

16-003

BEFORE THE IOWA BOARD OF VETERINARY MEDICINE

IN THE MATTER OF)	CASE NO. 16-003
)	
JOSEPH SENG, D.V.M.,)	SETTLEMENT AGREEMENT
)	AND FINAL ORDER
RESPONDENT.)	

COMES NOW the Iowa Board of Veterinary Medicine ("Board") and Joseph Seng, D.V.M. ("Respondent"), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), hereby enter into the following Settlement Agreement and Final Order resolving the matter currently on file against the Respondent:

1. The State of Iowa issued Respondent a license on June 10, 1970.
2. Respondent holds license number 3532.
3. The Board has received numerous complaints about Respondent's practice alleging deficiencies ranging from unsanitary conditions to diverting controlled substances.
4. Respondent is a seasoned veterinarian whose license is currently in good standing.
5. Respondent has been struggling with severe health issues.
6. The Board has jurisdiction over the parties and of the subject matter.
7. Respondent has the right to a hearing, but waives his right to a hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Settlement Agreement and Final Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

8. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order. Respondent agrees that the State's counsel may present this agreement to the Board and may have *ex parte* communications with the Board while presenting it.

9. This Settlement Agreement and Final Order is subject to approval by the Board. If the Board approves this Settlement Agreement and Final Order, it becomes the final disposition of the matter. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.

10. This Settlement Agreement and Final Order shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

11. In the event Respondent violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's license or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

12. This Settlement Agreement and Final Order is a public record available for inspection and copying upon execution of this Settlement Agreement and Final Order in accordance with the requirements of Iowa Code chapters 22 and 272C.

13. The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED AND AGREED:

14. Respondent's veterinary license status shall be changed to inactive.

15. Respondent shall surrender his Controlled Substances Registration on file with the Iowa Board of Pharmacy.

16. Respondent shall surrender his Controlled Substances Registration on file with the DEA.

17. Respondent owns the building and wants access to the building but will not in any manner practice veterinary medicine. Respondent will be allowed to maintain his existing machines to preserve their value for possible resale, return calls to clients to assist them in finding substitute care, and transfer patient records.

18. Respondent shall return or destroy any and all remaining controlled substances in accordance with applicable state and federal laws.

19. Respondent's license may be reactivated upon application to and approval of the Board by submitting to the Board an evaluation by the Respondent's neurologist/oncologist in charge of his healthcare stating that the Respondent is competent to return to the practice of veterinary medicine.

AGREED AND ACCEPTED:

Joseph Seng
JOSEPH SENG, D.V.M.
License No. 3532

7-15-2016
Date

Dwayne J. Nade DVM
IOWA BOARD OF VETERINARY
MEDICINE, Chairperson

7/28/16
Date

Copy to:

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