



# COMMONWEALTH of VIRGINIA

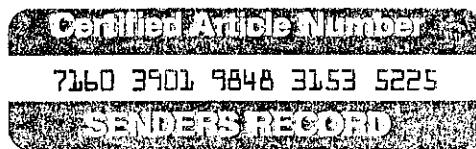
Robert A. Nebiker  
Director

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October 31, 2005

Bryan C. Gooding, DVM  
Pembroke Animal Hospital, Inc.  
1316 E. Pembroke Ave.  
Hampton, VA 23669



RE: Case # 104419

Dear Dr. Gooding:

Enclosed is a Copy Teste of the Consent Order that was entered on October 28, 2005. The terms of the Order require that you pay a monetary penalty of \$500, which is due by November 28, 2005. Susan Beasecker, with the Compliance Division, will be contacting you to discuss the other terms of the Order.

Thank you for your cooperation in resolving this matter.

Sincerely,

Elizabeth A. Carter, Ph.D.  
Executive Director

cc: Robert A. Nebiker, Director, Dept. of Health Professions  
Jane Smith, Administrative Proceedings Division  
Susan Beasecker, Compliance

VIRGINIA:

**BEFORE THE BOARD OF VETERINARY MEDICINE**

**IN RE:       BRYAN C. GOODING, D.V.M.**  
**License No.: 0301- 006745**  
**Complaint No.: 104419**

**CONSENT ORDER**

Now come the Virginia Board of Veterinary Medicine ("Board") and Bryan C. Gooding, D.V.M., and as evidenced by their signatures affixed below, enter into this Consent Order affecting the license of Dr. Gooding to practice veterinary medicine in the Commonwealth of Virginia.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1.       Bryan C. Gooding, D.V.M., holds license number 0301-006745, which was issued by the Virginia Board of Veterinary Medicine on March 23, 1995. Said license will expire on December 31, 2005, unless renewed. Dr. Gooding was Veterinarian-In-Charge at Pembroke Animal Hospital, Hampton, Virginia, at all times material to the findings below.

2.       Dr. Gooding violated § 54.1-3404.B and § 54.1-3807(4) and (5) of the Code, as further defined in 18VAC150-20-140(6), 18VAC150-20-181(2) and (3), and 18VAC150-20-190.A and I of the Regulations of the Board of Veterinary Medicine ("Regulations"), in that, during an inspection of his facility on or about July 12, 2005, he failed to take a biennial inventory within two years from the previous inventory. This is a repeat violation from the last inspection of his facility dated January 6, 2000.

3.       Dr. Gooding violated § 54.1-3807(5) of the Code, as further defined in 18VAC150-20-140(6) and (7), 18VAC150-20-181(2), and 18VAC150-20-190.F of the Regulations, in that, during an inspection of his facility on or about July 12, 2005, he failed to remove two (2) expired drugs from his working stock of drugs. This is a repeat violation from the last inspection of his

facility dated January 6, 2000. The expired drugs consisted of approximately 20 tablets of diazepam (Schedule IV) and three (3) ampules of phenobarbital (Schedule IV). Additionally, he initialed the inventory rather than signing it.

4. Dr. Gooding violated § 54.1-3807(5) of the Code, as further defined in 18VAC150-20-140(6), 18VAC150-20-181(2), and 18VAC150-20-190.G of the Regulations, in that, during an inspection of his facility on or about July 12, 2005, his drug distribution records lacked documentation as to the drug strength.

5. Dr. Gooding violated § 54.1-3807(5) of the Code, as further defined in 18VAC150-20-140(6), 18VAC150-20-181(2), and 18VAC150-20-200(2)(c)(2) of the Regulations, in that, during an inspection of his facility on or about July 12, 2005, his surgical suite was being used to store other non-surgical items, including an autoclave, a safe and other items.

