FILE

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

IN THE MATTER OF:	*	
GHULAM DASTGIR, D.V.M. LICENSE NO. 2320	*	DOCKET NO. 04-066
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CONSENT AGREEMENT

This Consent Agreement, dated this 13th day of March, 2006, is between the State Board of Veterinary Medical Examiners ("Board") and Ghulam Dastgir, D.V.M., License No. 2320. The Agreement concerns the charges that the Board filed against Dr. Dastgir, pertaining to the care provided "RaeRae," a thirteen-year old Dalmation owned by Ms. Viviannne Yu.

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 charged that Dr. Dastgir failed to provide basic care to RaeRae and adequately address the dog's medical needs during a time that the animal was boarding at this hospital, a violation of COMAR 15.14.01.19.

FINDINGS OF FACTS

Dr. Dastgir, by entering into and signing this document, acknowledges that the Board could produce evidence establishing the following Findings of Fact:

1. At all times relevant to the charges, Dr. Dastgir was, and is, a veterinarian licensed to practice veterinary medicine in the State of Maryland; and was the owner of the Airpark Animal Hospital ("AAH"), located at 7600-H Lindbergh Drive, Gaithersburg, Maryland 20879.

2. On or about May 23, 2003, Ms. Viviannne Yu presented "RaeRae," a thirteen-year old Dalmation to the AAH for boarding. At the time, Ms. Yu was experiencing health problems, and was unable to care for her dog.

3. In early June 2003, Ms. Yu, who had been visiting RaeRae, noticed that the dog appeared nervous and dirty. She took RaeRae from your facility, and attempted to place the dog with a friend. When the placement proved unsuccessful, Ms. Yu returned RaeRae to AAH for boarding, after discussing the dog's care with Dr. Dastgir.

4. During the next several weeks, as her health condition permitted, Ms. Yu visited RaeRae, and would clean the dog and her cage. During July 2003, however, Ms. Yu was unable to visit RaeRae.

5. On or about August 8, 2003, Ms. Yu telephoned Dr. Dastgir, stating that she was on her way to AAH to pay her bill and visit RaeRae. Dr. Dastgir advised Ms. Yu that he had not had a chance to clean RaeRae and her cage, and that the dog was extremely dirty.

6. When she arrived at AAH, Ms. Yu observed that RaeRae was very skinny, filthy, and wet from lying in her own urine. Ms. Yu also observed that RaeRae had no food or water in her cage. She further observed that RaeRae could not stand up, and had an open bedsore on her leg.

7. After being informed by Dr. Dastgir that he would treat RaeRae's sore, Ms. Yu agreed to keep the dog at AAH. Before leaving AAH that day, Ms. Yu cleaned RaeRae and her cage, and gave the dog food, water, and blankets.

8. On or about August 11, 2003, Ms. Yu returned to AAH. She noted that RaeRae's bedsore appeared to be larger and deeper than it had been a few days earlier. She also observed that a second wound had appeared. Dr. Dastgir advised Ms. Yu that RaeRae was paralyzed, and would never walk again, and that it was time to euthanize her.

9. That same day, Ms. Yu removed RaeRae from Dr. Dastgir's facility, and took her to the Fox Chapel Veterinary Hospital, where she was subsequently treated by David McKeown, D.V.M. Assessing RaeRae's condition on presentation, Dr. McKeown noted, among other things, that RaeRae: (a) could not walk on entry, but with help, was able to stand up and hobble; (b) had a large decubitus ulcer on her right hip and another decubitus ulcer on her right tarsus; (c) was emaciated, but really wanted to eat; and (d) really reeked of urine. Dr. McKeown cleansed RaeRae's wounds and administered antibiotics to her, and continued this course of treatment for several weeks. On September 11, 2003, after noting that the deeper wound was not closing, Dr. performed surgery upon RaeRae.

10. In sum, during her stay at AAH, RaeRae was not receiving proper care, including needed veterinary care, from Dr. Dastgir and his staff.

CONCLUSIONS OF LAW

Based upon these Findings of Fact, the Board makes the following Conclusions of Law:

On or about May 23, 2003 and continuing through August 11, 2003, Ms. Vivianne Yu boarded her thirteen-year old Dalmation at the Airpark Animal Hospital, owned and operated by Dr. Dastgir. During that time, RaeRae developed decubitus ulcers, which needed veterinary care, and otherwise was not receiving the basic care expected of a veterinarian who boards an animal. In failing to adequately address RaeRae's medical needs and provide certain basic care to her, Dr. Dastgir did not meet the minimal expectations of a veterinarian who boards an animal in conjunction with a

veterinary hospital, a violation of COMAR 15.14.01.19 (a veterinarian must care for boarded animals, train staff in such care, instruct staff to report if a boarded animal is sick or injured, and arrange for the veterinary care of any sick or injured boarded animal).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Dastgir violated the Veterinary Practice Act, it is this 8 day of March, 2006, by the State Board of Veterinary Medical Examiners, **ORDERED**:

1.) That Dr. Dastgir is assessed a Civil Penalty in the amount of Five Hundred Dollars ($500.00), but that payment of Two Hundred Fifty Dollars ($250.00) is stayed, and that Dr. Dastgir shall pay the amount not stayed, that being, Two Hundred Fifty Dollars ($250.00), within thirty (30) days from the date of this Consent Agreement;

2.) That Dr. Dastgir's license to practice veterinary medicine in this State is suspended for a period of one month, but that two weeks of this suspension is stayed, and that Dr. Dastgir shall serve the suspension period not stayed, that being two weeks, during a period agreed upon by the Board on or before April 1, 2006; and

3.) That Dr. Dastgir is placed on probation for a period of one year under the following terms and conditions:

a.) That he obey all laws and regulations governing the practice of veterinary medicine in this State; and

b.) That he pay the aforementioned civil penalty within thirty (30) days from the date of this Consent Agreement.

3/13/06
Date

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