinarian who moved out of town and was not able to provide supervision. I live across the street from Village Veterinary Hospital (VVH), have full access to the practice 24/7, and am on location several hours every week, usually unannounced.

Another veterinarian, Dr. Larry Kosmin has the role of inspecting the medical records, and I look after the general way that the practice is maintained.

I have no business relationship with Dr. Morizi and have known her only casually during the decades that she and I practiced near each other in the same small community, La Jolla, California.

My observation over the past year and a half is that she is in compliance with the stipulations of her agreement with the Veterinary Medical Board. I am particularly watchful of the controlled substances since taking the position of licensee, and the records are accurate and perfectly in compliance. I count and measure units of controlled substances and the accuracy is to the tenth of a milliliter in each category of injectables, and to the pill in tablets and capsules, week after week. Dr. Morizi and I are the only people who have access to the safes in which the controlled substances are kept, and none of her employees have the Veterinary Assistant Controlled Substance Permit, so they have no access to such drugs.

The hospital is clean, and the care of the animals is humane, kindly and professional. She discharges each patient personally and I feel that the clients are well informed of what she is doing and appreciative of her efforts. I have observed no incidents of negligence or inappropriate handling of any of her patients during the past year and a half

She is intelligent and very well trained, and provides a high quality of service using several experts, such as in radiology, to make her diagnoses and treatment as accurate as possible.

Dr. Bruce Lindsey

A handwritten signature in black ink that reads 'Bruce Lindsey DVM'. The signature is written in a cursive style.

Lindsey Veterinary Care
San Diego, California

From: Lawrence Kosmin larrycvm@icloud.com
Subject: Amended letter with date
Date: Nov 16, 2019 at 12:50:24 PM
To: SUE MORIZI smorizi1@gmail.com, Sue Morizi
Smorizi1@hotmail.com

This letter is in reference to Sue K Morizi DVM PhD, CA license 09387, case number 1002055931 who practices at Village Veterinary Clinic in La Jolla CA.

I have been reviewing D Morizi's records since January 2018 and on one occasion inspected her facility. Based on my experience as a former VMB inspector, RVT educator, past president of both SCVMA and CVMA as well as 53 years of practice experience I have found her to meet or exceed minimal standards and has always been within the expected standard of care for a general practice facility.

I would have no concern, based on the above findings, if Dr Morizi was not under my supervision. I declare under the penalty of perjury under the laws of the State of CA that the above is true and correct.

Sincerely,


Lawrence Kosmin DVM CA 4871

CERTIFICATES OF COMPLETION FOR
CONTINUING EDUCATION
AND COMMUNITY SERVICE



Record of Participation in
 2019 Fetch dvm360° Continuing Education Programs
 AAVSB RACE #82 Program Number 82-38921

Please complete both sides of this Continuing Education Form for license renewal or academy requirements.

STEP ONE: Please record your attendance at each scientific session.

THURSDAY, DECEMBER 12, 2019

	TITLE OF PRESENTATION	SPEAKER	SUBJECT	CLASS/LAB	HOURS
1.	Pain Management	Dr. Bonnie Wright			2
2.	Practice Management	Dr. Joel Parker			2
3.	Feline Medicine	DR. Jamie Burkett Creadon			1
4.	Veterinary Leadership	Dr. Betsy Charles			1
5.	Cardiology	Dr. William Rausch			1
6.					
7.					

FRIDAY, DECEMBER 13, 2019

	TITLE OF PRESENTATION	SPEAKER	SUBJECT	CLASS/LAB	HOURS
1.	Osteoarthritis	Dr. Kristin Kirby Shaw			1
2.	Drug Abuse & Addiction	Dr. John Geller			1
3.	Solutions that work	Dr. John Geller (street medicine)			1
4.	practice ownership	Dr. Joel Parker			1
5.	Nutrition	Dr. Kara Burns			1
6.	Nutrition	Dr. Cailin Heinze			1
7.	telemedicine	Dr. Mark Olcott			1

SATURDAY, DECEMBER 14, 2019

	TITLE OF PRESENTATION	SPEAKER	SUBJECT	CLASS/LAB	HOURS
1.	medical cannabis	Dr. Robert Silver		Sarah Wooten	1
2.	Veterinary Leadership	Dr. Kimberly Anthonisen			1
3.	Palliative Care	Dr. Katherine Goldberg			1
4.	Dermatology	Dr. Darin Doll			1
5.	Hepatic Medicine	Dr. Yuri Lawrence			1
6.	Ophthalmology	Dr. Mark Bobotchk			1
7.	Nutrition	Dr. Cailin Heinze			1

SUNDAY, DECEMBER 15, 2019

	TITLE OF PRESENTATION	SPEAKER	SUBJECT	CLASS/LAB	HOURS
1.	Urology	Dr. Michael Wood			1
2.	Imaging	Dr. Eli Cohen			1
3.	Toxicology	Dr. Tina Wismer			1
4.	Behavior	Dr. Barbara Sherman			1
5.	Orthopedics	Dr. Kevin Benjamin			1
6.	Neurology	Dr. Michelle Carnes			1

TEAR ALONG PERFORATION



Record of Participation in
2019 Fetch dvm360° Continuing Education Programs
AAVSB RACE #82 Program Number 82-38921

STEP TWO: Please verify your attendance at the scientific sessions noted above.

I attest I attended the above number of CE credited hours, totaling 27 hours at the 2019 Fetch dvm360° conference, December 12-15, 2019, in San Diego, CA.

Please Print:

Dr. Sue Morizi 
Name Street Address

La Jolla CA 92037
City State Zip Code

Sue K Morizi VMD PhD 12/15/2019
Signature of Registrant Date

This program 82-38921 is approved by the AAVSB RACE to offer a total of 323.00 CE Credits (27.00 max) being available to any one veterinarian and/or 323.00 Veterinary Technician CE Credits (27.00 max).

This RACE approval is for the subject matter categories of:

Category Two: Non-Scientific-Clinical

Category Three: Non-Scientific-Practice Management/Professional Development

using the delivery method of Seminar/Lecture Lab/Wet Lab.

This approval is valid in jurisdictions that recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements. RACE does not "accredit" or "endorse" or "certify" any program or person, nor does RACE approval validate the content of the program.

I hereby certify that

Sue K. Morizi VMD PhD
Name

California
State

9387
License Number

registered as a participant at the 2019 Fetch dvm360° Conference, held at the San Diego Convention Center, December 12-15, 2019.

DOT THEISEN, CMM, CMP
Conference Manager

TEAD AI CNIG BEBEPNATIAR

Living Epistles Christian Center
1081 Camino Del Rio South Ste.103
San Diego, CA 92103
Phone: 619-867-2516

August 02, 2019

Subj: Verification letter for community services

EIN: 33-0586144

TO WHOM IT MAY CONCERN:

I am hereby writing this letter to verify and confirm the community service undertaken by Dr. Sue Morizi at our church (Living Epistles Christian Center). Dr. Sue Morizi proved to be a very hard working, caring and dedicated adult woman. She demonstrated dependability when it was mostly needed, when asked to work; always put in the best possible efforts into our programs and work needed at our facility.

We at Living Epistles Christian Center, work for the benefit of the local community and need volunteers from time to time to help with various projects. Dr. Sue Morizi came at a crucial time, integrating immediately in our work structure, helping our organization to serve our community with the services we offer; e.g. anger management, healthy parenting, alcohol/drug education, domestic violence education to name a few services. Dr. Sue Morizi proved to be an intricate part of our organization during her stint of service. At our Spring Leadership conference, Dr. Sue Morizi interacted closely with the executive members; also, preparing all the conference handouts. Too many laborious and tedious hours to mention, of which we were extremely grateful for her skilled services. Dr. Sue Morizi also took on the task of informing and instructing people about our local church and up-coming community events. She single-handedly made sure all the neighborhood guests were completely knowledgeable of our services via handouts she developed. Dr. Sue Morizi's courteous persona was an excellent addition to our staff. Dr. Sue Morizi seemed to keep a pleasant attitude and was well liked by our staff at Living Epistles Christian Center, as well as other volunteers. Dr. Sue Morizi made a commitment to continue to provide her services at Living Epistles Christian Center as needed, promising she would only be a call away when needed.

I hereby confirm Dr. Sue Morizi put in forty-five (45) hours of community service and a certificate for the same is enclosed along with this letter for your reference.

We would be glad to provide any other information if needed. You can reach us on 619-867-2516 or email us at

Sincerely,



Dr. James L. Profit/PhD, LAADC, CAODC-A
Living Epistles Services LLC CEO/Founder
The Bridges of San Diego Inc. Owner/Program Director

From: Sue Morizi smorizi1@hotmail.com
Subject: VETERINARY ETHICS COURSE
Date: December 26, 2019 at 12:17 PM
To: Veterinary Medical Board Sidney Villareal Sidney.Villareal@dca.ca.gov



CERTIFICATE OF ATTENDANCE

Dr. Sue Morizi

has successfully completed

PRAC116-2018 Veterinary Ethics (Non-Interactive)

RACE Course # 23-34931

November 01 2018 - December 31 2019

Instructed by

Carol Morgan DVM, PhD (Posthumous) and Raymond Anthony PhD

Presented by: VETERINARY INFORMATION NETWORK

RACE Provider #22

777 West Covell Blvd. • Davis, CA 95616 • 800.706.4636 • CEonVIN@vin.com

State of Licensure: CA(9387)

Additional licensure _____

Member signature _____

This program has been approved for 16 hours of non-intensive continuing education credits in a non-mixed subject manner in jurisdictions that recognize RACE approval.

Authorized by:

Paul David Pion, DVM, DACVIM (Cardiology)
President, CEO VIN, Inc.



Relationship
Centered
Practice®
Academy

CERTIFICATE OF TRAINING

This is to certify that

SUE MORIZI

has successfully completed training in the

Relationship Centered Practice Management

(10 CE Hours)

"This program 978-29656 is approved by the AAVSB RACE to offer a total of 10 CE Credits (10 max) being available to any one veterinarian: and/or 10 Veterinary Technician CE Credits (10 max). This RACE approval is for the subject matter categories of: Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method of Interactive-DistanceNon-Interactive-Distance. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements. RACE does not "accredit" or "endorse" or "certify" any program or person, nor does RACE approval validate the content of the program."

Unsubscribe | Sent by MRG Consulting, LLC.

964 5th Ave, 306 • San Diego, CA • 92101

CERTIFICATE OF ATTENDANCE

Issued for Satisfactory Completion of the Course

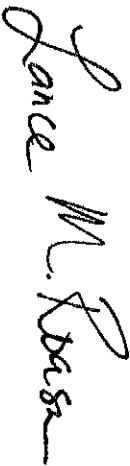
Medical Record Keeping for Veterinarians

For satisfactorily completing this online course, which covers several topics related directly to the subject of medical record keeping as it pertains to the veterinary field, 6 continuing education contact hours have been awarded to:

SUE K. MORIZI, VMD, PHD

State: California

License: 09387



LANCE M. ROASA, DVM, JD

CEO | DRIP LEARNING TECHNOLOGIES, LLC



1/2/2019

Date

This program 1300-34681 is approved by the AAVSB RACE to offer a total of 6.00 CE Credits (6.00 max) being available to any one veterinarian and/or 6.00 Veterinary Technician CE Credits (6.00 max). This RACE approval is for the subject matter categories of:

Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method of Non-Interactive-Distance. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements. RACE does not "accredit" or "endorse" or "certify" any program or person, nor does RACE approval validate the content of the program.



Attendance Record for Fetch dvm360 Conference in San Diego December 13-16, 2018

All seminars are 60 minutes long. General four-day conference attendance equals 28 hrs. for veterinarians and 28 hrs. for technicians.

