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Secret system hides concerns on S.C. veterinary care

## **Woman finds Board of Veterinary Medical Examiners lacking in its charge to protect animals**

**By JOHN MONK**

**Staff Writer**

MOUNT PLEASANT - Pumpkin the kitten was in grave danger.

A veterinarian had mishandled Pumpkin's spaying and follow-up care. The kitten's internal stitches were loosening, and her intestines were leaking.

Pumpkin's owner, Marcia Rosenberg, got another vet to save her kitten.

Then she filed a complaint with the S.C. Board of Veterinary Medical Examiners. Under state law, the board investigates complaints against veterinarians and can take disciplinary action.

Rosenberg thought it an easy case - the evidence was clear, and the second veterinarian was willing to testify. Moreover, the first veterinarian had a documented history of pets dying after mishandled operations.

But with the Veterinary Board - its eight members are seven veterinarians and one layman - things are rarely easy or clear.

"I compare the Vet Board with the Enrons of the world in their lack of openness and unaccountability," said Rosenberg. "Everyone up to President Bush is saying this lack of corporate accountability has to stop, and I'm saying the Vet Board has to stop."

Rosenberg found the board often keeps citizens in the dark, holding secret hearings from which the public is excluded. The board also issues secret reprimands to veterinarians that the public never learns about. Only the most serious disciplinary orders are made public. And the board can take up to a year to act, during which citizens wonder what the agency is doing.

That secrecy shocked Rosenberg, 54, who has had two dozen pets since childhood, beginning with a French poodle named Jolie. She couldn't imagine a government agency charged with protecting pets that moved so slowly.

To Rosenberg, pets and humans have a special, loving relationship.

"I was the kind of child who took milk out to the garage and gave it to stray cats. I was always nursing birds with broken wings," said Rosenberg.

The board's slowness, and its ultimate decision to give Pumpkin's veterinarian what Rosenberg thought was a light penalty, changed her life.

Never an activist, she's now on an almost full-time crusade to open up the workings of the S.C. Veterinary Board to the public and make it tougher on incompetent vets.

In the process, she's accumulated boxes of data on veterinarians and vet laws, and become a pet safety advocate. Since last year, she has made a dozen trips to Columbia, attending Veterinary Board meetings and talking with government officials to push for more openness. She makes the four-hour round trip to Columbia with her husband, Marvin, a retired corporate attorney, whom she praises for his support.

Lawmakers respect her.

"Marcia Rosenberg is the voice for all the folks across South Carolina who feel they didn't receive a high level of care from their vet," said Rep. Chip Limehouse, R-Charleston.

Rosenberg's got results. She has:

- Persuaded the Veterinary Board to post its public disciplinary actions on its Internet Web site;
- Picked up support from state lawmakers who will introduce a bill next session to open the Board's discipline process;
- Won respect from the governor's office, including Rita McKinney, the cabinet official who oversees 39 state regulatory boards, including the Veterinary Board.

"I would hope that this and other agencies would always appreciate someone like Marcia Rosenberg," said McKinney.

But Dr. Stan Gurlitsky, the veterinarian whom Rosenberg complained about, calls her one of his "enemies."

Said Gurlitsky, "I have made some enemies. I practice holistic medicine, and some people hate my guts for it, and some don't. Most don't."

This Thursday, the Veterinary Board is slated to take up at least one complaint from another citizen against Gurlitsky, 53. He declined to comment.

Rosenberg's crusade offers a window into how an activist can change the operations of a state agency and how South Carolina treats its pets.

Her story also raises the question: Who is the Veterinary Board protecting - the vets, or the pets?

## SLOW RESPONSE

In June 2000, Marcia Rosenberg sought a vet to spay her kitten, Pumpkin. Spaying prevents a female cat from having kittens.

With her love for pets, Rosenberg always has depended on veterinarians and - new to the Mount Pleasant area - was looking for a good one.

Plenty of vets practice in the booming coastal area east of Charleston. Rosenberg had the pick of the litter, so to speak, and settled on Dr. Gurlitsky. He seemed to have good credentials and to be a nice man.

After the spaying, Pumpkin's stomach swelled, then turned red and raw, according to a statement of findings later issued by the S.C. Veterinary Board.

Two days later, Rosenberg took Pumpkin back to Gurlitsky. He sprinkled antibiotic powder on a piece of

gauze and wrapped it about Pumpkin's belly with a piece of tape. Come back in three days, he told Rosenberg, according to Rosenberg's complaint to the Veterinary Board.

Worried Gornitsky had missed something, Rosenberg took Pumpkin that same day to another veterinarian, Dr. David Steele.

Steele determined Pumpkin's internal stitches were loose and her intestines were falling through a hole in her abdomen. He operated on Pumpkin, saving the kitten.

"It was a life-threatening condition," said Steele.

Rosenberg filed a complaint about Gornitsky with the S.C. Veterinary Board. "I didn't want other animals or pet owners to suffer," she said.

