STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF:	*	
FREDRIC W. TINETTI, D.V.M.	*	DOCKET NO. 07-55
LICENSE NO. 1647	*	

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order"), dated this 17th day of March, 2008, is between the Maryland State Board of Veterinary Medical Examiners (ABoard@) and Fredric W. Tinetti, D.V.M. (ADr. Tinetti@), License No. 1647. This Agreement concerns the resolution of a complaint filed with the Board in March 2007 by Ms. Shannon Vane, the owner of a cat that was taken to Dr. Tinetti for physical examinations on November 30, 1999, November 4, 2006, and February 19, 2007. In response to Ms. Vane's complaint, Dr. Tinetti filed a response and submitted two pages of medical records concerning the treatment of Ms. Vane's cat. As a result of Ms. Vane's complaint and Dr. Tinetti's response, the Board charged Dr. Tinetti in October 2007 with two violations of the Maryland Veterinary Practice Act:

(1) Dr. Tinetti did perform physical examinations on Ms. Vane's cat on November 30, 1999, November 4, 2006, and February 19, 2007. He, however, failed to indicate in the patient's record that such examinations were performed by recording, for example, the patient's weight and other physical conditions such as pulse, temperature, respiration, and other pertinent findings made on physical examination. (A recording of temperature was made with respect to the February 19, 2006 visit). The failure to record such findings violates COMAR 15.14.01.10.

(2) On or about November 30, 1999, Dr. Tinetti anesthetized Ms. Vane's cat in order to

castrate and declaw the animal, but failed to keep an anesthetic log for this procedure, a violation of COMAR 15.14.01.10A(10).

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and regulations adopted thereunder. As part of its authority, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee . . . if the veterinarian . . . [f]ails to comply with Board rules and regulations after receiving a license." Md. Code Ann., Agric. Art., § 2-310(8). In addition, the Board may impose a civil penalty of not more than $5,000 in lieu of, or in addition to, suspending a veterinarian's license. Md. Code Ann., Agric. Art., § 2-310.1.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Tinetti, by entering into and signing this document, while generally and specifically denying liability in this case, agrees to this Agreement & Order, acknowledging that the Board has sufficient evidence to: (a) find that Dr. Tinetti failed to record his physical examination findings on three separate occasions (November 30, 1999, November 4, 2006, and February 19, 2007) by not recording, for example, weight, temperature (except for February 19, 2007), pulse, and respiration and failed to keep an anesthetic log when castrating Ms. Vane's cat in November 1999; and (b) conclude as a matter of law, based on these findings of fact, that Dr. Tinetti did violate the Veterinary Practice Act, specifically COMAR 15.14.01.10, which requires veterinarians to prepare a legibly written record that accurately and thoroughly reflects the treatment provided.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law finding that Dr. Tinetti

violated the Veterinary Practice Act, it is this 26th day of March 2008, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Tinetti is assessed a civil penalty in the amount of Five Hundred Fifty Dollars (failure to record physical exams at $300, and failure to keep an anesthetic log at $250)..

CHR

Chris H. Runde, D.V.M.
President
Maryland State Board of Veterinary Medical Examiners

CONSENT

I, Fredric W. Tinetti, acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement and Order. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement and Order, consisting of three pages.

I sign this Consent without reservation as my voluntary act after an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement and Order.

3-17-08
Date

Fredric W. Tinetti, D.V.M.

NOTARY

STATE OF MD

CITY/COUNTY OF Howard

I HEREBY CERTIFY that on this 17 day of March, 2008, before me, a Notary Public of the State and City/County aforesaid, personally appeared Fredric W. Tinetti, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires: 10/4/2009

Vinod K. Malhotra
Notary Public
Howard County, Maryland
My Commission Expires 10/4/2009