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

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| IN THE MATTER OF: | * | |
| ROBERT L. HARRISON, D.V.M.<br>(LICENSE NO. 3194) | * | DOCKET NO. 19-06 |
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## CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 29th day of April, 2019, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Robert L. Harrison, DVM ("Dr. Harrison"), License No. 3194. This Consent Agreement resolves the charges filed by the SBVME on or about January 31, 2019 in Docket No. 19-06 alleging that Dr. Harrison violated the Veterinary Practice Act and related Code of Maryland Regulations ("COMAR") as set forth herein.

By email dated February 13, 2019, Dr. Harrison acknowledged receipt of the charges and requested additional time in which to request a hearing. Thereafter, by email dated March 4, 2019, Dr. Harrison agreed to waive his right to a hearing and to enter into this Consent Agreement to resolve this case. By entering into this Consent Agreement, Dr. Harrison waives the right to a hearing on the charging document in Docket Number 19-06 and agrees to the resolution set forth herein.

Under Maryland law, the SBVME 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 related COMAR regulations adopted pursuant to this law. As part of its authority, the SBVME "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). The Board may also 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. Md. Code Ann., Agric. Art., § 2-310.1 In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations, as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

Robert L. Harrison, D.V.M., by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to the provisions of this Consent Agreement, acknowledging that the SBVME has sufficient evidence to find, as fact, and to conclude as a matter of law that Dr. Harrison violated COMAR 15.14.01.07 (Professional Judgment and Practice) and COMAR 15.14.01.10A (Record Keeping), as follows:

1. At all times relevant to these charges, Dr. Harrison was a veterinarian licensed to practice in the State of Maryland, where he has been licensed since 1987. Dr. Harrison has a prior disciplinary history with the Board which includes a Consent Agreement related to expired medications entered in Docket No. 17-35.

2. At times relevant to these charges, Dr. Harrison has been and continues to be the responsible veterinarian at Belair Veterinary Hospital ("Hospital"), located at 1551 Hall Road, Bowie, MD 20721. The Hospital is currently licensed by the Board as License No. 16-113.

3. On or about July 17, 2018, Travis Finkle ("Mr. Finkle" or "Owner") brought his 4-month-old Rottweiler puppy, named Reba, to the Hospital for surgery to repair an umbilical hernia. Dr. Harrison was Reba's attending veterinarian.

4. The hernia surgery was uneventful and the Owner picked Reba up later that day. The Owner drove Reba home, which took about an hour.

5. When the Owner began to take Reba out of the car, he noticed that blood was coming out of Reba's leg and bandage. The Owner called a friend who once worked as a veterinary technician. The friend, who rushed over, unwrapped the bandage on Reba's front leg and discovered that an intravenous ("IV")

catheter had not been removed. The Owner's friend removed the catheter, applied pressure and rebandaged Reba's leg, an activity videotaped by Mr. Finkle.

6. The Owner called the Hospital that evening and left a voice mail message about the incident. He called again three times the next day before he was able to speak to Dr. Harrison about it. The Owner then filed a complaint with the Board alleging that the Dr. Harrison and the Hospital provided substandard care in their treatment of Reba.

7. Following its investigation, which included reviewing all medical records as well as the video tape taken by Mr. Finkle on the night he brought Reba home, the Board was unable to conclude that Reba was discharged without a cap on the catheter. The Board found that had the cap been off at the time of discharge, there would have been far more blood loss.

8. However, the Board concluded that Dr. Harrison, as responsible veterinarian for the Hospital, violated COMAR 15.14.01.07A (Professional Judgment and Practice), by allowing Reba to be discharged with the catheter still in place.

9. The Board also found deficiencies in Dr. Harrison's medical records. Specifically, Dr. Harrison failed to include in the medical records any entries regarding a physical examination of Reba performed within 24 hours prior to surgery, as required by COMAR 15.14.01.10A(7). In addition, Dr. Harrison failed to maintain an anesthesia log for the surgery, as required by COMAR 15.14.01.10A(10). Finally, Dr. Harrison's records do not contain sufficient information regarding instructions and other information provided to Owner at the time of discharge. Accordingly, the records do not satisfactorily reflect the progress and disposition of the case, as required by COMAR 15.14.01.10A(9).

Based on the foregoing findings of fact, the Board concludes that Dr. Harrison violated the Veterinary Practice Act and related regulations, specifically COMAR 15.14.01.07A (Professional Judgment and Practice), in his care and treatment of "Reba," a 4-month-old Rottweiler owned by Travis Finkle, by authorizing Reba to be discharged when she was not in medically appropriate condition to be discharged, given that the catheter placed during surgery had not been removed. In addition, Dr. Harrison failed to include in the medical records any entries regarding a physical examination of Reba performed

within 24 hours prior to surgery, as required by COMAR 15.14.01.10A(7). In addition, Dr. Harrison failed to maintain an anesthesia log for the surgery, as required by COMAR 15.14.01.10A(10). Finally, Dr. Harrison's records do not contain sufficient information regarding instructions and other information provided to Owner at the time of discharge. Accordingly, the records do not satisfactorily reflect the progress and disposition of the case, as required by COMAR 15.14.01.10A(9).

Taking the facts and circumstances into consideration, including the nature of the violation, Dr. Harrison's lack of formal disciplinary history involving standard of care and record keeping, Dr. Harrison's representation that he has implemented practices at his Hospital designed to prevent reoccurrence of a similar issue, and his good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution includes the measures set forth below.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 29th day of April, 2019, by the State Board of Veterinary Medical Examiners, ORDERED that:

a. For the violation of COMAR 15.14.01.07A (Professional Judgment and Practice), Dr. Harrison is assessed a civil penalty of $300.00, which is stayed; and

b. For each of three violations of COMAR 15.14.01.10A (Record Keeping ), Dr. Harrison is assessed a civil penalty of $300.00, for a total civil penalty of $900.00, payable within thirty (30) days from the date of this Consent Agreement to the "Maryland Department of Agriculture" with the notation "SBVME – 19-06."

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 29th day of April, 2019.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

David Handel, DVM
President
State Board of Veterinary Medical Examiners
Maryland Department of Agriculture
50 Harry S. Truman Parkway, Room 102
Annapolis, Maryland 21401
Telephone: 410.841.5862

**CONSENT**

I, Robert L. Harrison, D.V.M., acknowledge that I have had an opportunity to consult with counsel before entering into this Consent Agreement. By this Consent, I hereby acknowledge the legal authority and jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of ___ pages. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

4-9-19
Date

Robert L. Harrison, D.V.M.

**NOTARY**

STATE OF MARYLAND
~~CITY~~/COUTY OF PRINCE GEORGE'S

I HEREBY CERTIFY that on this 09TH of APRIL, ~~2018~~ 2019 before me, a Notary Public of the ~~City~~/County aforesaid, personally appeared Robert L. Harrison, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Vida J Rayton
NOTARY PUBLIC
My COMMISSION EXPIRES
MAY 30, 2022

Vida J Payton

Notary Public

My commission expires: