

BEFORE THE
GUAM BOARD OF ALLIED HEALTH EXAMINERS

IN THE MATTER OF)	Disciplinary Case 11-001
)	
)	
)	
JOEL JOSEPH, D.V.M., F/KA/ JOEL)	FINAL DECISION, FINDINGS
SCHIFF, (No.V00045 D/B/A WISE OWL)	OF FACT, CONCLUSIONS OF
ANIMAL HOSPITAL)	LAW AND ORDER
)	
)	
Respondent.)	
_____)	

On February 6, 2012 the above-captioned case came on for consideration by the Guam Board of Allied Health Examiners (“the Board” and/or “GBAHE”). The sitting members of the Board were Chairperson Mamie Balajadia, and Board Members Dr. Gregory Miller, Vincent Pereda, Linda Perez, and Sybil Crisostomo. The Respondent appeared with counsel, Mitchell F. Thompson, Esq. and Assistant Attorney General Benjamin M. Abrams appeared as Board Counsel for presentation of evidence supporting the Amended Specification of Charges. Assistant Attorney General Monty R. May sat as the designated Hearing Officer.

An Amended Specification of Charges having been filed on August 15, 2011, hearings *seriatim* thereon began on February 6, 2012 and concluded on April 26,

2012, with intervening hearings on February 7, 8, 9, 13, 15; April 16, 17, 18, 19, 23, 24, and 25, 2012. Respondent did not attend the hearings until April 16, 2012.

Having listened and carefully considered the testimony of the witnesses, received and examined all exhibits introduced as evidence and duly considered the argument of counsel, the Board hereby makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

After observing the demeanor, character, appearance and manner of responding by the witnesses who testified in this matter, the Board makes the following determinations of credibility and specific findings of fact:

1. Respondent has been and is, a practicing veterinarian under a license issued by GBAHE. He has incorporated his veterinary practice under Micronesian Exotic Animals Specialty Services, P.C., d/b/a Wise Owl Animal Hospital, 109 Serenu Avenue, Tamuning, Guam. Since its establishment, Respondent has been the sole shareholder of this entity and owns 100% of its stock.

2. Throughout his testimony, through his arrogant attitude, mannerisms, demeanor, Respondent evinced an abject disrespect for the Board as a whole. It is clear to the Board from Respondent's behavior as a witness, that he unjustifiably

and willfully failed to furnish to the Board, its investigators, or representatives, within a reasonable time, information requested by the Board by deciding not to comply with a Request to Appear (“RTA”) caused to be served upon him and his attorney by Board Counsel on June 10, 2011, Exhibit “A” to the Amended Specification of Charges. First the Board concludes from the evidentiary facts admitted into the record that there was in fact an investigation being conducted by Board Counsel on the Board’s behalf, into complaints by governmental agencies and other entities having information pertinent to the professional performance of Respondent as a licensee. While the Board finds that Respondent truthfully asserted that he received the RTA, the Board also finds that the general testimony of Respondent, including the majority of his specific factual assertions were untrue, not credible, unreasonable and internally inconsistent ^{1/} Accordingly, the Board finds the testimony of Respondent that he did not realize that the RTA was issued in connection with a Board function to be untrue and not credible. Further, from the manner of testimony by Respondent, his attitude and demeanor, the Board further finds that Respondent intended to evade compliance with the RTA at all costs for the sole purpose of obstructing the investigative function of the Board.

^{1/} The Board’s finding of credibility was based upon the observations of witness demeanor, responsiveness and character while testifying, as well as an assessment of the reasonableness and internal consistency of factual assertions.

3. The Board further finds that Respondent unjustifiably and willfully failed to furnish to the Board, its investigators, or representatives, within a reasonable time, information requested by the Board in that he refused to comply with an Amended Notice of Deposition issued by GBAHE Chair Mamie Balajadia, dated July 26, 2011, and served upon him July 26, 2011, Exhibit "C" of the Amended Specification of Charges. At no time did Respondent suggest any threat of prejudice or even inconvenience posed by the taking of his deposition. At no point in these proceedings did Respondent ever file for a protective order to avoid being deposed. The testimony of Respondent, revealed a decidedly combative, negative attitude towards the Board's authority. He projected a distinct tendency to challenge the licensing authority simply for the sake of thwarting its purposes. It is the unequivocal impression of the Board from Respondent's consistently combative disposition while testifying, that he perceives it as his objective to obstruct the Board at every turn. At one point in his testimony Respondent characterized the Board as his "enemy", making it perfectly clear to the Board by his tone of voice and demeanor, that his perspective was one of hostility. It is the inescapable conclusion of the Board that Respondent intentionally evaded the

page 4 of 26 pages

taking of his deposition at all costs for the sole purpose of obstructing the investigative function of the Board.

4. Since the commencement of his veterinary practice at 109 Serenu Avenue, Tamuning in or about 2005, Respondent has failed and refused and still willfully fails and refuses to obtain an occupancy permit for premises occasioned by its change of use from an office use to use as an animal hospital including x-ray and laboratory use without adherence to the building code for same. There was a conspicuous absence in Respondent's testimony of any particular reason or justification for his non-compliance with the legal requirements for an occupancy permit. Consequently, the Board finds from the credible testimony of witnesses from the Department of Public Works, that a significant safety risk to the Public is occasioned by Respondent's inexcusable, knowing and intentional evasion of the legal requirements to obtain the required permit and is convinced he attempted to mislead the Board that he had in fact obtained the required permit when in fact the opposite was clearly demonstrated by the evidence.

5. For approximately two years, Respondent has failed and refused and still willfully fails and refuses to obtain a building permit to construct, enlarge, alter, or install equipment or facilities upon premises at his veterinary clinic at 109 Serenu Avenue, Tamuning, Guam, specifically for two metal 20 foot metal container

boxes installed on the Wise Owl premises. Consequently, the Board finds from the testimony and evidence that a significant safety risk to the Public is occasioned by Respondent's inexcusable knowing and intentional evasion of the legal requirements to obtain the required permit and his attempt to mislead the Board that he had in fact obtained the required permit, when in fact the opposite was clearly demonstrated by the evidence.

6. The Board finds that Respondent engaged in obstreperous, disruptive and intimidating behavior at a GBAHE meeting on July 29, 2011 with the result that it effectively caused the Board to adjourn early before completing its business.

7. That Respondent needlessly harassed, verbally assaulted, and interfered with Assistant Attorney General David Highsmith, counsel to the Guam Board of Allied Health Examiners, at a meeting of the Guam Board of Allied Health Examiners on July 29, 2011.

8. That on December 29, 2009 Respondent accepted for treatment from his client Nanette Senior, her pet dog "Duk Duk" and performed surgery upon the dog without prior notice to, or authorization by, his client, which constituted unprofessional and dishonorable conduct in the practice of the veterinary profession, so as to exploit his client for financial gain thereby engaging in conduct likely to deceive, defraud, and harm the public.

9. That on December 29, 2009 Respondent provided treatment to Duk Duk that (1) failed to meet minimum standards of performance in the diagnosis and (2) consisted of unnecessary surgery which not only deceived Nanette Senior but when measured against generally prevailing peer performance, was unprofessional, dishonorable, negligent and demonstrated incompetence in the practice of the veterinary profession.

10. That on March 14, 2010 Respondent accepted for treatment from his client Julie Wilter her pet cat "Bob" and provided treatment to Bob that (1) failed to meet minimum standards of performance in the diagnosis and treatment when measured against generally prevailing peer performance, (2) was negligent, (3) demonstrated incompetence in the practice of the veterinary profession and (4) thereby directly caused Ms. Wilter to incur extra medical costs arising from corrective treatment and surgery by another veterinarian.