The person whose name appears here attended Fetch dvm360 conference

State/License Number (Entered by attendee)

9387

Thursday
Dec. 13, 2018
General Sessions:
12:30 - 6:30 PM

Evening Sessions:
7:00 - 9:00 PM

Name of Seminar Attended	Type of Seminar (Seminar or Lab)	No. of Hours
1. Pain Management	Controlled Substance Rx	1
2. Pain Management	Controlled Substance Rx	1
3. Drug Abuse & Addiction Part 1	diversion prevention	1
4. " Part 2	"	1
5. Pain Management (DR Johnson)	"	1
6. Tick borne diseases	Infectious Disease	1

Friday
Dec. 14, 2018
Fetch Keynote
8:00 - 9:00 AM
General Sessions:
9:15 AM - 5:30 PM

Evening Sessions:
7:00 - 9:00 PM

1. Dental extractions in cats	Dentistry	1
2. Treating chronic pain in senior pets	Controlled sub. Rx	1
3. Anesthesia without opioids	diversion prevention	1
4. Building a healthy team, techniques for managing		1
5. Five seizure imposters -	Neurology	1
6. Senior chronic pain (NSAIDs and beyond)	Controlled Sub. Rx	1
7. Preventing secondary trauma PTSD	diversion prevention	1

Saturday
Dec. 15, 2018
General Sessions:
8:00 AM - 5:45 PM
Fetch Keynote at Night
6:00 - 7:00 PM

1. CRI usage for anesthesia/analgesia	Cont. sub. reg. compl.	1
2. Needs care, now what? cont. sub. diversion prevention		1
3. Veterinary hospice -	Controlled substance Rx	1
4. Lymphoma	Oncology	1
5. Pain management of nerve blocks	cont. sub. reg. compliance	1
6. Pain medications & how they work	cont. sub. reg. compl.	1
7. Mast cell tumors	Oncology	1

Sunday
Dec. 16, 2018
General Sessions:
8:00 AM - 5:20 PM

1. New drugs in veterinary anesthesia	Cont. substance Rx	1
2. Treating acute and chronic pain in cats	"	1
3. Anesthesia for the geriatric patient	"	1
4. Treating acute & chronic pain in dogs	"	1
5. Hypertension - new guidelines/new drugs	diversion prevent.	1
6. Protein losing nephropathy	Internal medicine	1

Specialty Focus: Abdominal Ultrasonography

(Saturday and Sunday; 16 hours)

Total Hours 26

Peggy Shandy Lane

Director, Conventions, Meetings & Events
Advanstar Communications Inc • 11140 Thompson Ave, Lenexa, KS 66219
Fetch dvm360 conferences
fetchdvm360@ubm.com

This program 82-35013 is approved by the AAVSB-RACE to offer a total of 317.00 CE Credits (28.00 max) being available to any one veterinarian; and/or 317.00 Veterinary Technician CE Credits (28.00 max). This RACE approval is for the subject matter categories of: Category One: Scientific Category Two: Non-Scientific-Clinical Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method of Seminar/Lecture/Lab/Wet Lab. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements. RACE does not "accredit" or "endorse" or "certify" any program or person, nor does RACE approval validate the content of the program." AGO 038

CERTIFICATE
OF ATTENDANCE

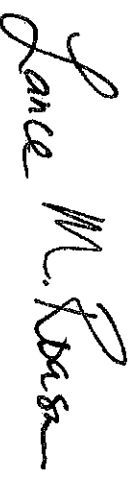
Issued for Satisfactory Completion of the Course
Veterinary Law and Ethics

For satisfactorily completing this online course, which covers several topics related directly to the subjects of veterinary law and ethics as they pertain to the veterinary field, 20 continuing education contact hours have been awarded to:

SUE K. MORIZZI, DVM


State: California

License: 09387



LANCE M. ROASA, DVM, JD

CEO | DRIP LEARNING TECHNOLOGIES, LLC



12/31/2018

Date

This program 1300-34681 is approved by the AAVSB RACE to offer a total of 20.00 CE Credits (20.00 max) being available to any one veterinarian; and/or 20.00 Veterinary Technician CE Credits (20.00 max). This RACE approval is for the subject matter categories of:
Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method of Non-Interactive-Distance. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements. RACE does not "accredit" or "endorse" or "certify" any program or person; nor does RACE approval validate the content of the program.



Veterinary Medical Board
1747 N. Market Boulevard, Suite 230, Sacramento, CA 95834
Telephone: 916-515-5220 Fax: 916-928-6849 | www.vmb.ca.gov



PROBATION CONTINUING EDUCATION LOG FOR CONFERENCES

INSTRUCTIONS: This form should be used to track attendance at the professional conference and accompany the Certificate of Attendance for approved continuing education course(s). Please attach this to the Certificate of Attendance.

Probationer's Name Dr. Sue Morizi Case # 1002055931

Conference Information

Date(s): December 7-10, 2017

Title: Fetch dvm 360 conference

Provider(s): CVMA, Race Provider # 82-31254

Location: San Diego, CA

LECTURE LOG

Lecture Title	Lecturer's Name	Date of Lecture
Money Matters & Masterful Managing	Brian Conrad	Dec. 7, 2017 (6 sessions)
Veterinary Management	Dr. Joel Parker	Dec. 8, 2017 (6 sessions)
The Essentials of HR	Mark Opperman &	
Veterinary Practice Management	Shelia Grosdidier	Dec. 9, 2017 (6 sessions)
Veterinary Economics	Dr. Jeremy Keen	Dec. 10, 2017 (6 sessions)
Practice Owner Wisdom		
Oncology, The 3 P's of Lymphomas	Dr. Sue D'Amico	Dec. 9, 2017 (2 sessions)
Dermatology, Canine Otitis	Dr. Lynette Cole	Dec. 8, 2017 (2 sessions)

Total Hours: 22

I hereby certify under penalty of perjury under the laws of the State of California that the information provided above is true and correct.

Probationer's Signature: Sue Morizi VET # 9387 Date: 12/10/17



Name: Sue Morizi, VMD
 Organization: The Village Veterinary Hospital
 Address: 7527 Draper Ave
 Address 2:
 City, State, Zip: La Jolla, CA 92037

**Attendance Record for
 Fetch San Diego
 December 7 - 10, 2017**

All seminars are 60 minutes. General four-day convention attendance without additional purchases is 30 hours for Veterinarians and 30 hours for Technicians.

State/License Number (Entered by attendee) CA-9387 The person whose name appears here attended Fetch dvm360 in San Diego

Name of Seminar Attended	Type of Seminar (Seminar or Lab)	No. of Hours	Name of Seminar Attended	Type of Seminar (Seminar or Lab)	No. of Hours
Thursday, December 7, 2017 General Sessions: 12:30-6:30 PM Evening Sessions: 7:00-9:00 PM			Sunday, December 10, 2017 General Sessions: 8:00 AM-5:20 PM		
1. Money Matters & Management	Management	1	1. Veterinary Economics Mgt.		1
2. Masterful Managing		1	2. Practice Owner Wisdom		1
3.		1	3.		1
4.		1	4.		1
5.		1	5.		1
6.		1	6.		1
Friday, December 8, 2017 General Sessions: 8:00 AM-5:30 PM Evening Sessions: 7:00-9:30 PM			Ask the Expert Luncheon (up to 3 hours offered) _____ Specialty Focus: Abdominal Ultrasonography (Saturday and Sunday, 16 hours) _____ Total Hours <u>22</u>		
1. Veterinary Management	Management	1			
2.	Management	1			
3.		1			
4.		1			
5.		1			
6.		1			
7. Dermatology, canine otitis		1			
Saturday, December 9, 2017 General Sessions: 7:00 AM-5:45 PM Evening Sessions: 7:00-9:00 PM			Peggy Shandy Lane Director, Conventions, Meetings & Events Advanstar Communications Inc. • 8033 Flint, Lenexa, KS 66214 Fetchdvm360@ubm.com RACE Provider Number 82-31254		
1. The Essentials of HR Mgt.	Mgt.	1			
2. Veterinary Practice Management		1			
3.		1			
4.		1			
5.		1			
6.		1			
7. Oncology, the 3 P's of oncology	oncology	1			
8. of Lymphomas		1			

This program 82-31254 is approved by the AAVSB RACE to offer a total of 455.00 CE Credits (30.00 max) being available to any one veterinarian: and/or 455.00 Veterinary Technician CE Credits (30.00 max). This RACE approval is for the subject matter category(s) of: Category One: Scientific, Category Two: Non-Scientific-Clinical, Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method(s) of: Seminar/Lecture. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements.

CERTIFICATE OF ATTENDANCE

Issued for Satisfactory Completion of the Course

Online Medical Records

For satisfactorily completing this online course, which covers several topics related directly to the subjects of law and ethics as they pertain to the veterinary field, 6 RACE-approved continuing education contact hours have been awarded to

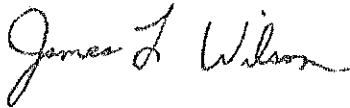


Sue Morizi

California
Licensed in

09387
License Number

Dec 21, 2017
Date of Offering



James F. Wilson, DVM, JD
President
Priority Press, Ltd.



Jared Danielson, Ph.D.
Interim Assoc. Dean, Academic & Student Affairs
College of Veterinary Medicine

IOWA STATE UNIVERSITY College of Veterinary Medicine

1600 S. 16th St. • Ames, IA 50010
RACE Provider Number 660

This program 660-29131 is approved by the AAVSB RACE to offer a total of 6.00 CE Credits (6.00 max) being available to any one veterinarian: and/or 0.00 Veterinary Technician CE Credits (0.00 max). This RACE approval is for the subject matter categories of: Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method of Non-Interactive-Distance. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements. RACE does not "accredit" or "endorse" or "certify" any program or person, nor does RACE approval validate the content of the program

#08675492

CERTIFICATE OF ATTENDANCE

Issued for Satisfactory Completion of the Course
Online Veterinary Law & Ethics

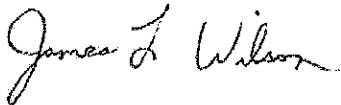
For satisfactorily completing this online course, which covers several topics related directly to the subjects of law and ethics as they pertain to the veterinary field, 18 RACE-approved continuing education contact hours have been awarded to


Sue Morizi

California
Licensed in

09387
License Number

Dec 19, 2017
Date of Offering



James F. Wilson, DVM, JD
President
Priority Press, Ltd.



Jared Danielson, Ph.D.
Interim Assoc. Dean, Academic & Student Affairs
College of Veterinary Medicine

IOWA STATE UNIVERSITY College of Veterinary Medicine

1600 S. 16th St. • Ames, IA 50010
RACE Provider Number 660

This program 660-18724 is approved by the AAVSB RACE to offer a total of 18.00 CE Credits (18.00 max) being available to any one veterinarian and/or 18.00 Veterinary Technician CE Credits (18.00 max). This RACE approval is for the subject matter category(s) of: Category Three: Non-Scientific-Practice Management/Professional Development using the delivery method(s) of: Non-Interactive-Distance. This approval is valid in jurisdictions which recognize AAVSB RACE; however, participants are responsible for ascertaining each board's CE requirements

Exhibit 4

BEFORE THE
VETERINARY MEDICAL BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the First Amended Accusation
Against:

SUE MORIZI
7527 Draper Avenue
La Jolla, CA 92037

Veterinarian License No. VET 9387

**THE VILLAGE VETERINARY
HOSPITAL**
7527 Draper Avenue
La Jolla, CA 92037

Hospital Permit No. HSP 7769

Respondents.

Case No. 1002055931

OAH No. 2016120508

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the
Veterinary Medical Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on NOV 30 2017

It is so ORDERED OCT 31 2017


FOR THE VETERINARY MEDICAL BOARD
DEPARTMENT OF CONSUMER AFFAIRS

1 XAVIER BECERRA
Attorney General of California
2 ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General
3 HARINDER K. KAPUR
Deputy Attorney General
4 State Bar No. 198769
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9407
7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9 **BEFORE THE**
10 **VETERINARY MEDICAL BOARD**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the First Amended Accusation
13 Against:

Case No. 1002055931;
OAH No. 2016120508

14 **SUE MORIZI**
7527 Draper Avenue
15 La Jolla, CA 92037

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16 **Veterinarian License No. VET 9387**

17 **THE VILLAGE VETERINARY**
HOSPITAL
7527 Draper Avenue
18 La Jolla, CA 92037

19 **Hospital Permit No. HSP 7769**

20 Respondents.
21

22 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
23 entitled proceedings that the following matters are true:

24 PARTIES

25 1. Annemarie Del Mugnaio (Complainant) is the Executive Officer of the Veterinary
26 Medical Board (Board). She brought this action solely in her official capacity and is represented
27 in this matter by Xavier Becerra, Attorney General of the State of California, by Harinder K.
28 Kapur, Deputy Attorney General.

1 9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
2 every right set forth above.

3 CULPABILITY

4 10. Respondent admits the truth of each and every charge and allegation in Accusation
5 No. 1002055931.

6 11. Respondent agrees that her Veterinarian License No. VET 9387 and the license
7 issued to The Village Veterinary Hospital, HSP 7769, are subject to discipline and she agrees to
8 be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

9 CONTINGENCY

10 12. This stipulation shall be subject to approval by the Board. Respondent understands
11 and agrees that counsel for Complainant and the staff of the Board may communicate directly
12 with the Board regarding this stipulation and settlement, without notice to or participation by
13 Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that
14 she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board
15 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
16 the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this
17 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
18 be disqualified from further action by having considered this matter.

