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

IN THE MATTER OF:	*	
LANGLEY ANIMAL HOSPITAL LICENSE NO. 7545 HOSPITAL LICENSE NO. 16-038	*	DOCKET NO. 19-21B
OWNER: NAVE DHILLON	*	

* * * * * * * * * * * * *

CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 6th day of November, 2019, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Langley Animal Hospital ("Langley" or "the Hospital"), License No. 16-038. This Order confirms the intention of Langley, through its owner, Nave Dhillon, DVM (License No. 2322), waive the right to contest the amended charge filed by the Board on or about June 28, 2019 in Docket No. 19-21B, alleging that Langley was in violation of the violated the Maryland Veterinary Practice Act, Agriculture Article, Sections 2-301 - 2-316, Annotated Code of Maryland, ("Veterinary Practice Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17. By letter to the Board dated August 3, 2019, Dr. Dhillon notified the Board that he wishes to voluntarily waive the right to a hearing and appeal on the charge in Docket No. 19-21. He also and enclosed a check for $500.00 to pay the civil penalty in this matter.

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 [including a veterinary hospital] . . . if the . . . [licensee]. . . [f]ails to comply with Board rules and regulations after receiving a license[.]" Md. Code Ann., Agric. Art., § 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. 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 the 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

Langley Animal Hospital, License No. 16-038 ("Langley" or "Hospital"), after having the opportunity to seek advice of legal counsel, has submitted payment of the $500.00 civil penalty assessed by the Board in Docket No. 19-21 and, through its owner, Nave Dhillon, DVM (License No. 2322), waived the right to a hearing on the charge, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that Langley violated Agriculture Article Section 2-310(8), Md. Code Ann., and a related regulation; specifically COMAR 15.14.01.12-3C, as follows:

1. At all times relevant to this charge, Langley was veterinary hospital licensed in Maryland. Langley is owned by Nave Dhillon (License No. 2322) ("Dr. Dhillon"). Pethandlahalli Thyagaraja (License No. 6293) ("Dr. Raja") serves as the responsible veterinarian. Langley is located at 6522 Sligo Parkway, West Hyattsville, MD 20782.

2. During a routine inspection of Langley on August 10, 2018, Board Inspector, Pegeen Morgan ("Ms. Morgan"), who was accompanied by Board Investigator, Susan Husk ("Ms. Husk"), found at least 10 expired medications kept with unexpired medications in the hospital's working stock. The oldest of the medications found included a 1900 ml bottle of liquid E-Z Paque Barium Suspension, which expired in April 2012, and as well as Schirmer tear test that expired in June of 2011. Ms. Morgan instructed hospital staff to remove all expired medications, to check expiration dates once a month, and to make certain that secondary containers are labeled appropriately, including with expiration dates. Ms. Morgan prepared a

Hospital Inspection Report documenting the expired medications and other violations found, which was signed by the owner, Dr. Dhillon.

3. On September 14, 2018, Ms. Morgan, accompanied by Ms. Husk, conducted a follow-up inspection of Langley, during which she found more than nine expired medications mixed with working stock of non-expired medications on the hospital's shelves, including one bottle of Maxi/Guard Zn7 Derm 1 oz that expired in December 2016. Ms. Morgan also found expired vaccines belonging to a rescue organization in Langley's refrigerator, as well as secondary containers that had not been labeled with expiration dates. Dr. Raja signed both an Inspection Report and COMAR Violation Sheet at this time, acknowledging the violations found.

4. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to any animal and 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.

5. The Hospital has a previous history of having expired medications mixed with working stock, including issues noted during inspections conducted on February 7, 2011, July 16, 2012, and January 16, 2014, although no formal charges have been filed.

6. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to an animal, and 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.

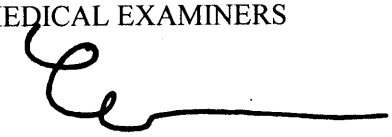
Taking all the facts and circumstances into consideration, including the nature of the violation, the lack of prior disciplinary history involving expired medication at the hospital, and the owner's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate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

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 6th day of November, 2019, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of Agriculture Article, § 2-310(8), Md. Code Ann., of the Veterinary Practice Act, and

COMAR 15.14.01.12-3C, Langley Animal Hospital, License No. 16-038, is assessed a civil penalty in the amount of $500.00. The Board acknowledges receiving full payment of the civil penalty on August 18, 2019.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



Elizabeth Callahan, DVM
President