11. That on December 29, 2010 Respondent accepted for treatment from client Steve Hollister his pet dog "Dingle" and provided treatment to Dingle resulting in the needless death of the dog because such treatment (1) failed to meet minimum standards of performance in the diagnosis and treatment when measured against generally prevailing peer performance, (2) was negligent, and (3) demonstrated incompetence in the practice of the veterinary profession. The

Board, in balancing the evidence in this and other charges alleging medical negligence and incompetence on the part of Dr. Joseph, takes into account the absence of any expert testimony offered in defense of his treatment of all animals mentioned in the charges. Contrariwise, no fewer than three expert witnesses testified against Dr. Joseph on such charges and offered what the Board believes to be true and credible testimony in all respects. The Board notes that Dr. Joseph in his testimony, dismissed them all as “quacks”.

12. That on July 25, 2011 Respondent unjustifiably failed to make available upon request for legitimate and reasonable purposes of review, to Mr. Steve Hollister copies of medical records of “Dingle” thereby failing to properly manage the medical records of the dog, which amounts to unprofessional and dishonorable conduct in the practice by Respondent, of the veterinary profession.

13. That on or about April 27, 2011 Respondent unconscionably filed suit against his client Christopher Adelbai for the sum of \$3,301.50 which was approximately triple the actual Wise Owl billing; the Board having found the testimony of Respondent that there was never a \$500.00 limit imposed by Mr. Adelbai for the treatment of his dog to be untrustworthy, untrue and not credible. The Board further finds that such lawsuit was in bad faith, retaliatory and abusive,

amounting to unprofessional and dishonorable conduct in the practice by Respondent, of the veterinary profession.

14. That on May 24, 2011 and July 26, 2011 Respondent unjustifiably failed to make available for legitimate and reasonable purposes of review to Mr. Christopher Adelbai copies of medical records on the dog "Blaze", despite Mr. Adelbai's reasonable written request for same, thereby failing to properly manage the medical records of the dog "Blaze" amounting to unprofessional and dishonorable conduct in the practice by Respondent of the veterinary profession.

15. Between April 11, 2011 and April 13, 2011 Respondent accepted for treatment from client Rick Santiago his pet dog "Karma" and provided treatment to Karma that resulted in its needless death and (1) failed to meet minimum standards of performance in the diagnosis and treatment when measured against generally prevailing peer performance, (2) was negligent, and (3) demonstrated incompetence in the practice by Respondent, of the veterinary profession.

16. . That on or about April 20, 2011 Respondent unconscionably filed suit against his client Rick Santiago, for the sum of \$738.00 which was approximately double the actual Wise Owl billing for negligent treatment resulting in the dog's death. The Board further finds from the testimony and evidence that such lawsuit

was in bad faith, retaliatory and abusive, amounting to unprofessional and dishonorable conduct in the practice by Respondent of the veterinary profession.

17. On July 22, 2010 Respondent accepted for treatment from his client Bertha T. Cruz, her pet dog "Lucky" and provided treatment to Lucky needlessly resulting in the dog's death, that (1) omitted notes in the medical record describing the surgical procedure performed on the dog, (2) failed to meet minimum standards of performance in the diagnosis and treatment when measured against generally prevailing peer performance, (2) was negligent, and (3) demonstrated incompetence in the practice by Respondent of the veterinary profession.

18. On July 17, 2010 Respondent accepted for treatment from client Angel Llagas his pet dog "Roscoe" and provided treatment to Roscoe that (1) failed to meet minimum standards of performance in the diagnosis and treatment when measured against generally prevailing peer performance, (2) was negligent, and (3) demonstrated incompetence by Respondent in the practice of the veterinary profession.