19 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
20 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
21 signatures thereto, shall have the same force and effect as the originals.

22 14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
23 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
24 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
25 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
26 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
27 writing executed by an authorized representative of each of the parties.

28 ///

1 15. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following
3 Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Veterinarian License No. VET 9387 and Premises License
6 No. HSP 7769 issued to Respondent Sue Morizi are revoked. However, the revocation is stayed
7 and Respondent is placed on probation for five (5) years on the following terms and conditions:

8 **1. Obey All Laws.**

9 Respondent shall obey all federal and state laws and regulations substantially related to the
10 practice of veterinary medicine. Further, within thirty (30) days of any arrest or conviction.
11 Respondent shall report to the Board and provide proof of compliance with the terms and
12 conditions of the court order including, but not limited to, probation and restitution requirements.

13 **2. Quarterly Reports and Interviews**

14 Respondent shall report quarterly to the Board or its designee, under penalty of perjury, on
15 forms provided by the Board, stating whether there has been compliance with all terms and
16 conditions of probation. In addition, the Board at its discretion may request additional in-person
17 reports of the probationary terms and conditions. If the final written quarterly report is not made
18 as directed, the period of probation shall be extended until such time as the final report is received
19 by the Board. Respondent shall make available all patient records, hospital records, books, logs,
20 and other documents to the Board, upon request.

21 **3. Cooperation with Probation Surveillance**

22 Respondent shall comply with the Board's probation surveillance program. All costs for
23 probation monitoring shall be borne by Respondent. Probation monitoring costs are set at a rate of
24 \$100 per month for the duration of the probation. Respondent shall notify the Board of any
25 change of name or address or address of record within thirty (30) days of the change. Respondent
26 shall notify the Board immediately in writing if Respondent leaves California to reside or practice
27 in another state. Respondent shall notify the Board immediately upon return to California.

28 ///

1 4. **No Preceptorships or Supervision of Interns**

2 Respondent shall not supervise a registered intern and shall not perform any of the duties of
3 a preceptor.

4 5. **Notice to Employers**

5 Respondent shall notify all present and prospective employers of the decision in this case
6 and the terms, conditions, and restrictions imposed on Respondent by the decision in this case.
7 Within thirty (30) days of the effective date of this decision and within fifteen (15) days of
8 Respondent undertaking new employment, Respondent shall cause his or her employer to report
9 to the Board in writing, acknowledging the employer has read the Accusation and decision in this
10 case and understands Respondent's terms and conditions of probation. Relief veterinarians shall
11 notify employers immediately.

12 6. **Notice to Employees**

13 Respondent shall, upon or before the effective date of this decision, post or circulate a
14 notice which actually recites the offenses for which Respondent has been disciplined and the
15 terms and conditions of probation, to all registered veterinary employees, and to any preceptor,
16 intern or extern involved in his or her veterinary practice. Within fifteen (15) days of the effective
17 date of this decision, Respondent shall cause his/her employees to report to the Board in writing,
18 acknowledging the employees have read the Accusation and decision in the case and understand
19 Respondent's terms and conditions of probation.

20 7. **Owners and Officers (Corporations or Partnerships): Knowledge of the Law**

21 Respondent shall provide, within thirty (30) days after the effective date of the decision,
22 signed and dated statements from the owners, officers, or any owner or holder of ten percent
23 (10%) or more of the interest in Respondent or Respondent's stock, stating said individuals have
24 read and are familiar with federal and state laws and regulations governing the practice of
25 veterinary medicine.

26 8. **Tolling of Probation**

27 If Respondent resides out of state upon or after effective date of the decision, he or she must
28 comply with the following conditions only: quarterly reports and interviews, tolling of probation,

1 continuing education and cost recovery. If Respondent returns to California, he or she must
2 comply or be subject to all probationary conditions for the period of probation.

3 Respondent, during probation, shall engage in the practice of veterinary medicine in
4 California for a minimum of 24 hours per week or as determined by the Board. Should
5 Respondent fail to engage in the practice of veterinary medicine in California as set forth above,
6 the time outside of the practice shall not apply to reduction of the probationary terms.

7 **9. Violation of Probation**

8 If Respondent violates probation in any respect, the Board, after giving Respondent notice
9 and the opportunity to be heard, may revoke probation and carry out the disciplinary order that
10 was stayed. If an accusation or petition to revoke probation is filed against Respondent during
11 probation, or if the Attorney General's office has been requested to prepare any disciplinary
12 action against Respondent's license, the Board shall have continuing jurisdiction until the matter
13 is final, and the period of probation shall be extended until the matter is final.

14 **10. Completion of Probation**

15 All costs for probation monitoring and/or mandatory premises inspections shall be borne by
16 Respondent. Failure to pay all costs due shall result in an extension of probation until the matter
17 is resolved and costs paid. Upon successful completion of probation and all payment of all fees
18 due, Respondent's license will be fully restored.

19 **11. Cost Recovery and Payment of Fines**

20 Pursuant to Section 125.3 of the California Business and Professions Code, within thirty
21 (30) days of the effective date of this decision, Respondent shall pay to the Board its enforcement
22 costs including investigation and prosecution in the amount of \$28,355.50 or the Respondent shall
23 make these payments as follows: \$ 590.75 per month for the first 48 months of probation. Said
24 costs must be paid in full one year prior to the end of probation.

25 **12. Suspension – Individual License**

26 As part of probation, Respondent is suspended from the practice of veterinary medicine for
27 thirty (30) days, beginning the effective date of this decision. During said suspension,
28 Respondent shall not enter any veterinary hospital which is registered by the Board.

1 Additionally, Respondent shall not manage, administer, or be a consultant to any veterinary
2 hospital or veterinarian during the period of actual suspension and shall not engage in any
3 veterinary-related service or activity.

4 **13. Suspension – Premises**

5 As part of probation, Premises License Number HSP 7769, issued to Respondent The
6 Village Veterinary Hospital, is suspended for seven (7) days, beginning the effective date of this
7 decision. During said period of suspension, said premises may not be used by any party for any
8 act constituting the practice of veterinary medicine, surgery, dentistry, and/or the various
9 branches thereof.

10 **14. Posted Notice of Suspension**

11 If suspension is ordered, Respondent shall post a notice of the Board's Order of Suspension,
12 in a place clearly visible to the public. The notice, provided by the Board, shall remain posted
13 during the entire period of actual suspension.

14 **15. Limitation on Practice/Inspections**

15 During probation, Respondent is prohibited from the following:

16 1. Practicing veterinary medicine from a location or mobile veterinary practice which does
17 not have a current premises permit issued by the Board; and

18 2. If Respondent is the owner of a veterinary practice, the following probationary
19 conditions apply:

20 a. The location or mobile veterinary practice must not only have a current premises permit
21 issued by the Board, but must also be subject to inspections by a Board representative to
22 determine whether the location or veterinary practice meets minimum standards for a veterinary
23 practice. The inspections will be conducted on an announced or unannounced basis and shall be
24 held during normal business hours. The Board reserves the right to conduct these inspections on
25 at least a quarterly basis during probation. Respondent shall pay the Board for the cost of each
26 inspection, which is \$500.

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1 **16. Supervised Practice**

2 Respondent shall practice only under the supervision of a veterinarian approved by the
3 Board. The supervision directed may be continuous supervision, substantial supervision, partial
4 supervision, or supervision by daily review, as deemed necessary by the Board. All costs
5 involved with practice supervision shall be borne by Respondent.

6 Each supervisor shall have been licensed in California for at least five (5) years and not
7 have ever been subject to any disciplinary action by the Board. The supervisor shall be
8 independent, with no prior business or personal relationship with Respondent and the supervisor
9 shall not be in a familial relationship with or be an employee, partner, or associate of Respondent.

10 Within thirty (30) days of the effective date of the decision, Respondent shall have his or
11 her supervisor submit a report to the Board in writing stating the supervisor has read the decision
12 in case number 1002055931. Should Respondent change employment, Respondent shall have
13 his/her new supervisor, within fifteen (15) days after employment commences, submit a report to
14 the Board in writing stating the supervisor has read the decision in case number 1002055931.

15 Respondent's supervisor shall, on a basis to be determined by the Board, review and
16 evaluate all or a designated portion of patient records of those patients for whom Respondent
17 provides treatment or consultation during the period of supervised practice. The supervisor shall
18 review these records to assess:

- 19 1) the medical necessity and appropriateness of Respondent's treatment;
20 2) Respondent's compliance with community standards of practice in the diagnosis and
21 treatment of animal patients;
22 3) Respondent's maintenance of necessary and appropriate treatment;
23 4) Respondent's maintenance of necessary and appropriate records and chart entries; and
24 5) Respondent's compliance with existing statutes and regulations governing the practice of
25 veterinary medicine.

26 Respondent's supervisor shall file monthly reports with the Board. These reports shall be
27 in a form designated by the Board and shall include a narrative section where the supervisor
28 provides his or her conclusions and opinions concerning the issues described above and the basis

1 for his or her conclusions and opinions. Additionally, the supervisor shall maintain and submit
2 with his or her monthly reports a log designating the patient charts reviewed, the date(s) of
3 service reviewed, and the date upon which the review occurred. If the supervisor terminates or is
4 otherwise no longer available, Respondent shall not practice until a new supervisor has been
5 approved by the Board.

6 If respondent is an employee rather a veterinary hospital owner, the supervisor shall
7 additionally notify the Board of the dates and locations of all employment of respondent, during
8 each month covered by his/her report.

9 **17. No Ownership**

10 Respondent shall not have any legal or beneficial interest in any business, firm, partnership,
11 or corporation currently or hereinafter licensed or registered by the Board and shall not own any
12 veterinary hospital, except The Village Veterinary Hospital under Premises License Number
13 HSP 7769.

14 **18. No Management or Administration**

15 Respondent shall not manage or be the administrator of any veterinary hospital.

16 **19. Continuing Education**

17 Within sixty (60) days of the effective date of this decision, and on an annual basis
18 thereafter, Respondent shall submit to the Board for its prior approval, an educational program or
19 course related to Respondent's specific area(s) of weakness which shall not be less than 16 hours
20 in each of the following practice areas during the first year of probation, and 8 hours per year in
21 years 2 through 5: Practice Management; Record Keeping; Controlled Substance Prescribing;
22 Controlled Substance Diversion Prevention; and, Controlled Substance Regulatory Compliance
23 Upon successful completion of the course, Respondent shall provide proof to the Board. This
24 program shall be in addition to the Continuing Education required of all licensees. All costs shall
25 be borne by Respondent.

26 **20. Psychological Evaluation**

27 Within thirty (30) days of the effective date of this decision, and on a periodic basis as may
28 be required by the Board or its designee, Respondent shall undergo a psychiatric evaluation by a

1 Board-approved psychotherapist (psychiatrist or psychologist), to determine Respondent's ability
2 to practice veterinary medicine safely, who shall furnish a psychological report to the Board or its
3 designee. All costs shall be borne by Respondent.

4 If the psychotherapist (psychiatrist or psychologist) recommends and the Board or its
5 designee directs psychotherapeutic treatment, Respondent shall, within thirty (30) days of written
6 notice of the need for psychotherapy, submit the name and qualification of one or more
7 psychotherapists of Respondent's choice to the Board for its prior approval. Upon approval of the
8 treating psychotherapist by the Board, Respondent shall undergo and continue psychotherapy
9 until further notice from the Board. Respondent shall have the treating psychotherapist submit
10 quarterly written reports to the Board. All costs shall be borne by Respondent.

11 **21. Medical Evaluation**

12 Within thirty (30) days of the effective date of this decision, and on a periodic basis
13 thereafter as may be required by the Board or its designee, Respondent shall undergo a medical
14 evaluation by a Board approved physician, to determine Respondent's ability to practice
15 veterinary medicine safely, who shall furnish a medical report to the Board or its designee. If
16 Respondent is required by the Board or its designee to undergo medical treatment, Respondent
17 shall, within thirty (30) days of written notice from the Board, submit the name and qualifications
18 of a physician of Respondent's choice to the Board for its prior approval. Upon approval of the
19 treating physician by the Board, Respondent shall undergo and continue medical treatment until
20 further notice from the Board. Respondent shall have the treating physician submit quarterly
21 written reports to the Board. All costs shall be borne by Respondent.

