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

IN THE MATTER OF:	*	
CHRIS H. RUNDE, DVM LICENSE NO. 2848	*	DOCKET NO. 22-37
TIDEWATER VETERINARY HOSPITAL, LLC HOSPITAL LICENSE NO. 18-003	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 14th day of December 2021, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Chris H. Runde, DVM ("Dr. Runde"), License No. 2848, the responsible veterinarian at Tidewater Veterinary Hospital, LLC (License No. 18-0030)("Hospital"), located at 30079 Three Notch Road, Charlotte Hall, MD 20622.

This Order confirms Dr. Runde's agreement to resolve Docket No. 22-37 without the issuance of formal charges. By correspondence with Board counsel on December 13, 2021, Dr. Runde accepted the terms and conditions set forth in this Civil Penalty Final Order, including the findings that he violated the Maryland Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 - 2-316 ("Veterinary Practice Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17. Before agreeing to this Order, Dr. Runde was advised in writing regarding the due process rights available to him, including the right to receive formal notice of charges, request a hearing, retain legal counsel, and all other rights as set forth in Agric. § 2-311.

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 and related COMAR regulations. 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 or veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a license[.]" Md. Code Ann., Agric. § 2-310(8). In addition, the Board may impose a civil penalty of not more than

$5,000 for a first offense, or $10,000 for a second or subsequent offense in lieu of or in addition to suspending or revoking a veterinarian's license, respectively. Agric. § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of these violations, the good faith of the violator, and the history of prior violations, as well as the Board's civil penalty standards. Md. Code Ann., State Gov't, § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Runde, after having the opportunity to seek the advice of legal counsel, voluntarily waived his right to formal charges and a hearing and agreed to pay the civil penalty of $300. In so doing, Dr. Runde acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he violated COMAR 15.14.01.12C (Expired Medications) as the responsible veterinarian at the Hospital as follows:

1. At all times relevant to this charge, Dr. Runde was a veterinarian licensed to practice in Maryland, where he has been licensed since 1985. Dr. Runde is the responsible veterinarian at the Hospital. Neither Dr. Runde nor the Hospital have a history of expired medication violations.

2. On August 8, 2021, during a routine inspection of the Hospital, Board Investigator Susan Husk ("Ms. Husk") found a large number of expired medications located throughout the Hospital, including in several exam rooms and the pharmacy. These medications were not separated from non-expired medications, but instead were mixed in with the working stock.

3. The expiration dates of the expired medications Ms. Husk found varied, but some of the oldest were bottles of OtiRinse that expired in 2018 and several bottles of Gentamicin Sulfate ophthalmic solution that expired in April of 2020.

4. Ms. Husk prepared a Veterinary Hospital Inspection Report reflecting her findings on September 2, 2021 and issued a COMAR Violation Sheet reflecting the expired medication violations identified.

5. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to an animal. COMAR 15.14.01.12-3C requires that expired medications be packaged and kept separate and apart from unexpired medications until disposal of such medications. Dr. Runde violated this regulation in his role as the

Hospital's responsible veterinarian by allowing expired medications to be stored with non-expired medications in the working stock of the Hospital at which he serves as the responsible veterinarian.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's lack of disciplinary history with the Board, and the veterinarian's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 14th day of December, 2021, by the State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of Md. Code Ann., Agric. § 2-310(8) and COMAR 15.14.01.12-3C, Chris H. Runde, DVM, the responsible veterinarian at Tidewater Veterinary Hospital, LLC (License No. 18-003), is assessed a civil penalty of $300. Dr. Runde shall pay the civil penalty within thirty (30) days of the date of this Order. Payment shall be by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME 22-37" and mailed to the MDA at 50 Harry S. Truman Parkway, Annapolis, MD 21401.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



Elizabeth Callahan, DVM
President