19. In July 2010, Respondent made deceptive, untrue or fraudulent representations in the practice of his profession by materially and intentionally misrepresenting the nature of a USDA form that he submitted to then Department of Agriculture Director Joseph D. Torres, Guam Department of Agriculture, in

order to obtain his approval and signature. The Board considers the testimony of former Director Torres to the effect that Respondent mislead him to be true and credible, but totally disbelieves the testimony of Respondent to the contrary, as dishonest and untrue, giving due weight to the factual circumstances, the manner of the witnesses' testimony, demeanor, attitude and their respective interests in the outcome of the matter at issue. Such purposeful misrepresentation by Respondent constitutes highly unprofessional conduct in the practice of the veterinary profession.

20. Between December 20, 2010 and January 22, 2011 Respondent fraudulently accepted payment from his customers for the cremation of their deceased pet animals which were never cremated and instead were disposed of in some other manner. The Board finds the facts asserted by witness Dennis Larson to the effect that Respondent never delivered such animals to his facility for cremation to be true and credible and disbelieves the testimony of Respondent to the contrary. giving due weight to the factual circumstances, the manner of the witnesses' testimony, demeanor, attitude and their respective interests in the outcome of the matter at issue..

21. Between December 20, 2010 and January 22, 2011 Respondent committed unprofessional or dishonorable conduct in the practice of the

veterinary profession by directly or indirectly receiving a fee from customers for professional services not actually and personally rendered, i.e., the cremation of animals entrusted to him for cremation which he never had cremated.

22. In the year 2010 Respondent engaged a fee-splitting arrangement with Rainbow Ridge Pet Crematory, a lay entity or Dennis Larson, a lay person, for animal cremation services.

CONCLUSIONS OF LAW

1. Charge 1: Obstruction of Legitimate GBAHE Function,
Count 1 : Obstructing a Legitimate Board Function by Failing to Appear

It was established by a preponderance of the evidence, that Respondent unjustifiably failed to furnish to the Board, its investigators, or representatives, within a reasonable time, information requested by the Board. It was likewise shown that by Respondent's bad faith refusal to comply with a duly issued Request to Appear, caused to be served upon him and his attorney by Board Counsel, on June 10, 2010, Exhibit A to the Amended Specification of Charges, Respondent violated 10 G.C.A. §§12810(l), 12820(d)(32), and 12820(d)(33),

i.e. intentionally obstructing a lawful Board investigative power and responsibility conferred by §12803(c)(8).

2. Charge 1: Obstruction of Legitimate GBAHE Function,

Count 2: Obstructing a Legitimate Board Function by Deposition Refusal

Referring to Finding of Fact, ¶2, *supra*, the Board is unpersuaded that Respondent acted in good faith in his unjustifiable refusal to submit to the taking of his deposition which is routinely utilized for investigative discovery purposes. In his testimony, Respondent never claimed threat of prejudice or unfairness by the taking of his deposition. Nor did he seek a protective order. Respondent, for whatever reason, simply decided not to show up. Service was made upon him and his attorney on July 26, 2011, Exhibit C of the Amended Specification of Charges, of an Amended Notice of Deposition issued by GBAHE Chair Mamie Balajadia, dated July 26, 2011. Absent some specific legal barrier to the Board's ability to utilize depositions in furtherance of its "Powers and Responsibilities" to investigate per 10 GCA §12803(c)(8), Respondent was obliged to cooperate with his licensing authority and to furnish the Board, its investigators, or representatives, within a reasonable time, information requested by the Board at his deposition. Consequently, the Board finds by a preponderance of the evidence, that Respondent's willful refusal to

be deposed was contrary to law i.e., 10 G.C.A. §§12810(l), 12820(d)(32), and 12820(d)(33).

3. Charge 2: Violations of Guam Law,

Count 1 : Violation of the Guam Building Code (Occupancy Permit)

By his unjustified refusal to ever obtain construction and occupancy permits for the Wise Owl building at 109 Serena Avenue, Tamuning, Guam, since approximately 2005, the preponderance of evidence proved that Respondent has clearly violated 21 G.C.A. § 66301, 66302, and 66120, and by extension also 10 G.C.A. §12811(h).