22 **22. Rehabilitation Program – Alcohol or Drug**

23 Within thirty (30) days of the effective date of this decision, Respondent shall submit in
24 writing a(n) alcohol/drug rehabilitation program in which Respondent shall participate to the
25 Board for its prior approval. In the quarterly written reports to the Board, Respondent shall
26 provide documentary evidence of continuing satisfactory participation in this program. All costs
27 shall be borne by Respondent.

28 ///

1 **23. Submit to Drug Testing**

2 Respondent shall immediately submit to drug testing, at Respondent's cost, upon request by
3 the Board or its designee. There will be no confidentiality in test results; positive test results will
4 be immediately reported to the Board and to Respondent's current employer.

5 **24. Abstain from Controlled Substances**

6 Respondent shall completely abstain from the personal use or possession of controlled
7 substances, as defined in the California Uniform Controlled Substances Act, and dangerous drugs
8 as defined in Section 4022 of the Business and Professions Code, except when lawfully
9 prescribed by a licensed practitioner for a bona fide illness. Respondent shall submit to random
10 drug testing during the period of probation.

11 **25. Abstention from Alcohol Use**

12 Respondent shall abstain completely from the use of alcoholic beverages.

13 **26. Community Service**

14 Within sixty (60) days of the effective date of this decision, Respondent shall submit a
15 community service program to the Board for its prior approval. In this program Respondent shall
16 provide free services on a regular basis to a community or charitable facility or agency for at least
17 forty (40) hours during the term of probation. All services shall be subject to prior Board
18 approval.

19 **27. Fine**

20 Respondent shall pay to the Board a fine in the amount of one-thousand five hundred
21 dollars (\$1,500) pursuant to Business and Professions Code sections 4875 and 4883. Respondent
22 shall make said payments in a manner agreed upon by the Board.

23 **28. Ethics Training**

24 Respondent shall submit to the Board for its prior approval, an ethics training course for a
25 minimum of 40 hours during the first two years of the probationary period. Upon successful
26 completion of the course, Respondent shall provide proof to the Board. All costs shall be borne
27 by Respondent.

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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Bonnie L. Lutz, Esq. I understand the stipulation and the effect it will have on my Veterinarian License No. 9387, and Hospital Permit No. 7769. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Veterinary Medical Board.

DATED: 8/7/17 Sue Morizi VMD PhD
SUE MORIZI;
THE VILLAGE VETERINARY HOSPITAL
Respondents

I have read and fully discussed with Respondent Sue Morizi, The Village Veterinary Hospital, the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 8/8/17 Bonnie L. Lutz
BONNIE L. LUTZ, ESQUIRE
Attorney for Respondents

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Veterinary Medical Board.

Dated: Respectfully submitted,
XAVIER BECERRA
Attorney General of California
ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General

HARINDER K. KAPUR
Deputy Attorney General
Attorneys for Complainant

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THE VILLAGE VETERINARY HOSPITAL
Respondents

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DATED: _____
BONNIE L. LUTZ, ESQUIRE
Attorney for Respondents

ENDORSEMENT

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Dated: 8/8/17


Respectfully submitted,
XAVIER BECERRA
Attorney General of California
ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General

HARINDER K. KAPUR
Deputy Attorney General
Attorneys for Complainant

Exhibit A

First Amended Accusation No. 1002055931

1 KAMALA D. HARRIS
Attorney General of California
2 ANTOINETTE B. CINCOTTA
Supervising Deputy Attorney General
3 HARINDER K. KAPUR
Deputy Attorney General
4 State Bar No. 198769
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
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7 Facsimile: (619) 645-2061

8 *Attorneys for Complainant*

9
10 **BEFORE THE**
VETERINARY MEDICAL BOARD
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12
13 In the Matter of the Accusation Against:

Case No. 1002055931

14 **SUE MORIZI**
7527 Draper Avenue
15 La Jolla, CA 92037

FIRST AMENDED ACCUSATION

16 **Veterinarian License No. VET 9387**

17 **THE VILLAGE VETERINARY**
HOSPITAL
18 7527 Draper Avenue
19 La Jolla, CA 92037

20 **Hospital Permit No. HSP 7769**

21 Respondent.

22 Complainant alleges:

23 **PARTIES**

24 1. Annemarie Del Mugnaio (Complainant) brings this First Amended Accusation solely in
25 her official capacity as the Executive Officer of the Veterinary Medical Board (Board),
26 Department of Consumer Affairs.

27 2. On or about July 31, 1986, the Board issued Veterinarian License Number VET 9387
28 to Sue Morizi (Respondent). The Veterinary Medical License was in full force and effect at all

1 times relevant to the charges and allegations brought herein and will expire on February 28, 2018,
2 unless renewed.

3 3. On or about April 30, 2015, the Board issued premises permit No. HSP 7769 for The
4 Village Veterinary Hospital, with Sue Morizi as managing licensee. The Premise Permit was in full
5 force and effect at all times relevant to the charges and allegations brought herein and will expire
6 on May 31, 2017, unless renewed.

7 JURISDICTION

8 4. This First Amended Accusation is brought before the Board under the authority of the
9 following laws. All section references are to the Business and Professions Code (Code) unless
10 otherwise indicated.

11 5. Section 4853.6 of the Code provides, in pertinent part, that the Board shall withhold,
12 suspend or revoke registration of veterinary premises when the license of the licensee manager to
13 practice veterinary medicine is revoked or suspended.

14 6. Section 4875 of the Code provides, in pertinent part, that the Board may revoke or
15 suspend the license of any person to practice veterinary medicine, or any branch thereof, in this
16 state for any causes provided in the Veterinary Medicine Practice Act (Bus. & Prof. Code, § 4800,
17 et seq.). In addition, the Board has the authority to assess a fine not in excess of \$5,000 against a
18 licensee for any of the causes specified in section 4883 of that code. Such fine may be assessed in
19 lieu of, or in addition to, a suspension or revocation.

20 7. Section 4876 of the Code provides:

21 In addition to its authority to suspend or revoke a license or registration, or
22 assess a fine on a person licensed or registered under this chapter, the board shall
23 have the authority to place a licensee or registrant on probation. The authority of the
board to discipline by placing the licensee or registrant on probation shall include, but
is not limited to, the following:

24 (a) Requiring the licensee or registrant to complete a course of study or
25 service, or both, as prescribed by the board, and to demonstrate renewed competence
to the satisfaction of the board.

26 (b) Requiring the licensee or registrant to submit to a complete diagnostic
27 examination by one or more physicians appointed by the board. If the board requires
28 a licensee or registrant to submit to that examination, the board shall receive and
consider any other report of a complete diagnostic examination given by one or more
physicians of the licensee's or registrant's choice.

1 (c) Restricting or limiting the extent, scope, or type of practice of the licensee
2 or registrant.

3 8. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license
4 shall not deprive a board of jurisdiction to proceed with a disciplinary action during the period
5 within which the license may be renewed, restored, reissued or reinstated. Under Business and
6 Professions Code section 4843.5, the Board may renew an expired license at any time within five
7 years after the expiration.

8 STATUTORY PROVISIONS

9 9. Section 4855 of the Code states:

10 A veterinarian subject to the provisions of this chapter [the Veterinary
11 Medicine Practice Act] shall, as required by regulation of the board, keep a written
12 record of all animals receiving veterinary services, and provide a summary of that
13 record to the owner of animals receiving veterinary services, when requested. The
14 minimum amount of information which shall be included in written records and
15 summaries shall be established by the board. The minimum duration of time for
16 which a licensed premise shall retain the written record or a complete copy of the
17 written record shall be determined by the board.

18 10. Section 4856 of the Code states:

19 (a) All records required by law to be kept by a veterinarian subject to this
20 chapter [the Veterinary Medicine Practice Act], including, but not limited to, records
21 pertaining to diagnosis and treatment of animals and records pertaining to drugs or
22 devices for use on animals, shall be open to inspection by the board, or its authorized
23 representatives, during an inspection as part of a regular inspection program by the
24 board, or during an investigation initiated in response to a complaint that a licensee
25 has violated any law or regulation that constitutes grounds for disciplinary action by
26 the board. A copy of all those records shall be provided to the board immediately
27 upon request.

28 (b) Equipment and drugs on the premises, or any other place, where
veterinary medicine, veterinary dentistry, veterinary surgery, or the various branches
thereof is being practiced, or otherwise in the possession of a veterinarian for
purposes of that practice, shall be open to inspection by the board, or its authorized
representatives, during an inspection as part of a regular inspection program by the
board, or during an investigation initiated in response to a complaint that a licensee
has violated any law or regulation that constitutes grounds for disciplinary action by
the board.

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1 11. Section 4883 of the Code states:

2 The board may deny, revoke, or suspend a license or assess a fine as provided
3 in Section 4875 for any of the following:

4 ...
5 (g) Unprofessional conduct, that includes, but is not limited to, the
6 following:

7 (3) A violation of any federal statute, rule, or regulation or any of the
8 statutes, rules, or regulations of this state regulating dangerous drugs or controlled
9 substances.

10 (i) Fraud, deception, negligence, or incompetence in the practice of
11 veterinary medicine.

12 (j) Aiding or abetting in any acts that are in violation of any of the provisions
13 of this chapter [the Veterinary Medicine Practice Act].

14 (o) Violation, or the assisting or abetting violation, of any regulations
15 adopted by the board pursuant to this chapter.

16 Health and Safety Code

17 12. Health and Safety Code section 11190, states:

18 ...
19 (b) The prescriber's record shall show the pathology and purpose for which
20 the controlled substance was administered or prescribed.

22 REGULATIONS

23 Federal Regulations

24 13. Federal Code of Regulations, title 21, section 1304.22, states:

25 ...
26 (c) Records for dispensers and researchers. Each person registered or
27 authorized to dispense or conduct research with controlled substances shall maintain
28 records with the same information required of manufacturers pursuant to paragraph
(a)(2)(i), (ii), (iv), (vii), and (ix) of this section. In addition, records shall be
maintained of the number of units or volume of such finished form dispensed,

1 including the name and address of the person to whom it was dispensed, the date of
2 dispensing, the number of units or volume dispensed, and the written or typewritten
3 name or initials of the individual who dispensed or administered the substance on
4 behalf of the dispenser. In addition to the requirements of this paragraph,
5 practitioners dispensing gamma-hydroxybutyric acid under a prescription must also
6 comply with Sec. 1304.26.

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State Regulations

14. California Code of Regulations, title 16, section 2030, states in relevant part:

...
(f) The veterinary premises shall meet the following standards:
...

(6) All drugs and biologicals shall be maintained, administered, dispensed and prescribed in compliance with state and federal laws.
.....

15. California Code of Regulations, title 16, section 2030.05 states:

(a) A Licensee Manager is the California licensed veterinarian named as the Licensee Manager on a facility's premises permit.

(b) The Licensee Manager is responsible for ensuring that the premises for which he/she is manager complies with the requirements in sections 4853, 4854, 4855 and 4856 of the Business and Professions Code, Division 2, Chapter 11, Article 3. The Licensee Manager is responsible for ensuring that the physical and operational components of a premises meet the minimum standards of practice as set forth in sections 2030 through 2032.5 of the California Code of Regulations, Title 16, Division 20, Article 4.

(c) The Licensee Manager is responsible for ensuring that no unlicensed activity is occurring within the premises or in any location where any function of veterinary medicine, veterinary surgery or veterinary dentistry is being conducted off the premises under the auspices of this premises license.

(d) The Licensee Manager shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in (a) - (c) are met.

(e) Each licensed veterinarian shall be responsible for their individual violations of the Veterinary Medicine Practice Act or any regulation adopted thereunder.

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1 16. California Code of Regulations, title 16, section 2032, states:

2 The delivery of veterinary care shall be provided in a competent and humane
3 manner. All aspects of veterinary medicine shall be performed in a manner consistent
4 with current veterinary medical practice in this state.

5 17. California Code of Regulations, title 16, section 2032.1, states:

6 (a) It is unprofessional conduct for a veterinarian to administer, prescribe,
7 dispense or furnish a drug, medicine, appliance, or treatment of whatever nature for
8 the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an
9 animal without having first established a veterinarian-client-patient relationship with
10 the animal patient or patients and the client, except where the patient is a wild animal
11 or the owner is unknown.

12 18. California Code of Regulations, title 16, section 2032.3, states:

13 (a) Every veterinarian performing any act requiring a license pursuant to the
14 provisions of Chapter 11, Division 2, of the code, upon any animal or group of
15 animals shall prepare a legible, written or computer generated record concerning the
16 animal or animals which shall contain the following information:

17 (1) Name or initials of the veterinarian responsible for entries.