Rosenberg also requested any prior disciplinary data the Board had on Gornitsky. The S.C. Veterinary Board sent her an 11-page document. Dated Feb. 17, 1989, the record was an order from Ohio's Veterinary Board. It found Gornitsky committed "gross incompetence" in four pet care cases. The Ohio board ruled Gornitsky had:

- Torn the rectum of a dog, Truffaut, while getting a routine fecal sample. Truffaut died;
- Failed to give proper care to a cat named Mittens. Mittens died;
- Allowed a cat named Topaz to get an infection during an operation. Topaz died;
- Failed to give a cat named Misty proper care during a spaying operation. Misty died.

Ohio had suspended Gornitsky's license for a year. In the early 1990s, Gornitsky moved to South Carolina.

Rosenberg believed Gornitsky's history would prompt S.C.'s Veterinary Board to move quickly.

She was wrong.

It was 11 months before the board acted.

When the board did act, it did so in a secret hearing where officials denied Rosenberg entrance.

Later, the Veterinary Board issued an order. It found Gornitsky's treatment of Pumpkin was "not within the appropriate standard of care for a veterinary medical practitioner in South Carolina."

The board ordered Gornitsky to pay \$251 to compensate the board for its investigation. It required him to take 20 hours of instruction in surgery techniques.

Rosenberg was astonished the board hadn't done more.

"I felt like I had been violated twice. Once with Gornitsky, and again by the board," she said. "Pumpkin was not an isolated incident. It was one more in a chain of events."

Veterinary Board officials, citing confidentiality rules, declined to discuss Gornitsky's case.

Even before the board's ruling on Pumpkin, in May 2001, Rosenberg had concluded S.C. laws on disciplining vets were lax.

## THE SHERIDAN CASE

Two months after Pumpkin's surgery, a Charleston-area veterinarian, Dr. Tom Sheridan, was arrested in August 2000 by the Charleston County Sheriff's Department.

Deputies charged Sheridan with professional misconduct for animal abuse. His employees complained he was losing his temper and harming animals.

But a magistrate threw the charges against Sheridan out, saying state law prevents veterinarians from being charged with animal abuse.

Sheridan is the animal veterinarian consultant for one of Charleston's biggest tourist attractions - the S.C. Aquarium.

Sheridan keeps his post today, even after the S.C. Veterinary Board ruled in June 2001 that Sheridan "engaged in unprofessional and unethical conduct . . . through his use of excessive force in restraining" a dog. Sheridan also failed to monitor an anesthetized cat and it died, the board ruled.

The board fined Sheridan \$500, ordered him to take an anger management course and take 15 hours of anesthesia training. Sheridan also had to pay \$4,556 for administrative costs of the Board's investigation.

"That's a slap on the wrist," said Rosenberg of Sheridan's punishment.

An Aquarium spokesman said Sheridan is an enthusiastic and knowledgeable veterinarian.

Sheridan is not left alone with Aquarium animals, the spokesman said. But that's just because since he is a consultant, he must be with a curator when he takes care of animals. Sheridan didn't respond to an interview request.

## MORE COMPLAINTS

Sheridan wasn't Rosenberg's only worry.

She kept hearing complaints from Mount Pleasant residents that their pets had died or been hurt while in Gorlitsky's care. Rosenberg urged them to file complaints with the Veterinary Board.

Veterinarian Dr. Steele, who saved Pumpkin, said in the last nine months, a Veterinary Board investigator has contacted him about two cases in addition to Rosenberg's, Steele said.

Steele said veterinary medicine is not perfect, and pets sometimes die after surgery, even with good care.

But he said, "People like Dr. Gorlitsky kind of give veterinarians a bad reputation. So in certain respects, as a veterinary community, we should be more vocal about it rather than being quiet."

## THE CRUSADE

Rosenberg wants to return to the relaxed life she had expected to lead at her home in the Mount Pleasant area. It's a peaceful house, overlooking a marsh, and she shares it with three cats and husband Marvin.

Instead, she spends her time researching state laws on the Veterinary Board, collecting documents and networking with pet owners - all to achieve her goal of making the board more open and accountable.

"I don't know how long it will take. But I will achieve justice for pets," she said.

She also talks with officials like Mark Sweatman, an aide to Gov. Jim Hodges.

"She's a bulldog," said Sweatman, who has helped Rosenberg get interviews with Veterinary Board officials to press her case.

Two lawmakers - Reps. Limehouse and John Graham Altman, both Charleston Republicans - said they will file a bill to open up the workings of the Veterinary Board to the public.

Altman said that once the Veterinary Board has determined that charges against a vet are serious, and the vet formally has replied to the charge, the accusation and reply should be made public.

"This is not a bill against the board. I just want daylight," said Altman. "You have more confidence in a system that airs the charges."

McKinney, who oversees the Veterinary Board, would push to make the board more open and increase fines. Currently, the maximum fine for a vet is \$500.

"Like any government agency, we work with the laws we're given," McKinney said.

#### NEW GORLITSKY HEARING

In a brief recent interview at his office, Gorlitsky confirmed the Veterinary Board would take up at least one complaint about him on Thursday.

"The board asked me specifically on their paperwork not to talk about it. '.'.' I'm sorry. I wish I could say more."

His case shouldn't be aired in the media, he said. "It's being taken care of by the board, and it's up to them to judge me."

Rosenberg said she won't rest until the Veterinary Board is more open and cracks down on bad vets.

"The board has an ostrich mentality," she said. "They look the other way. The only reason I'm doing all this is because the Vet Board isn't doing their job."