4. Charge 3: Reprehensible Public Conduct; Public Verbal Assaults, Disruptive, Intimidating Behavior

By engaging in obstreperous, disruptive and intimidating behavior at a GBAHE meeting on July 29, 2011 with the result, by a preponderance of the evidence, that it prevented the Board from completing its business, Respondent violated 10 G.C.A. §§12811(y) and 12820(d).

By harassing, verbally assaulting, and interfering with Assistant Attorney General David Highsmith, counsel to the Guam Board of Allied Health Examiners, at a meeting of the Guam Board of Allied Health Examiners on July 29, 2011. The Board specifically finds it disingenuous of Respondent to claim that his

constitutional right to freedom of speech somehow entitled him to verbally assault, harass and harangue Mr. Highsmith as he retreated to his car in the GBAHE parking lot. By a preponderance of the evidence, Respondent plainly violated 10 G.C.A. §§12811(y) and 12820(d).

5. Charge 4: Incompetence and Negligence in Treatment of Animals

Count 1(a): By performing surgery upon “Duk Duk” on December 29, 2009 without either notice to, or authorization by his client Nanette Senior, by a preponderance of the evidence, Respondent violated 10 GCA §12811(o) by performing professional services, i.e., surgery without Ms. Senior being informed beforehand, and without her authorization, constituting unprofessional conduct by Respondent which shall result in disciplinary action.

Count 1(b): By his act of negligence, demonstration of incompetence, and by failing to meet the minimum standards of performance in the diagnosis and treatment of the dog “Duk Duk”, when measured against generally prevailing peer performance, on March 14, 2010 a preponderance of the evidence clearly shows that Respondent violated 10 G.C.A. §12811(q), 12820(d)(8), and 12820(d)(11).

Count 2: By his act of negligence, demonstration of incompetence, and by failing to meet the minimum standards of performance in the diagnosis and

treatment of the cat “Bob,” when measured against generally prevailing peer performance, a preponderance of the evidence proved that on December 29, 2010 Respondent violated 10 G.C.A. §12811(q), 12820(d)(8), and 12820(d)(11).

Count 3(a): Proof by a preponderance of the evidence established that by failing on July 25, 2011 to make available for legitimate and reasonable purposes of review to Mr. Steve Hollister requested copies of medical records on the dog “Dingle,” the Respondent violated 10 G.C.A. §§12811(q) and 10 GCA §12820(d)(8) and (11)..

Count 3(b): By his act of negligence, demonstration of incompetence, and by failing to meet the minimum standards of performance in the diagnosis and treatment of the dog “Dingle,” when measured against generally prevailing peer performance, a preponderance of the evidence proved that on October 19, 2010 Respondent violated 10 G.C.A. §§12811(q), 12820(d)(4), 12820(d)(8), and 12820(d)(11).

Count 4(a): This charge was not proven by a preponderance of the evidence and was dismissed.

Count 4(b): This charge was not proven by a preponderance of the evidence and was dismissed.

Count 4(c): By filing a retaliatory lawsuit against his client, Christopher Adelbai for an amount more than triple the actual bill for treatment at Respondent's clinic resulting in the death of Mr. Adelbai's dog "Blaze", Respondent by a preponderance of the evidence, committed unconscionable and abusive billing practice constituting unprofessional and dishonorable conduct in the practice of the veterinary profession per 10 GCA §12820(d)(23).

Count 4(d): By his unreasonable failure on May 24, 2011 and July 26, 2011 to make available for legitimate and reasonable purposes of review to Mr. Christopher Adelbai requested copies of medical records on the dog "Blaze" Respondent, by a preponderance of the evidence, violated 10 G.C.A. §§12811(n) and 12820(d)(31).

Count 5(a): A preponderance of the evidence proved that Respondent's acts of negligence, demonstration of incompetence, and failing to meet the minimum standards of performance in the diagnosis and treatment of the dog "Karma," resulting in needless death, when measured against generally prevailing peer performance, on April 11, 2011 and April 13, 2011 clearly violated 10 G.C.A. §§12811(q), 12820(d)(8), and 12820(d)(11).