18 (2) Name, address and phone number of the client.

19 (3) Name or identity of the animal, herd or flock.

20 (4) Except for herds or flocks, age, sex, breed, species, and color of the
21 animal.

22 (5) Dates (beginning and ending) of custody of the animal, if applicable.

23 (6) A history or pertinent information as it pertains to each animal, herd, or
24 flock's medical status.

25 (7) Data, including that obtained by instrumentation, from the physical
26 examination.

27 (8) Treatment and intended treatment plan, including medications, dosages
28 and frequency of use.

(9) Records for surgical procedures shall include a description of the
procedure, the name of the surgeon, the type of sedative/anesthetic agents used, their
route of administration, and their strength if available in more than one strength.

(10) Diagnosis or tentative diagnosis at the beginning of custody of animal.

(11) If relevant, a prognosis of the animal's condition.

(12) All medications and treatments prescribed and dispensed, including
strength, dosage, quantity, and frequency.

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(13) Daily progress, if relevant, and disposition of the case.

...

19. California Code of Regulations, title 16, section 2032.35, states

Altering or modifying the medical record of any animal, with fraudulent intent, or creating any false medical record, with fraudulent intent, constitutes unprofessional conduct in accordance with Business and Professions Code section 4883(g).

20. California Code of Regulations, title 16, section 2032.4, states

...

(b) When administering general anesthesia, a veterinarian shall comply with the following standards:

(1) Within twelve (12) hours prior to the administration of a general anesthetic, the animal patient shall be given a physical examination by a licensed veterinarian appropriate for the procedure. The results of the physical examination shall be documented in the animal patient's medical records.

...

(6) Records for procedures involving general anesthesia shall include a description of the procedure, the name of the surgeon, the type of sedative and/or anesthetic agents used, their route of administration, and their strength if available in more than one strength.

COST RECOVERY

21. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

DRUGS

22. Alprazolam is a Schedule IV controlled substance pursuant to Health and Safety Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022. It is sold under brand name Xanax.

1 included 300 tablets of 2 mg. Alprazolam and 400 tablets of 10 mg. Diazepam. The order was
2 shipped to the address for The Village Veterinary Hospital (TVVH). Respondent failed to
3 maintain a dispensation log to account for these controlled drugs.

4 30. On or about May 27, 2015, Respondent placed an order with Victors Instruments
5 Incorporated for three bottles of 100 tablets each of hydrocodone apap 10/325 mg; two bottles of
6 100 tablets each of hydrocodone tablets 5 mg; and, two bottles of 100 tablets each of Tussigon 5
7 mg Tab C2.

8 31. On or about sometime in July 2015, Veterinary Technician J.V. signed for a delivery
9 of Valium at TVVH. J.V. secured the Valium in the locking desk drawer in Respondent's office,
10 where all other controlled substances that were maintained by the office were stored.
11 Subsequently, J.V. noticed that the Valium was no longer in the office stock and neither was there
12 any notation in the office dispensing log to account for the Valium.

13 32. On or about August 10, 2015, Respondent received a total of 300 tablets of Diazepam
14 10 mg and 300 tablets of Alprazolam 2 mg at TVVH from Victor Medical Company.

15 33. On or about August 19, 2015, Respondent asked TVVH employee D.T., to drop off
16 two prescriptions at CVS Pharmacy #9926. One prescription was for 100 tablets of hydrocodone
17 10/325 mg written for Jade. Jade belongs to Respondent's Office Manager, D.B. The second
18 prescription was for 100 tablets of hydrocodone-homatropine 5 mg/1.5 mg written for Butch.
19 Butch belongs to Respondent's then boyfriend and TVVH employee, J.G. The pharmacist refused
20 to fill the prescriptions and D.T. returned to TVVH. Respondent wrote two new prescriptions and
21 instructed TVVH employee E.M. to take them to CVS Pharmacy #9268.

22 34. On or about August 21, 2015, a prescription for Jade for 100 tablets of hydrocodone
23 10/325/mg was filled. An entry in Jade's chart, dated August 20, 2015, documents that Jade was
24 given ear medication and a prescription for Rimadyl for pain and inflammation. The medical
25 record for Jade does not indicate that any prescription was written for Jade for hydrocodone. The
26 Controlled Substances Utilization Review and Evaluation System (CURES) report for Jade
27 indicates that a prescription for 100 tablets of hydrocodone with acetaminophen 10/325 mg was
28 filled for Jade at CVS Pharmacy #9268.

1 35. On or about August 21, 2015, a prescription issued by Respondent was filled for
2 Butch for 100 tablets of hydrocodone with homatropine 5 mg/1.5 mg at CVS Pharmacy #9268.
3 No medical record exists for Butch.

4 36. On or about August 29, 2015, a prescription issued by Respondent for 100 tablets of
5 hydrocodone with acetaminophen 10/325 mg at was filled at CVS Pharmacy #9268 for Jade.

6 37. On or about sometime in August 2015, Respondent contacted the CVS Pharmacy on
7 Eads Avenue to obtain hydrocodone for the office stock at TVVH. After Respondent was told
8 that hydrocodone could not be obtained for the office stock, she wrote three prescriptions in the
9 names of herself, J.G., Respondent's then boyfriend, and D.B., TVVH Office Manager.

10 Respondent asked D.T., the Office Receptionist, to take the three prescriptions to the CVS
11 Pharmacy on Eads Avenue to be filled. When D.T., attempted to have the prescriptions filled the
12 pharmacist informed her that only prescriptions in the names of the animals for whom the
13 medication was intended could be filled. After D.T. informed Respondent what the Pharmacist
14 said, Respondent wrote three new prescriptions for hydrocodone in the names of the animals
15 belonging to J.G. and D.B., and asked D.T. to take the prescriptions to the CVS Pharmacy #9628
16 located on La Jolla Blvd.

17 38. On or about September 24, 2015, E.M. dropped off to and later picked up from the
18 CVS Pharmacy #9926 prescriptions issued by Respondent for 100 tablets of hydrocodone with
19 acetaminophen 10/325 mg for Ruby, E.M.'s pet. The medical record for Ruby does not document
20 a history, physical examination, diagnostics, diagnosis, treatment or prognosis. The only entry
21 contained in the chart states, "orthopedic surgery/tremendous pain/tramadol not working." The
22 chart contains an entry documenting that 100 tablets of hydrocodone with acetaminophen 10/325
23 mg were prescribed, however the last zero is crossed out changing the number prescribed from
24 100 to 10. The Controlled Substances Utilization Review and Evaluation System (CURES) report
25 indicates that a prescription for 100 tablets of hydrocodone with acetaminophen 10/325 mg was
26 written and filled for Ruby. On or about August 30, 2016, E.M., in an interview with D.E.A.
27 investigators, stated that she owned Ruby M., that Respondent had never treated Ruby M., and
28 that Respondent had asked E.M. to fill a prescription for Vicodin tablets under Ruby M.'s name.

1 E.M. also told the investigators that E.M. dropped off the prescription and later picked-up the
2 Vicodin tablets from the pharmacy and then left the Vicodin tablets on Respondent's desk. E.M.
3 also confirmed that Respondent had given E.M. ten (10) of the Vicodin tablets for E.M.'s use for
4 mouth pain.

5 39. On or about September 30, 2015, Respondent contacted A.S., a Veterinary Technician
6 at TVVH. Respondent informed A.S. that she needed medication for TVVH. Respondent asked
7 A.S. for the name of his mother's pet and his mother's home address. Respondent then instructed
8 A.S. to fill a prescription for hydrocodone apap 10/325 mg issued in the name of his mother's pet,
9 Deke, although Respondent had never provided care and treatment to Deke. A.S. took the
10 prescription to CVS Pharmacy #9926 to have it filled. Some time after dropping off the
11 prescription, A.S. contacted the pharmacy and advised them that the prescription was fraudulent.
12 The pharmacy did not fill the prescription. When respondent asked A.S. about the prescription,
13 A.S. informed Respondent that the pharmacy told him that only his mother could pick-up the
14 medication. Thereafter, Respondent offered to reimburse A.S.'s mother if she went to the
15 pharmacy to pick-up the hydrocodone.

16 40. On or about October 7, 2015, Respondent placed an order with Victors Instruments
17 Incorporated for one bottle of 100 tablets of hydrocodone apap 10/325 mg.

18 41. On or about October 10, 2015, Respondent received 100 tablets of Alprazolam 1 mg
19 C4 from MWI Veterinary Supply. The order had been placed on or about August 27, 2015, by
20 "Debbie."

21 42. On or about October 14, 2015, Respondent placed an order with MWI Veterinary
22 Supply for one bottle of 100 tablets of hydrocodone apap 10/325 mg.

23 43. On or about October 27, 2015, a physical inventory of all controlled substances
24 located at TVVH was conducted by DEA Diversion Investigators BC and AM. The controlled
25 substances on-hand were compared to purchasing and dispensing records maintained at TVVH.
26 During the inventory, it was found that Respondent did not maintain accurate dispensation records
27 for controlled substances in liquid form, such as ketamine and buprenorphine. Specifically,
28 Respondent failed to log the actual amount of liquid controlled substances dispensed, amounts

1 used to make anesthetic cocktails, and amounts wasted, No dispensing logs or notations within
2 medical records existed for hydrocodone with acetaminophen 10/325 mg, and hydrocodone with
3 homatropine 5/1.5 mg.

4 44. The physical inventory audit revealed the following:

5 DRUG	RECEIVED	TOTAL ON HAND	DIFFERENCE	PERCENT
6 Hydrocodone 7 w/APAP 8 10/325 mg	300	0	- 300 Tablets	-100 %
9 Hydrocodone 10 w/homatropine 11 5/1.5 mg	100	95	- 5 Tablets	-5 %
12 Alprazolam 1 mg	100	50	-100 Tablets	-50 %
13 Alprazolam 2 mg	300	0	-300	-100 %
14 Diazepam 10 mg	300	100	-200 Tablets	-67 %

15 45. The Controlled Substance Dispensing Log documented 4 tablets of Diazepam 10 mg.
16 having been dispensed to Coco F. on August 28, 2015. The medical chart for Coco F. does not
17 document a physical examination, assessment, diagnosis or medical reason for dispensing
18 Diazepam. A total of 96 tablets of Diazepam 10 mg. were located in the secured controlled drug
19 drawer. There were 200 tablets of Diazepam 10 mg. that were unaccounted for by Respondent.

20 46. On or about October 27, 2015, Respondent was interviewed by agents of the DEA.
21 During the interview, Respondent stated that she wrote prescriptions in the names of Deke, Ruby,
22 and Butch in order to obtain drugs for the hospital supply and in fact the prescriptions were not for
23 the animals. Respondent further stated that she had never treated or provided care for Ruby on
24 September 24, 2015, but had written a prescription at the request of E.M. Respondent also
25 acknowledged never having treated or cared for Deke. In addition, the filled prescription for 100
26 tablets of hydrocodone with homatropine 5 mg/1.5 mg for Butch was found in Respondent's
27 office, with 5 tablets missing.

28 ///

1 47. On or about October 27, 2015, a Hospital Inspection was performed at TVVH by
2 Board Inspector S.S. Deficiencies were noted in the following twenty-one (21) areas:

- 3 a. No Posted After Hours Referral;
- 4 b. No Posted "No Staff on Premises 24 hours" notice;
- 5 c. Three refrigerators were located on the premises, none of which was labeled as being
6 biological/non-biologicals;
- 7 d. No evacuation maps posted in the hospital;
- 8 e. No box of emergency drugs;
- 9 f. Multiple Radiology Deficiencies;
- 10 g. No x-ray safety training for unregistered assistants;
- 11 h. No mechanism for disposal of sharps containers;
- 12 i. Ancillary items were being stored in the surgery room;
- 13 j. No source of emergency lighting in the surgery room;
- 14 k. Surgery room required thorough cleaning;
- 15 l. Anesthetic Equipment did not have documentation of servicing or date of purchase;
- 16 m. Sterile packs were not being consistently dated and sterile indicators were not being
17 consistently placed at the instrument level within surgical packs;
- 18 n. There was no protocol for routine autoclave maintenance;
- 19 o. Not all support staff members wore caps and masks while in surgery;
- 20 p. There were multiple expired drugs for use within the pharmacy, treatment and surgery
21 areas of the hospital;
- 22 q. Unlicensed staff was aware of where the spare key was kept for the storage of
23 controlled substances;
- 24 r. Drug logs were not properly maintained and biennial controlled drug inventory had
25 never been performed;
- 26 s. No background checks on veterinary assistants with access to controlled substances;
- 27 t. CURES reporting had not been done;
- 28 u. Records were not being maintained in accordance with guidelines

1 48. On or about February 18, 2016, a follow-up Hospital Inspection was performed at
2 TVVH by Board Inspector RM. Four of the 21 deficiencies remained.

