Consent Ag. File

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

IN THE MATTER OF:	*	
PATRICIA LAZIK, D.V.M. License No: 4948	*	DOCKET NO. 04-060
	*	

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CONSENT AGREEMENT

This Consent Agreement, dated this 9th day of December, 2005, is between the State Board of Veterinary Medical Examiners ("Board") and Patricia Lazik, D.V.M., License No. 4948. The Agreement concerns the charges that the Board filed against Dr. Lazik, pertaining to his treatment of "Gael," a female thirteen-year old Border Collie owned by Michelle Thompson.

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 the provisions of the Veterinary Practice Act and regulations adopted thereunder. 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 [the Veterinary Practice Act and] Board rules and regulations after receiving a license" (Md. Code Ann., Agric. Art., §2-310(8)); and in lieu of, or in addition to, suspending a veterinarian's license, the Board may impose a civil penalty of not more than $5,000 (Md. Code Ann., Agric. Art., §2-310.1).

In this matter, the Board filed one charge against Dr. Lazik alleging that the care she provided Gael fell below the minimal standard required of a veterinarian in this State, a violation of COMAR 15.14.01.07.

FINDINGS OF FACTS

Dr. Lazik, by entering into and signing this document, acknowledges that the Board has made the following Findings of Fact:

1. At all times relevant to the charges, Dr. Lazik was, and is, licensed to practice

veterinary medicine in the State of Maryland; and practiced veterinary medicine at the Veterinary Medical Center, located at 8942 Centreville Road, Easton, Maryland 21601.

2. On or about August 25, 2004, Ms. Michelle Thompson presented Gael, a female thirteen-year old Border Collie to Dr. Lazik for veterinary care (to wit: to examine a lump on the dog's left hind leg and to check the dog's ears for Scabies).

3. Dr. Lazik performed a biopsy of the lump for cytologic examination.

4. Dr. Lazik also took a skin scraping of the affected ear margins, which showed sarcoptic mange. To treat this condition, Dr. Lazik administered ivermectin subcutaneously at approximately 300 ug/kg body weight.

5. Approximately 24 hours later, Ms. Thompson indicated that Gael was very disoriented and appeared to be drunk, losing her balance when she attempted to stand, and had a prolapsed third eyelid -- clinical signs associated with ivermectin toxicity.

6. The amount of ivermectin administered to Gael (to wit: 300 ug/kg body weight) falls within a dosage range that has been widely reported to cause adverse effects in Collies, Collie-mixes, Shelties, Old English Sheepdogs, and other herding breeds -- which reports have appeared in commonly used, and readily available, veterinary textbooks and journals deemed as reliable authorities in the field of veterinary medicine (including Plumb's Veterinary Drug Handbook -- the textual authority Dr. Lazik cited).

7. Dr. Lazik should have known that the dose of ivermectin she administered to Gael could cause (and indeed, appears to have caused) the dog to suffer an adverse reaction, and for this reason, should have considered: (a) an alternative therapy with fewer side effects (*e.g.*, amitraz); or (b) administering ivermectin more conservatively, that is, at a lower dose, and gradually increasing the dose while closely monitoring the patient for early detection of an adverse reaction.

CONCLUSIONS OF LAW

On or about August 25, 2004, Dr. Lazik administered ivermectin to Gael, a Border Collie, at a dose that has been widely reported in recognized authorities to cause adverse effects in Collies, Collie-mixes, Shelties, Old English Sheepdogs, and other herding breeds (to wit: 300 ug/kg body weight). In administering ivermectin at this dose instead of considering: (a) an alternative therapy with fewer side effects (*e.g.*, amitraz); or (b) administering ivermectin more conservatively, that is, at a lower dose, and gradually increasing the dose while closely monitoring the patient for early detection of an adverse reaction, Dr. Lazik's's care failed to conform to the minimal standards expected of a veterinarian in this State, a violation of COMAR 15.14.01.07.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Lazik violated the Veterinary Practice Act, it is this 9th day of December, 2005, by the State Board of Veterinary Medical Examiners, **ORDERED**:

1.) That Dr. Lazik shall pay is Civil Penalty in the amount of Three Hundred Dollars ($300) within thirty (30) days from the date of this Consent Agreement;

2.) That Dr. Lazik shall pay Ms. Thompson Nine Hundred Twenty-Nine Dollars ($929.00), which amount represents: a.) certain veterinary fees Ms. Thompson incurred stemming from Dr. Lazik's treatment of Gael, and b.) the cost to cremate Gael; and that Dr. Lazik shall pay this sum to Ms. Thompson within thirty (30) days from the date of this Consent Agreement.

12/9/05
Date

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

CONSENT

I, Patricia Lazik, D.V.M., acknowledge that I had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge that the Board has made the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree to accept and submit to the foregoing Consent Agreement, consisting of three pages.

I acknowledge the validity of this Consent Agreement as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal from this Consent Agreement.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Agreement.

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

11-29-05
Date

Patricia Lazik, D.V.M.
Respondent

NOTARY

STATE OF Md.

CITY/COUNTY OF Queen Anne's

I HEREBY CERTIFY that on this 29 day of November, 2005, before me, a Notary Public of the State and City/County aforesaid, personally appeared Patricia Lazik, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Jane M. Kennedy
Notary Public

My Commission expires: 11-15-06