6. Dr. Gooding violated § 54.1-3806.1 and § 54.1-3807(5) of the Code, as further defined in 18VAC150-20-140(6) and 18VAC150-20-181(2) of the Regulations, in that, during an inspection of his facility on or about July 12, 2005, his disclosure form failed to state when continuous medical care was not available at his facility.

### CONSENT

Bryan C. Gooding, D.V.M., by affixing his signature hereon, agrees to the following:

1. He has been advised specifically to seek the advice of counsel prior to signing this document;
2. He is fully aware that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, §2.2-4000A et seq. of the Code;
3. He has the following rights, among others:

- a. the right to an informal fact-finding conference before the Board;
  - b. the right to representation by counsel; and
  - c. the right to cross-examine witnesses against him.
4. He waives all rights to an informal hearing;
  5. He admits the truth of the above Findings of Fact; and
  6. He consents to the following Order affecting his license to practice veterinary medicine in the Commonwealth of Virginia.

**ORDER**

WHEREFORE, on the basis of the foregoing Findings of Fact, Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that:

1. Bryan C. Gooding, D.V.M., shall be assessed a monetary penalty of Five Hundred Dollars (\$500.00), said penalty to be paid to the Board by certified check or money order within thirty (30) days from the date that this Order is final. If the monetary penalty is mailed, it shall be mailed by certified or registered mail. If said monetary penalty is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full monetary penalty plus the additional assessment within one hundred (100) days of the date of entry of this Order shall constitute grounds for an administrative proceeding.

2. Within six (6) months from the date this Order becomes final, Dr. Gooding shall successfully complete two (2) hours of continuing education ("CE") in record-keeping. All CE shall be approved in advance of registration by the Committee. Any CE hours obtained in compliance

with this term shall not be used towards compliance with the Board's continuing education requirements for license renewal.

3. Dr. Gooding's veterinary practice shall be subject to one (1) unannounced inspection within twelve (12) months from the date this Order becomes final. During this inspection, the Inspector shall perform an audit of controlled substances, and these results shall be submitted to the Committee for review. Dr. Gooding shall be solely responsible for the payment of the Two Hundred Dollar (\$200.00) inspection fee to be paid to the Board within thirty (30) days of the inspection. If the inspection fee is mailed, it shall be sent by certified or registered mail. If said fee is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full fee plus the additional assessment within one hundred (100) days of the inspection shall constitute grounds for an administrative proceeding. In the event that the inspection reveals a possible violation of the laws or regulations pertaining to the practice of veterinary medicine in the Commonwealth of Virginia, or Chapter 34 of Title 54.1, (§§ 54.1-3400 et seq.; Virginia Drug Control Act) of the Code, the Board specifically reserves the right to conduct further proceedings in this matter.

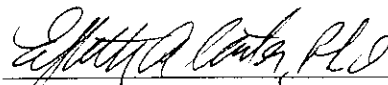
4. Dr. Gooding shall maintain a course of conduct commensurate with the requirements of Chapter 38, Title 54.1 of the Code, and the Regulations of the Board of Veterinary Medicine. Any violation of the foregoing terms and conditions of this Consent Order or any statute or regulation governing the practice of veterinary medicine in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Dr. Gooding and an administrative

Bryan C. Gooding, D.V.M.

proceeding shall be convened to determine whether Dr. Gooding's license to practice veterinary medicine in the Commonwealth shall be suspended or revoked.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

FOR THE BOARD:



Elizabeth A. Carter, Ph.D.  
Executive Director

ENTERED: October 28, 2015

Bryan C. Gooding, D.V.M.

SEEN AND AGREED TO:

Bryan C. Gooding M  
Bryan C. Gooding, D.V.M.

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Hampton

Subscribed and sworn to before me, a Notary Public in and for the city/county of Hampton, this 26 day of October, 2005, by Bryan C. Gooding, D.V.M.

Rhonda J. Smith  
Notary Public  
My Commission Expires: 11/30/2009