3 **Patient Goop W.**

4 49. On or about June 6, 2015, patient Goop W., a feline, was seen by Respondent for
5 gastrointestinal issues. Goop's owner thought that Goop may have swallowed a sewing needle.
6 Respondent did not take pre-surgical radiographs to confirm the presence of a foreign body.
7 Respondent proceeded with exploratory abdominal surgery on Goop. Respondent did not
8 document the indication for surgery or that a physical exam was performed. Respondent did not
9 document the surgical procedure that was performed or the type(s) of anesthetic agents
10 administered to patient Goop W. The medical record lists charges for intravenous fluids, injectable
11 antibiotics, two and a half hours of anesthetic time, and post-surgical radiographs. Respondent
12 failed to document Goop's post-operative course.

13 **Patient Georgia N.**

14 50. A review of the record for Georgia N., a female pug belonging to A.N., shows that
15 Respondent did not document a history, physical examination, assessment, or treatment plan for
16 any of the surgical and anesthetic procedures performed to remove tumors on November 16, 2012,
17 July 9, 2014, December 4, 2014, or April 20, 2015. In addition, Respondent failed to document
18 the surgical procedures performed, location of the tumors, biopsy results, the type(s) of anesthetic
19 agents used, anesthetic protocols used, or prognosis.

20 **Patient Coral H.**

21 51. A review of the records for Coral H., a female pitbull belonging to G.H., show that on
22 or about June 1, 2015, Respondent saw Coral H. for a skin check. Respondent noted eight (8)
23 epidermal masses, a crusty left ear, and an allergic dermatitis diagnosis of skin disease.
24 Respondent provided G.H. with an estimate for surgical removal of the masses. Respondent
25 treated Coral H. with a long acting antibiotic injection for the skin infection, pain medication, and a
26 prescription for 50 tablets of Tramadol 50 mg. Respondent noted that G.H. requested a substitute
27 medication for the Tramadol because it was ineffective for pain control in Coral H. There is no
28 record of the procedure having been performed.

1 52. On or about July 30, 2016, a chart note documents a prescription written for Coral H.
2 for 60 tablets of hydrocodone with acetaminophen 5/300 mg, to be given every 6 hours for pain.

3 53. On or about July 31, 2016, a prescription written by Respondent for Coral H. for 60
4 tablets of hydrocodone with acetaminophen 5/300 mg was filled at Rite Aid #5627.

5 54. On or about August 15, 2016, Coral H. was seen for lumps and a bleeding nipple.
6 Respondent did not document a physical examination, a diagnosis, and/or a treatment plan.
7 Respondent documented administration of anesthesia using ket/val 2cc, but failed to document the
8 amounts of each of the anesthetic induction agents, ketamine and valium. Respondent further
9 documented the positions of the masses that were removed but did not document the suture
10 type/closure. Respondent also noted that Coral H. was sent home with a prescription for
11 Tramadol 50 mg.

12 **Patient Hit H.**

13 55. A review of the records for Hit H., a male pitbull belonging to G.H., show that Hit H.
14 was seen by Respondent on or about June 1, 2015, for physical examination and evaluation of
15 lumps.

16 56. On or about July 22, 2015, Respondent saw Hit H. for examination of his ear, skin,
17 and skin growth. Respondent prepared an estimate for a neuter, surgical removal of the skin
18 masses, a dental cleaning, and a prescription for Tramadol 50 mg. #30 count. Respondent noted
19 that G.H. requested Vicodin instead of Tramadol, and documented a prescription for 50 tablets of
20 hydrocodone with acetaminophen 5/300 mg. There is no record of the procedure having been
21 performed.

22 57. On or about March 14, 2016, a prescription written by Respondent for 50 tablets of
23 hydrocodone with acetaminophen 5/300 mg was filled for Hit H. at CVS #9181. There is no
24 documentation of a prescription having been written, a physical examination or client
25 communication associated with the prescription.

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FIRST CAUSE FOR DISCIPLINE

(Fraud or Deception in the Practice of Veterinary Medicine)

58. Respondent is subject to disciplinary action under section 4883, subdivision (i), in that she committed fraud or deception in the practice of veterinary medicine as more particularly set forth in paragraphs 29 through 57, above, which are incorporated by reference and realleged as though fully set forth herein.

SECOND CAUSE FOR DISCIPLINE

(Altering Medical Records)

59. Respondent is further subject to disciplinary action under section 4883, subdivision (o), of the Code, in violation of California Code of Regulations, title 16, section 2032.35, in that she fraudulently altered medical records for Ruby M., as more particularly set forth in paragraph 38, above, which is incorporated by reference and realleged as though fully set forth herein.

THIRD CAUSE FOR DISCIPLINE

(Assisting in Violating Regulations Adopted by the Board)

60. Respondent is further subject to disciplinary action under section 4883, subdivision (o), of the Code, in violation of California Code of Regulations, title 16, section 2032.1, subdivision (a), in that she assisted in purchasing fraudulently prescribed controlled substances as more particularly set forth in paragraphs 29 through 57, above, which are incorporated by reference and realleged as though fully set forth herein.

FOURTH CAUSE FOR DISCIPLINE

(Failure to Maintain Prescriber's Record)

61. Respondent is further subject to disciplinary action under section 4883, subdivision (o), of the Code, in that she failed to maintain prescribing records that showed the pathology and purpose for which the controlled substance was being administered or prescribed in violation of Health and Safety Code section 11190, subdivision (b), as more particularly set forth in paragraphs 29 through 57, above, which are incorporated by reference and realleged as though fully set forth herein.

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1 **FIFTH CAUSE FOR DISCIPLINE**

2 **(Failure to Document Valid Veterinarian-Client-Patient Relationship)**

3 62. Respondent is further subject to disciplinary action under section 4883, subdivision
4 (g), of the Code, in that she failed to document that a valid veterinarian-client-patient-relationship
5 existed with Goop W., Georgia N., Ruby M., Coral H., and Hit H., in violation of California Code
6 of Regulations, title 16, section 2032.1, as more particularly set forth in paragraphs 29 through 57,
7 above, which are incorporated by reference and realleged as though fully set forth herein.

8 **SIXTH CAUSE FOR DISCIPLINE**

9 **(Failure to Maintain Patient Records)**

10 63. Respondent is further subject to disciplinary action under section 4855, of the Code,
11 and California Code of Regulations, title 16, section 2032.3, subdivisions (a)(1) and (a)(6) through
12 (a)(12), in that she failed to maintain appropriate patient files, as set forth in paragraphs 29 through
13 57, above, which are incorporated by reference and realleged as though fully set forth herein.

14 **SEVENTH CAUSE FOR DISCIPLINE**

15 **(Failure to Maintain Controlled Substance Disposition Log)**

16 64. Respondent is further subject to disciplinary action under section 4883, subdivisions
17 (g)(3) and (o), of the Code, in that she failed to properly maintain the Veterinary Controlled Drug
18 Disposition Log for dispensing Buprenorphine Sublingual in violation of California Code of
19 Regulations, title 16, section 2030, subdivision (f)(6), and section 2032.3, subdivision (a)(12), and
20 Federal Code of Regulations section 1304.22, subdivision (c), as more particularly set forth in
21 paragraphs 29 through 57, above, which are incorporated by reference and realleged as though
22 fully set forth herein.

23 **EIGHTH CAUSE FOR DISCIPLINE**

24 **(Failure to Maintain Anesthesia Records)**

25 65. Respondent is further subject to disciplinary action under section 4883, subdivision
26 (o), of the Code, in that she failed to maintain proper records related to the administration of
27 anesthesia to patients Goop W., Georgia N., and Coral H. in violation of section 4855, of the
28 Code, and California Code of Regulations, title 16, section 2032.4, subdivisions (b)(1) and (6), as

1 more particularly set forth in paragraphs 49 through 57, above, which are incorporated by
2 reference and realleged as though fully set forth herein.

3 NINTH CAUSE FOR DISCIPLINE

4 (Failure to Maintain Minimum Standards)

5 66. Respondent is further subject to disciplinary action under section 4883, subdivision
6 (o), of the Code, in that as the managing licensee she failed to maintain minimum standards for The
7 Village Veterinary Hospital in violation of section 4855, of the Code, and California Code of
8 Regulations, title 16, section 2030.05, subdivision (b), and sections 2032 through 2032.5, as more
9 particularly set forth in paragraphs 29 through 57, above, which are incorporated by reference and
10 realleged as though fully set forth herein.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Veterinary Medical Board issue a decision:

- 14 1. Revoking or suspending Veterinary License Number VET 9387, issued to Respondent
15 Sue Morizi;
- 16 2. Revoking or suspending Premises Permit Number HSP 7769, issued to The Village
17 Veterinary Hospital;
- 18 3. Assessing a fine against Respondent Sue Morizi not in excess of \$5,000 for any of the
19 causes specified in Business and Professions Code section 4883;
- 20 4. Ordering Respondent Sue Morizi and The Village Veterinary Hospital to pay the
21 Veterinary Medical Board the reasonable costs of the investigation and enforcement of this case,
22 pursuant to Business and Professions Code section 125.3; and,
- 23 5. Taking such other and further action as deemed necessary and proper.

24 DATED: October 28, 2016

Annemarie Del Mugnaio
ANNEMARIE DEL MUGNAIO
Executive Officer
Veterinary Medical Board
Department of Consumer Affairs
State of California
Complainant

28 SD2016701762; 81417900.doc

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8 *Attorneys for Complainant*

9
10 **BEFORE THE**
VETERINARY MEDICAL BOARD
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
12

13 In the Matter of the Accusation Against:

Case No. 1002055931

14 **SUE MORIZI**
7527 Draper Avenue
15 La Jolla, CA 92037

A C C U S A T I O N

16 **Veterinarian License No. VET 9387**

17 **THE VILLAGE VETERINARY**
HOSPITAL
18 7527 Draper Avenue
19 La Jolla, CA 92037

20 **Hospital Permit No. HSP 7769**

21 Respondent.

22 Complainant alleges:

23 **PARTIES**

24 1. Annemarie Del Mugnaio (Complainant) brings this Accusation solely in her official
25 capacity as the Executive Officer of the Veterinary Medical Board (Board), Department of
26 Consumer Affairs.

27 2. On or about July 31, 1986, the Board issued Veterinarian License Number VET 9387
28 to Sue Morizi (Respondent). The Veterinary Medical License was in full force and effect at all

1 times relevant to the charges and allegations brought herein and will expire on February 28, 2018,
2 unless renewed.

3 3. On or about April 30, 2015, the Board issued premises permit No. HSP 7769 for The
4 Village Veterinary Hospital, with Sue Morizi as managing licensee. The Premise Permit was in full
5 force and effect at all times relevant to the charges and allegations brought herein and will expire
6 on May 31, 2017, unless renewed.

7 JURISDICTION

8 4. This Accusation is brought before the Board under the authority of the following laws.
9 All section references are to the Business and Professions Code (Code) unless otherwise
10 indicated.

11 5. Section 4853.6 of the Code provides, in pertinent part, that the Board shall withhold,
12 suspend or revoke registration of veterinary premises when the license of the licensee manager to
13 practice veterinary medicine is revoked or suspended.

14 6. Section 4875 of the Code provides, in pertinent part, that the Board may revoke or
15 suspend the license of any person to practice veterinary medicine, or any branch thereof, in this
16 state for any causes provided in the Veterinary Medicine Practice Act (Bus. & Prof. Code, § 4800,
17 et seq.). In addition, the Board has the authority to assess a fine not in excess of \$5,000 against a
18 licensee for any of the causes specified in section 4883 of that code. Such fine may be assessed in
19 lieu of, or in addition to, a suspension or revocation.

20 7. Section 4876 of the Code provides:

21 In addition to its authority to suspend or revoke a license or registration, or
22 assess a fine on a person licensed or registered under this chapter, the board shall
23 have the authority to place a licensee or registrant on probation. The authority of the
board to discipline by placing the licensee or registrant on probation shall include, but
is not limited to, the following:

24 (a) Requiring the licensee or registrant to complete a course of study or
25 service, or both, as prescribed by the board, and to demonstrate renewed competence
to the satisfaction of the board.