Count 5(b): By filing a retaliatory lawsuit against his client, Rick Santiago, for an amount approximately double the actual bill for treatment at Respondent's

clinic resulting in the death of Mr. Santiago's dog "Karma", Respondent by a preponderance of the evidence, committed unconscionable and abusive billing practice constituting unprofessional and dishonorable conduct in the practice of the veterinary profession per 10 GCA §12820(d)(23).

Count 6: As shown by a preponderance of the evidence, Respondent's acts of negligence, demonstration of incompetence, and failing to meet the minimum standards of performance in the diagnosis and treatment of the dog "Lucky" when measured against generally prevailing peer performance, on July 22, 2010 Respondent violated 10 G.C.A. §§12811(q), 12820(d)(8), and 12820(d)(11).

Count 7: As shown by a preponderance of the evidence, Respondent's acts of negligence, demonstration of incompetence, and failing to meet the minimum standards of performance in the diagnosis and treatment of the dog "Roscoe" when measured against generally prevailing peer performance, on July 17, 2010 Respondent violated 10 G.C.A. §§12811(q), 12820(d)(8), and 12820(d)(11).

6. Charge 5: Fraud, Deceit, Misrepresentation

Count 1: Defrauding the Director of Agriculture

As shown by a preponderance of the evidence, in making deceptive, untrue and fraudulent representations in the practice of his profession by misrepresenting the nature of a USDA form that he submitted to Acting Director Joseph D.

Torres, Guam Department of Agriculture, for his approval and signature,
page 18 of 26 pages

Respondent violated 10 G.C.A. §§12811(k) and 12811(p) and 12 G.C.A. §§12820(d)(4) and (11).

Charge 5: Fraud, Deceit, Misrepresentation

Count 2: Fraudulent Cremations

As established by a preponderance of the evidence, by his act of fraudulently accepting animals and payment for cremation from his customers, Respondent violated 10 G.C.A. §§12811(k), 12811(m), 12811(p) and 10 G.C.A. §§12820(d)(4), 12820(d)(11), 12820(22), and 12820(24).

7. Charge 6: Fee Splitting with Lay Person

As established by a preponderance of the evidence, by his engaging in a fee-splitting arrangement with Dennis Larson and Rainbow Ridge Pet Crematory, Respondent violated 10 G.C.A. §§12811(m) and 10 G.C.A. §12820(d)(24).

ORDER

The Respondent having been found to have committed the foregoing violations, the Board hereby assesses the following penalty as authorized by the Allied Health Practices Act; it being hereby Ordered that:

1. At the conclusion of proceedings on April 27, 2012, in the presence of Respondent, the Guam Board of Allied Health Examiners announced its ruling suspending Respondent's veterinary license, and hereby orders suspension, for a
page 19 of 26 pages

term of five (5) years, the license to practice veterinary medicine that has been issued to Respondent, pursuant to 10 G.C.A. §12820(a)(2) and 10 G.C.A. §12812(b)(3) effective on service of this Final Decision upon either Respondent or his attorney, whereupon Respondent shall immediately cease and desist the practice of veterinary medicine in the Territory of Guam during the period of suspension and any extension thereof.

2. Respondent shall, within three (3) days of service of this Final Decision upon either him or his attorney, surrender his veterinarian license to the Health Professional Licensing Office at 651 Legacy Square Commercial Complex, Suite 9, South Route 10, Mangilao. 10 G.C.A. §12820(a)(4).

3. At the end of the five-year term of suspension and for a period of one year thereafter, any practice of veterinary medicine engaged in by Respondent shall be, documented, under the direct supervision of a Guam licensed veterinarian, with a minimum of five (5) years in practice, who is working in the same facility and who has no record of criminal convictions and disciplinary actions. The supervising veterinarian shall submit to this Board a certification that the Respondent is fit in all respects to return to the practice veterinary medicine. 10 G.C.A. §12820(a)(4) and §12820(a)(10).

