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. 05-012
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CONSENT AGREEMENT

This Consent Agreement, dated this 27th day of April, 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 his treatment of "T'Jay," a four-month old Teacup Yorkshire Terrier owned by Leiloni Cooper.

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's charges against Dr. Dastgir included the following:

1.) He failed to provide responsible direct supervision of a technician administering a DHLPP booster shot to an animal, a violation of COMAR 15.14.01.17E; and

2.) He failed to comply with the record-keeping requirements for companion animals provided under COMAR 15.14.01.10.

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 Suitland Animal Clinic ("Suitland Clinic") located at 4828 Silver Hill Road, Suitland, MD 20746.

2. On or about September 25, 2004, Ms. Leiloni Cooper presented "T'Jay," a four-month old Teacup Yorkshire Terrier to the Suitland Clinic for veterinary care (to wit: to be administered a DHLPP booster shot).

3. When Ms. Cooper presented T'Jay for veterinary care, no veterinarian was present at the veterinary hospital. Ms. Cooper spoke to Dr. Dastgir's daughter, who is not a veterinarian. Dr. Dastgir's daughter telephoned her father and received his permission to administer the booster shot to T'Jay in his absence, which she did.

4. Shortly after being administered this shot, T'Jay became lethargic and unresponsive. Ms. Cooper immediately telephoned Dr. Dastgir, who advised her to bring T'Jay to the Bonifant Animal Clinic so that he could examine the dog, which she did.

5. Dr. Dastgir administered 1mg Torbutrol to T'Jay, discharged the dog to the owner's care, and advised her to stay in contact.

6. That evening, Ms. Cooper once more presented T'Jay to Dr. Dastgir for veterinary care (to wit: the dog had diarrhea and vomited). Dr. Dastgir administered to T'Jay ½ cc Gentocin, which he duly recorded in the patient's record. Dr. Dastgir, however, failed to record therein the particular concentration of Gentocin utilized -- which omission is problematic because Gentocin, which comes in two different concentrations, is a weight-dependent medication, that is, the dosage or amount that an animal should receive is dependent upon its weight.

7. Dr. Dastgir never weighed T'Jay. Ms. Cooper, however, estimated that T'Jay weighed less than two pounds.

8. The amount of Gentocin that Dr. Dastgir administered to T'Jay exceeded the recommended dosage for a dog T'Jay's size. This would be true even if it is assumed that Dr. Dastgir utilized the lower concentration form of this medication.

9. Dr. Dastgir kept the dog for observation. T'Jay died during the night.

CONCLUSIONS OF LAW

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

1. On or about September 25, 2004, Dr. Dastgir permitted his daughter, who is not a veterinarian, to administer medication to a patient (to wit: a DHLPP booster shot) that had been brought to Suitland Clinic, while he was away from the facility and unable to provide responsible direct supervision of her actions, a violation of COMAR 15.14.01.17E.

2. On or about September 25, 2004, Dr. Dastgir administered to T'Jay ½ cc Gentocin, a medication that comes in two different concentrations. Although Dr. Dastgir noted in the patient's record that he administered ½ cc of Gentocin, he did not record the particular concentration of Gentocin utilized -- which omission is particularly problematic because Gentocin is a weight-dependent medication, that is, the dosage or amount that an animal should be given is dependent upon its weight. In so doing, Dr. Dastgir failed to comply with the record-keeping requirements for veterinarians in this State, a violation of COMAR 15.14.01.10A(7) (if medication is given to an animal, the veterinarian shall record the amount included in the patient's record -- which, in the case of medications that come in different concentrations, also requires that the particular concentration be recorded).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Dastgir violated the Veterinary Practice Act, it is this 27th day of April, 2006, by the State Board of Veterinary Medical Examiners, **ORDERED**:

1.) That Dr. Dastgir is assessed a Civil Penalty in the amount of One Thousand Dollars ($1000.00), but that payment of Seven Hundred Fifty Dollars ($750.00) 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 May 13, 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;

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

c.) That he read all laws and regulations governing the practice of veterinary medicine in this State.

4.27.06
Date

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