26 (b) Requiring the licensee or registrant to submit to a complete diagnostic
27 examination by one or more physicians appointed by the board. If the board requires
a licensee or registrant to submit to that examination, the board shall receive and
28 consider any other report of a complete diagnostic examination given by one or more
physicians of the licensee's or registrant's choice.

1 (c) Restricting or limiting the extent, scope, or type of practice of the licensee
2 or registrant.

3 8. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license
4 shall not deprive a board of jurisdiction to proceed with a disciplinary action during the period
5 within which the license may be renewed, restored, reissued or reinstated. Under Business and
6 Professions Code section 4843.5, the Board may renew an expired license at any time within five
7 years after the expiration.

8 STATUTORY PROVISIONS

9 9. Section 4855 of the Code states:

10 A veterinarian subject to the provisions of this chapter [the Veterinary
11 Medicine Practice Act] shall, as required by regulation of the board, keep a written
12 record of all animals receiving veterinary services, and provide a summary of that
13 record to the owner of animals receiving veterinary services, when requested. The
14 minimum amount of information which shall be included in written records and
15 summaries shall be established by the board. The minimum duration of time for
16 which a licensed premise shall retain the written record or a complete copy of the
17 written record shall be determined by the board.

18 10. Section 4856 of the Code states:

19 (a) All records required by law to be kept by a veterinarian subject to this
20 chapter [the Veterinary Medicine Practice Act], including, but not limited to, records
21 pertaining to diagnosis and treatment of animals and records pertaining to drugs or
22 devices for use on animals, shall be open to inspection by the board, or its authorized
23 representatives, during an inspection as part of a regular inspection program by the
24 board, or during an investigation initiated in response to a complaint that a licensee
25 has violated any law or regulation that constitutes grounds for disciplinary action by
26 the board. A copy of all those records shall be provided to the board immediately
27 upon request.

28 (b) Equipment and drugs on the premises, or any other place, where
veterinary medicine, veterinary dentistry, veterinary surgery, or the various branches
thereof is being practiced, or otherwise in the possession of a veterinarian for
purposes of that practice, shall be open to inspection by the board, or its authorized
representatives, during an inspection as part of a regular inspection program by the
board, or during an investigation initiated in response to a complaint that a licensee
has violated any law or regulation that constitutes grounds for disciplinary action by
the board.

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1 11. Section 4883 of the Code states:

2 The board may deny, revoke, or suspend a license or assess a fine as provided
3 in Section 4875 for any of the following:

4 ...
5 (g) Unprofessional conduct, that includes, but is not limited to, the
6 following:

7 (3) A violation of any federal statute, rule, or regulation or any of the
8 statutes, rules, or regulations of this state regulating dangerous drugs or controlled
9 substances.

10 (i) Fraud, deception, negligence, or incompetence in the practice of
11 veterinary medicine.

12 (j) Aiding or abetting in any acts that are in violation of any of the provisions
13 of this chapter [the Veterinary Medicine Practice Act].

14 (o) Violation, or the assisting or abetting violation, of any regulations
15 adopted by the board pursuant to this chapter.

16 **Health and Safety Code**

17 12. Health and Safety Code section 11190, states:

18 ...
19 (b) The prescriber's record shall show the pathology and purpose for which
20 the controlled substance was administered or prescribed.

21 ...
22 **REGULATIONS**

23 **Federal Regulations**

24 13. Federal Code of Regulations, title 21, section 1304.22, states:

25 ...
26 (c) Records for dispensers and researchers. Each person registered or
27 authorized to dispense or conduct research with controlled substances shall maintain
28 records with the same information required of manufacturers pursuant to paragraph
(a)(2)(i), (ii), (iv), (vii), and (ix) of this section. In addition, records shall be
maintained of the number of units or volume of such finished form dispensed,

1 including the name and address of the person to whom it was dispensed, the date of
2 dispensing, the number of units or volume dispensed, and the written or typewritten
3 name or initials of the individual who dispensed or administered the substance on
4 behalf of the dispenser. In addition to the requirements of this paragraph,
5 practitioners dispensing gamma-hydroxybutyric acid under a prescription must also
6 comply with Sec. 1304.26.

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State Regulations

14. California Code of Regulations, title 16, section 2030, states in relevant part:

(f) The veterinary premises shall meet the following standards:

(6) All drugs and biologicals shall be maintained, administered, dispensed and prescribed in compliance with state and federal laws.

15. California Code of Regulations, title 16, section 2030.05 states:

(a) A Licensee Manager is the California licensed veterinarian named as the Licensee Manager on a facility's premises permit.

(b) The Licensee Manager is responsible for ensuring that the premises for which he/she is manager complies with the requirements in sections 4853, 4854, 4855 and 4856 of the Business and Professions Code, Division 2, Chapter 11, Article 3. The Licensee Manager is responsible for ensuring that the physical and operational components of a premises meet the minimum standards of practice as set forth in sections 2030 through 2032.5 of the California Code of Regulations, Title 16, Division 20, Article 4.

(c) The Licensee Manager is responsible for ensuring that no unlicensed activity is occurring within the premises or in any location where any function of veterinary medicine, veterinary surgery or veterinary dentistry is being conducted off the premises under the auspices of this premises license.

(d) The Licensee Manager shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in (a) - (c) are met.

(e) Each licensed veterinarian shall be responsible for their individual violations of the Veterinary Medicine Practice Act or any regulation adopted thereunder.

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1 16. California Code of Regulations, title 16, section 2032, states:

2 The delivery of veterinary care shall be provided in a competent and humane
3 manner. All aspects of veterinary medicine shall be performed in a manner consistent
4 with current veterinary medical practice in this state.

5 17. California Code of Regulations, title 16, section 2032.1, states:

6 (a) It is unprofessional conduct for a veterinarian to administer, prescribe,
7 dispense or furnish a drug, medicine, appliance, or treatment of whatever nature for
8 the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an
9 animal without having first established a veterinarian-client-patient relationship with
10 the animal patient or patients and the client, except where the patient is a wild animal
11 or the owner is unknown.

12 18. California Code of Regulations, title 16, section 2032.3, states:

13 (a) Every veterinarian performing any act requiring a license pursuant to the
14 provisions of Chapter 11, Division 2, of the code, upon any animal or group of
15 animals shall prepare a legible, written or computer generated record concerning the
16 animal or animals which shall contain the following information:

17 (1) Name or initials of the veterinarian responsible for entries.

18 (2) Name, address and phone number of the client.

19 (3) Name or identity of the animal, herd or flock.

20 (4) Except for herds or flocks, age, sex, breed, species, and color of the
21 animal.

22 (5) Dates (beginning and ending) of custody of the animal, if applicable.

23 (6) A history or pertinent information as it pertains to each animal, herd, or
24 flock's medical status.

25 (7) Data, including that obtained by instrumentation, from the physical
26 examination.

27 (8) Treatment and intended treatment plan, including medications, dosages
28 and frequency of use.

(9) Records for surgical procedures shall include a description of the
procedure, the name of the surgeon, the type of sedative/anesthetic agents used, their
route of administration, and their strength if available in more than one strength.

(10) Diagnosis or tentative diagnosis at the beginning of custody of animal.

(11) If relevant, a prognosis of the animal's condition.

(12) All medications and treatments prescribed and dispensed, including
strength, dosage, quantity, and frequency.

1 (13) Daily progress, if relevant, and disposition of the case.

2 ...

3
4 19. California Code of Regulations, title 16, section 2032.35, states

5 Altering or modifying the medical record of any animal, with fraudulent
6 intent, or creating any false medical record, with fraudulent intent, constitutes
7 unprofessional conduct in accordance with Business and Professions Code section
8 4883(g).

9
10 20. California Code of Regulations, title 16, section 2032.4, states

11 ...
12 (b) When administering general anesthesia, a veterinarian shall comply with
13 the following standards:

14
15 (1) Within twelve (12) hours prior to the administration of a general
16 anesthetic, the animal patient shall be given a physical examination by a licensed
17 veterinarian appropriate for the procedure. The results of the physical examination
18 shall be documented in the animal patient's medical records.

19
20 (6) Records for procedures involving general anesthesia shall include a
21 description of the procedure, the name of the surgeon, the type of sedative and/or
22 anesthetic agents used, their route of administration, and their strength if available in
23 more than one strength.

24 COST RECOVERY

25 21. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
26 administrative law judge to direct a licentiate found to have committed a violation or violations of
27 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
28 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
included in a stipulated settlement.

29 DRUGS

30 22. **Alprazolam** is a Schedule IV controlled substance pursuant to Health and Safety
31 Code section 11057, subdivision (d), and a dangerous drug pursuant to Business and Professions
32 Code section 4022. It is sold under brand name Xanax.

1 29. On or about May 27, 2015, Respondent placed an order with Victors Instruments
2 Incorporated for three bottles of 100 tablets each of hydrocodone apap 10/325 mg; two bottles of
3 100 tablets each of hydrocodone tablets 5 mg; and, two bottles of 100 tablets each of Tussigon 5
4 mg Tab C2.

5 30. On or about sometime in July 2015, Veterinary Technician J.V. signed for a delivery
6 of Valium at TVVH. J.V. secured the Valium in the locking desk drawer in Respondent's office,
7 where all other controlled substances that were maintained by the office were stored.
8 Subsequently, J.V. noticed that the Valium was no longer in the office stock and neither was there
9 any notation in the office dispensing log to account for the Valium.

10 31. On or about August 10, 2015, Respondent received a total of 300 tablets of Diazepam
11 10 mg and 300 tablets of Alprazolam 2 mg at TVVH from Victor Medical Company.

12 32. On or about August 19, 2015, Respondent asked TVVH employee D.T., to drop off
13 two prescriptions at CVS Pharmacy #9926. One prescription was for 100 tablets of hydrocodone
14 10/325 mg written for Jade. Jade belongs to Respondent's Office Manager, D.B. The second
15 prescription was for 100 tablets of hydrocodone-homatropine 5 mg/1.5 mg written for Butch.
16 Butch belongs to Respondent's then boyfriend and TVVH employee, J.G. The pharmacist refused
17 to fill the prescriptions and D.T. returned to TVVH. Respondent wrote two new prescriptions and
18 instructed TVVH employee E.M. to take them to CVS Pharmacy #9268.

19 33. On or about August 21, 2015, a prescription for Jade for 100 tablets of hydrocodone
20 10/325/mg was filled. An entry in Jade's chart, dated August 20, 2015, documents that Jade was
21 given ear medication and a prescription for Rimadyl for pain and inflammation. The medical
22 record for Jade does not indicate that any prescription was written for Jade for hydrocodone. The
23 Controlled Substances Utilization Review and Evaluation System (CURES) report for Jade
24 indicates that a prescription for 100 tablets of hydrocodone with acetaminophen 10/325 mg was
25 filled for Jade at CVS Pharmacy #9268.

26 34. On or about August 21, 2015, a prescription issued by Respondent was filled for
27 Butch for 100 tablets of hydrocodone with homatropine 5 mg/1.5 mg at CVS Pharmacy #9268.
28 No medical record exists for Butch.

1 35. On or about August 29, 2015, a prescription issued by Respondent for 100 tablets of
2 hydrocodone with acetaminophen 10/325 mg at was filled at CVS Pharmacy #9268 for Jade.

3 36. On or about sometime in August 2015, Respondent contacted the CVS Pharmacy on
4 Eads Avenue to obtain hydrocodone for the office stock at TVVH. After Respondent was told
5 that hydrocodone could not be obtained for the office stock, she wrote three prescriptions in the
6 names of herself, J.G., Respondent's then boyfriend, and D.B., TVVH Office Manager.
7 Respondent asked D.T., the Office Receptionist, to take the three prescriptions to the CVS
8 Pharmacy on Eads Avenue to be filled. When D.T., attempted to have the prescriptions filled the
9 pharmacist informed her that only prescriptions in the names of the animals for whom the
10 medication was intended could be filled. After D.T. informed Respondent what the Pharmacist
11 said, Respondent wrote three new prescriptions for hydrocodone in the names of the animals
12 belonging to J.G. and D.B., and asked D.T. to take the prescriptions to the CVS Pharmacy #9628
13 located on La Jolla Blvd.