4. Within seven (7) days of service of this Final Decision upon either Respondent or his attorney, Respondent shall dismiss with prejudice all debt collection actions against Messrs. Rick Santiago and Christopher Adelbai. 10 G.C.A. §12820(a)(4) as unconscionable given the negligent, unprofessional and dishonorable conduct of Respondent in the handling of their respective pets, and provide evidence of such dismissals to the Board at the Health Professional Licensing Office, Legacy Square, Manila..

5. Respondent shall, at his own expense, within seven (7) days presentation of receipts therefore to the attorney for Respondent,, reimburse Ms. Nanette Senior, Ms. Julie Wilter, Mr. Steve Hollister, Ms. Bertha Cruz and Mr. Rick Santiago for payments they made to other veterinarians for the examination and treatment services, second opinions and any autopsy or necropsy of their respective pets. 10 G.C.A. §12820(a)(8).

6. Respondent shall pay within seven (7) days of his or his attorney's receipt of GBAHE and Attorney General invoices for same, the costs of these proceedings, including the costs of transcription of the record, cassette tapes using in making the transcript, and photocopying costs. 10 G.C.A. §12820(a)(8).

7. Respondent shall advise his current clients of his suspension and at his own cost and expense, arrange for the transfer of any or all pets in his care and their

case files to his clients or the veterinarians of their choice within seventy two (72) hours of service of this Final Decision upon him and/or his attorney, and to submit copies and evidence of same to the Board also within the same time frame at the Health Professional Licensing Office, Legacy Square, Mangilao.. 10 G.C.A. §12820(a)(4).

8. Respondent shall not, during the period of his suspension, display a sign on the premises where he works and/or resides, directly or indirectly giving the impression that veterinary services are therein available. 10 G.C.A. §§12813 “Unlawful practice... of a healing art without an appropriate current valid license”, 12820(a)(4), 12811(f) “practicing or offering to practice beyond the scope permitted by law”, 12811(d) “advertising goods or services contrary to these rules and regulations”, 12811(k) “making deceptive, untrue or fraudulent representations in the practice of his ... profession”.

9. Respondent shall, immediately upon his or his attorney’s receipt of this Final Decision, direct in writing to all Guam telephone book publishers that his name and the name “Wise Owl” not be accompanied by any direct or indirect reference to the practice of veterinary medicine in either the white or yellow pages therein, during the period of Respondent’s suspension hereunder, and to provide proof of such communication(s) in writing to the Allied Health Examiner’s office at Legacy

Square, Mangilao within seven (7) days of service of this order upon Respondent or his attorney. 10 GCA §12816(c) "Professional Listings...telephone directory... a practitioner shall *not* list or permit the listing or his name ... under any ... practice type or specialty heading for which he...is *not* licensed.

10. Respondent shall, at his own cost and expense, publish a bordered, box in bold typeface in the minimum size of 2 columns by 5", Notice of his suspension in the Pacific Daily News and the Marianas Variety within seven (7) calendar days of service of this Final Decision upon either him and/or his attorney. 10 G.C.A. §12820(a)(4). Such notice shall contain the following text, no more, no less:

NOTICE OF VETERINARIAN SUSPENSION

JOEL JOSEPH d/b/a "THE WISE OWL ANIMAL HOSPITAL",

**HAS BEEN SUSPENDED FROM THE PRACTICE OF VETERINARY
MEDICINE AND CANNOT ACCEPT ANY ANIMALS FOR MEDICAL**

TREATMENT ON GUAM FOR FIVE (5) YEARS

11. Respondent shall report his suspension to the licensing authorities for veterinarians in the Federal States of Micronesia, Commonwealth of the Northern Marianas Islands, Fiji and Michigan within seven (7) calendar days after service hereof upon Respondent and/or his attorney, and deliver copies and proof thereof

page 23 of 26 pages