



# Maryland Department of Agriculture

Office of the Secretary

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December 2, 2020

The Honorable Lawrence J. Hogan, Jr.  
Governor  
100 State Circle  
Annapolis, MD 21401

The Honorable Adrienne A. Jones  
Speaker  
Maryland House of Delegates  
State House, H-101  
100 State Circle  
Annapolis, MD 21401

The Honorable Bill Ferguson  
President  
Maryland Senate  
State House, H-107  
100 State Circle  
Annapolis, MD 21401

**RE: Report Required by AG § 2-304(f) - MSAR #12757**

Dear Governor Hogan, Speaker Jones and President Ferguson:

AG § 2-304(f) states, "On or before December 31 each year, the Board [of Veterinary Medical Examiners] shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on the Board's disciplinary activities for the previous fiscal year."

I have included 2020 report. I hope you find the information contained in this report useful. Should you have any questions, please do not hesitate to reach out to Cassie Shirk, Director of Legislation and Government Affairs, at [cassie.shirk@maryland.gov](mailto:cassie.shirk@maryland.gov) or 410-841-5889.

Sincerely,

Joseph Bartenfelder  
Secretary, Department of Agriculture



**Maryland State Board of Veterinary  
Medical Examiners  
FY20 Disciplinary Report**



The Maryland State Board of Veterinary Medical Examiners protects animal and public health through the enforcement of the Veterinary Practice Act and related regulations. Toward this end, the Board licenses veterinarians, registered veterinary technicians (RVTs), veterinary hospitals and animal control facilities. The Board also inspects veterinary hospitals to ensure they meet sanitation standards. A large component of the Board’s work includes investigating consumer complaints, initiating its own investigations, and determining whether disciplinary action will be taken against any of its licenses as required by Agriculture Article, §2-301, et seq., Annotated Code of Maryland.

House Bill 549 - State Board of Veterinary Medical Examiners - Sunset Extension and Program Evaluation passed the Maryland General Assembly during the 2020 Legislative Session. The law requires the Board to report annually to the Governor and General Assembly on the disciplinary actions it has taken the previous fiscal year. This is the first report due under the law and covers FY20 (July 1, 2019 through June 30, 2020).

## **The Board**

Board members are appointed by the Governor to five-year terms. The seven-member Board includes five licensed veterinarians who have been in practice at least five years and two members who represent consumers. Two of the veterinarians must be predominantly large animal practitioners. The Board meets once a month.

Board members in FY20 were: Dr. Elizabeth Callahan, President, (Veterinary Medical Center, Easton); Dr. Christine Calvert (VCA Calvert Veterinary Center, Pasadena); Ms. Lynne Chaput (Consumer Member, Severna Park); Dr. Heather Hendler (Family Veterinary Clinic, Gambrills); Dr. Karena Joung (Blue Pearl Pet Hospital, Rockville); Ms. Patty Quimby (Consumer Member, Easton); and Dr. Peter Radue (Damascus Equine, Damascus).

During FY20, the Board licensed a total of 3,019 veterinarians, 588 veterinary hospitals and 29 animal control facilities. RVT licenses are valid for three years. A total of 199 RVT licenses were either issued or renewed during the year.

The Board has one full-time investigator and one administrative specialist dedicated to handling complaint investigations. The Board hired a contractual investigator (30 hours/week) who started April 1, 2020. One inspector worked on complaint investigations full-time while the Governor’s stay-at-home order was in effect as a result of the COVID-19 pandemic.

## **About Complaint Investigations**

Any consumer can submit a complaint against any licensee through the Board’s website. The staff reads each complaint to ensure the Board has jurisdiction over the issue at hand. For instance, the Board has no jurisdiction over financial disputes between clients and veterinarians nor does it have any authority over rescue groups, commercial kennels or humane organizations.

If the Board does have jurisdiction over the complaint, it is given a docket number and assigned to an investigator who will obtain all relevant medical records, including any available images, such as radiographs, ultrasound, MRIs, etc. and interview those involved. A final case file is



prepared and presented to the Board during a non-public meeting for review, discussion and final determination. From time-to-time, the Board will send a complaint to an out-of-state expert for review and input. After reviewing a complaint investigation file, the Board has several options for how to proceed.

- The Board may dismiss a complaint outright and no further action is required.
- The Board may take informal actions. These are confidential, non-public actions that are not available to the public, including the complainant, but are part of their professional record. These include:
  - A Letter of Information/Warning
  - A Letter of Advice
  - A Letter of Admonishment
- The Board may take formal actions. These are public orders available for public review. All public orders are posted on the Board’s website and reported to the American Association of Veterinary State Boards, which notifies other states or jurisdictions where the licensee is licensed, if any. These public actions include:
  - Consent Agreements
  - Civil Penalty Final Orders
  - Orders of Censure
  - Probation
  - Suspension
  - License Surrenders
  - Revocation

Unless the Board issues a formal public disciplinary action, details of how a complaint is resolved are not available to the public, including the complainant; however, the Board does notify complaints when an investigation is complete and provides a summary of the findings.

Code of Maryland Regulations 15.14.02 contains a complete description of the Board’s complaint procedures and possible actions (See appendix.).

### **Disciplinary Actions – FY20**

During FY20, the Board closed 82 complaint investigations with 101 actions. The number of actions does not match the number of complaints because several complaints involved more than one licensee.

Of those 82 complaints, 28 (or 34%) were initiated by the Board and 54 (or 66%) were initiated by consumers. Board complaints are generally - but not exclusively - related to sanitation issues reported by inspectors.

### **The 101 Board actions taken during FY20 were as follows:**

- Complaints dismissed - 23
- Informal Non-Public Actions - 47
  - Letters of Advice - 26
  - Letters of Admonishment - 14
  - Letters of Information/Warning - 7



- Formal Public Actions - 31
  - Consent Agreements - 11
  - Civil Penalty Final Orders - 19
  - Order of Censure - 1
  
- Suspensions and Probation - Licensees who were suspended or placed on probation during FY20 were ordered to do so as part of a Consent Agreement rather than a stand-alone order. During the year:
  - Number of veterinarians suspended - 3
  - Number of veterinarians placed on probation - 8
  
- Continuing Education - Six veterinarians were ordered to take continuing education courses above and beyond the 18 hours that all veterinarians are required to take every year. These orders were part of a Consent Agreement.

### **Fines**

The Board may assess civil penalties against a licensee as part of a Consent Agreement or as a final order. During FY20, the Board issued a total of \$46,200 in fines. Several veterinarians are on payment plans. Revenue from fines goes to the General Fund, not to the Veterinary Board.

### **Referred Cases**

During FY20, a total of 55 cases were referred to the Attorney General's Office for final resolution. Not all of these conclude with public orders.

### **At Year End (June 30, 2020)**

The Board has a total of 92 open complaint cases. Of those, 11 were pending a final decision; 16 had been referred to the Attorney General; and 65 were being investigated.