14 37. On or about September 24, 2015, E.M. dropped off to and later picked up from the
15 CVS Pharmacy #9926 prescriptions issued by Respondent for 100 tablets of hydrocodone with
16 acetaminophen 10/325 mg for Ruby, E.M.'s pet. The medical record for Ruby does not document
17 a history, physical examination, diagnostics, diagnosis, treatment or prognosis. The only entry
18 contained in the chart states, "orthopedic surgery/tremendous pain/tramadol not working." The
19 chart contains an entry documenting that 100 tablets of hydrocodone with acetaminophen 10/325
20 mg were prescribed, however the last zero is crossed out changing the number prescribed from
21 100 to 10. The Controlled Substances Utilization Review and Evaluation System (CURES) report
22 indicates that a prescription for 100 tablets of hydrocodone with acetaminophen 10/325 mg was
23 written and filled for Ruby.

24 38. On or about September 30, 2015, Respondent contacted A.S., a Veterinary Technician
25 at TVVH. Respondent informed A.S. that she needed medication for TVVH. Respondent asked
26 A.S. for the name of his mother's pet and his mother's home address. Respondent then instructed
27 A.S. to fill a prescription for hydrocodone apap 10/325 mg issued in the name of his mother's pet,
28 Deke, although Respondent had never provided care and treatment to Deke. A.S. took the

1 prescription to CVS Pharmacy #9926 to have it filled. Some time after dropping off the
2 prescription, A.S. contacted the pharmacy and advised them that the prescription was fraudulent.
3 The pharmacy did not fill the prescription. When respondent asked A.S. about the prescription,
4 A.S. informed Respondent that the pharmacy told him that only his mother could pick-up the
5 medication. Thereafter, Respondent offered to reimburse A.S.'s mother if she went to the
6 pharmacy to pick-up the hydrocodone.

7 39. On or about October 7, 2015, Respondent placed an order with Victors Instruments
8 Incorporated for one bottle of 100 tablets of hydrocodone apap 10/325 mg.

9 40. On or about October 10, 2015, Respondent received 100 tablets of Alprazolam 1 mg
10 C4 from MWI Veterinary Supply. The order had been placed on or about August 27, 2015, by
11 "Debbie."

12 41. On or about October 14, 2015, Respondent placed an order with MWI Veterinary
13 Supply for one bottle of 100 tablets of hydrocodone apap 10/325 mg.

14 42. On or about October 27, 2015, a physical inventory of all controlled substances
15 located at TVVH was conducted by DEA Diversion Investigators BC and AM. The controlled
16 substances on-hand were compared to purchasing and dispensing records maintained at TVVH.
17 During the inventory, it was found that Respondent did not maintain accurate dispensation records
18 for controlled substances in liquid form, such as ketamine and buprenorphine. Specifically,
19 Respondent failed to log the actual amount of liquid controlled substances dispensed, amounts
20 used to make anesthetic cocktails, and amounts wasted. No dispensing logs or notations within
21 medical records existed for hydrocodone with acetaminophen 10/325 mg, and hydrocodone with
22 homatropine 5/1.5 mg.

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43. The physical inventory audit revealed the following:

DRUG	RECEIVED	TOTAL ON HAND	DIFFERENCE	PERCENT
Hydrocodone w/APAP 10/325 mg	300	0	- 300 Tablets	-100 %
Hydrocodone w/homatropine 5/1.5 mg	100	95	- 5 Tablets	-5 %
Alprazolam 1 mg	100	50	-100 Tablets	-50 %
Alprazolam 2 mg	300	0	-300	-100 %
Diazepam 10 mg	300	100	-200 Tablets	-67 %

44. The Controlled Substance Dispensing Log documented 4 tablets of Diazepam 10 mg. having been dispensed to Coco F. on August 28, 2015. The medical chart for Coco F. does not document a physical examination, assessment, diagnosis or medical reason for dispensing Diazepam. A total of 96 tablets of Diazepam 10 mg. were located in the secured controlled drug drawer. There were 200 tablets of Diazepam 10 mg. that were unaccounted for by Respondent.

45. On or about October 27, 2015, Respondent was interviewed by agents of the DEA. During the interview, Respondent stated that she wrote prescriptions in the names of Deke, Ruby, and Butch in order to obtain drugs for the hospital supply and in fact the prescriptions were not for the animals. Respondent further stated that she had never treated or provided care for Ruby on September 24, 2015, but had written a prescription at the request of E.M. Respondent also acknowledged never having treated or cared for Deke. In addition, the filled prescription for 100 tablets of hydrocodone with homatropine 5 mg/1.5 mg for Butch was found in Respondent's office, with 5 tablets missing.

46. On or about October 27, 2015, a Hospital Inspection was performed at TVVH by Board Inspector S.S. Deficiencies were noted in the following twenty-one (21) areas:

- a. No Posted After Hours Referral;
- b. No Posted "No Staff on Premises 24 hours" notice;

- c. Three refrigerators were located on the premises, none of which was labeled as being biological/non-biologicals;
- d. No evacuation maps posted in the hospital;
- e. No box of emergency drugs;
- f. Multiple Radiology Deficiencies;
- g. No x-ray safety training for unregistered assistants;
- h. No mechanism for disposal of sharps containers;
- i. Ancillary items were being stored in the surgery room;
- j. No source of emergency lighting in the surgery room;
- k. Surgery room required thorough cleaning;
- l. Anesthetic Equipment did not have documentation of servicing or date of purchase;
- m. Sterile packs were not being consistently dated and sterile indicators were not being consistently placed at the instrument level within surgical packs;
- n. There was no protocol for routine autoclave maintenance;
- o. Not all support staff members wore caps and masks while in surgery;
- p. There were multiple expired drugs for use within the pharmacy, treatment and surgery areas of the hospital;
- q. Unlicensed staff was aware of where the spare key was kept for the storage of controlled substances;
- r. Drug logs were not properly maintained and biennial controlled drug inventory had never been performed;
- s. No background checks on veterinary assistants with access to controlled substances;
- t. CURES reporting had not been done;
- u. Records were not being maintained in accordance with guidelines

47. On or about February 18, 2016, a follow-up Hospital Inspection was performed at TVVH by Board Inspector RM. Four of the 21 deficiencies remained.

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1 **Patient Goop W.**

2 48. On or about June 6, 2015, patient Goop W., a feline, was seen by Respondent for
3 gastrointestinal issues. Goop's owner thought that Goop may have swallowed a sewing needle.
4 Respondent did not take pre-surgical radiographs to confirm the presence of a foreign body.
5 Respondent proceeded with exploratory abdominal surgery on Goop. Respondent did not
6 document the indication for surgery or that a physical exam was performed. Respondent did not
7 document the surgical procedure that was performed or the type(s) of anesthetic agents
8 administered to patient Goop W. The medical record lists charges for intravenous fluids, injectable
9 antibiotics, two and a half hours of anesthetic time, and post-surgical radiographs. Respondent
10 failed to document Goop's post-operative course.

11 **Patient Georgia N.**

12 49. A review of the record for Georgia N., a female pug belonging to A.N., shows that
13 Respondent did not document a history, physical examination, assessment, or treatment plan for
14 any of the surgical and anesthetic procedures performed to remove tumors on November 16, 2012,
15 July 9, 2014, December 4, 2014, or April 20, 2015. In addition, Respondent failed to document
16 the surgical procedures performed, location of the tumors, biopsy results; the type(s) of anesthetic
17 agents used, anesthetic protocols used, or prognosis.

18 **FIRST CAUSE FOR DISCIPLINE**

19 **(Fraud or Deception in the Practice of Veterinary Medicine)**

20 50. Respondent is subject to disciplinary action under section 4883, subdivision (i), in that
21 she committed fraud or deception in the practice of veterinary medicine as more particularly set
22 forth in paragraphs 28 through 49, above, which are incorporated by reference and realleged as
23 though fully set forth herein.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Altering Medical Records)**

26 51. Respondent is further subject to disciplinary action under section 4883, subdivision
27 (o), of the Code, in violation of California Code of Regulations, title 16, section 2032.35, in that
28

1 she fraudulently altered medical records for Ruby M., as more particularly set forth in paragraph
2 37, above, which is incorporated by reference and realleged as though fully set forth herein.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Assisting in Violating Regulations Adopted by the Board)**

5 52. Respondent is further subject to disciplinary action under section 4883, subdivision
6 (o), of the Code, in violation of California Code of Regulations, title 16, section 2032.1,
7 subdivision (a), in that she assisted in purchasing fraudulently prescribed controlled substances as
8 more particularly set forth in paragraphs 28 through 49, above, which are incorporated by
9 reference and realleged as though fully set forth herein.

10 **FOURTH CAUSE FOR DISCIPLINE**

11 **(Failure to Maintain Prescriber's Record)**

12 53. Respondent is further subject to disciplinary action under section 4883, subdivision
13 (o), of the Code, in that she failed to maintain prescribing records that showed the pathology and
14 purpose for which the controlled substance was being administered or prescribed in violation of
15 Health and Safety Code section 11190, subdivision (b), as more particularly set forth in paragraphs
16 28 through 49, above, which are incorporated by reference and realleged as though fully set forth
17 herein.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 **(Failure to Document Valid Veterinarian-Client-Patient Relationship)**

20 54. Respondent is further subject to disciplinary action under section 4883, subdivision
21 (g), of the Code, in that she failed to document that a valid veterinarian-client-patient-relationship
22 existed with Goop W., Georgia N., and Ruby M., in violation of California Code of Regulations,
23 title 16, section 2032.1, as more particularly set forth in paragraphs 28 through 49, above, which
24 are incorporated by reference and realleged as though fully set forth herein.

25 **SIXTH CAUSE FOR DISCIPLINE**

26 **(Failure to Maintain Patient Records)**

27 55. Respondent is further subject to disciplinary action under section 4855, of the Code,
28 and California Code of Regulations, title 16, section 2032.3, subdivisions (a)(1) and (a)(6) through

1 (a)(12), in that she failed to maintain appropriate patient files, as set forth in paragraphs 28 through
2 49, above, which are incorporated by reference and realleged as though fully set forth herein.

3 **SEVENTH CAUSE FOR DISCIPLINE**

4 **(Failure to Maintain Controlled Substance Disposition Log)**

5 56. Respondent is further subject to disciplinary action under section 4883, subdivisions
6 (g)(3) and (o), of the Code, in that she failed to properly maintain the Veterinary Controlled Drug
7 Disposition Log for dispensing Buprenorphine Sublingual in violation of California Code of
8 Regulations, title 16, section 2030, subdivision (f)(6), and section 2032.3, subdivision (a)(12), and
9 Federal Code of Regulations section 1304.22, subdivision (c), as more particularly set forth in
10 paragraphs 28 through 49, above, which are incorporated by reference and realleged as though
11 fully set forth herein.

12 **EIGHTH CAUSE FOR DISCIPLINE**

13 **(Failure to Maintain Anesthesia Records)**

14 57. Respondent is further subject to disciplinary action under section 4883, subdivision
15 (o), of the Code, in that she failed to maintain proper records related to the administration of
16 anesthesia to patients Goop W. and Georgia N. in violation of section 4855, of the Code, and
17 California Code of Regulations, title 16, section 2032.4, subdivisions (b)(1) and (6), as more
18 particularly set forth in paragraphs 48 and 49, above, which are incorporated by reference and
19 realleged as though fully set forth herein.

20 **NINTH CAUSE FOR DISCIPLINE**

21 **(Failure to Maintain Minimum Standards)**

22 58. Respondent is further subject to disciplinary action under section 4883, subdivision
23 (o), of the Code, in that as the managing licensee she failed to maintain minimum standards for The
24 Village Veterinary Hospital in violation of section 4855, of the Code, and California Code of
25 Regulations, title 16, section 2030.05, subdivision (b), and sections 2032 through 2032.5, as more
26 particularly set forth in paragraphs 28 through 49, above, which are incorporated by reference and
27 realleged as though fully set forth herein.

28 **PRAYER**

1 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
2 and that following the hearing, the Veterinary Medical Board issue a decision:

3 1. Revoking or suspending Veterinary License Number VET 9387, issued to Respondent
4 Sue Morizi;

5 2. Revoking or suspending Premises Permit Number HSP 7769, issued to The Village
6 Veterinary Hospital;

7 3. Assessing a fine against Respondent Sue Morizi not in excess of \$5,000 for any of the
8 causes specified in Business and Professions Code section 4883;

9 4. Ordering Respondent Sue Morizi and The Village Veterinary Hospital to pay the
10 Veterinary Medical Board the reasonable costs of the investigation and enforcement of this case,
11 pursuant to Business and Professions Code section 125.3; and,

12 5. Taking such other and further action as deemed necessary and proper.

13
14 DATED:

September 26, 2016

Annemarie Del Mugnaio

ANNEMARIE DEL MUGNAIO
Executive Officer
Veterinary Medical Board
Department of Consumer Affairs
State of California
Complainant

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