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

IN THE MATTER OF:	*	
ANA COURTNEY CRANE, D.V.M. LICENSE NO. 7735	*	DOCKET NO. 19-76
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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 30th day of August 2021, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Ana Courtney Crane, D.V.M. ("Dr. Crane"), License No. 7735. This Consent Agreement resolves the charge filed by the SBVME on September 18, 2020 in Docket No. 19-76, alleging that Dr. Crane violated the Veterinary Practice Act, Maryland Code Ann., Agric. §§ 2-301 – 2-316 and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17 set forth herein.

On September 19, 2020, Dr. Crane, through legal counsel, requested a hearing on the charge. On June 4, 2021, Dr. Crane appeared with her counsel at a Resolution Conference. Thereafter, the parties reached an agreement to resolve this case under the terms and conditions reflected in this Consent Agreement. By signing this Consent Agreement, Dr. Crane agrees to waive her right to a hearing on the charge in Docket No. 19-76 and further agrees to the terms and conditions of this Consent Agreement.

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. 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." Agric. § 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. Agric. § 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 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

Ana Courtney Crane, D.V.M., License Number 7735, by entering into and signing this Consent Agreement, having had the opportunity to seek the advice of counsel, 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. Crane violated COMAR 15.14.01.10A (Record Keeping) as set forth herein:

1. Dr. Crane is a veterinarian licensed to practice in Maryland, where she has been licensed since 2016. Dr. Crane was, at the time of the incidents described herein, a veterinarian at PET+ER – Towson ("Hospital") (Hospital License No. 03-133), located at 1209 Cromwell Bridge Road, Towson MD 21286. Dr. Crane has moved from Maryland and no longer has an active license in this State. She has no prior disciplinary history with the Board.

2. On Sunday, October 28, 2018, Ryan Merson ("Ryan") and his brother, Aaron Merson ("Aaron"), took a 9-year-old spayed female Chihuahua, Malea, owned by their mother, Patricia Merson ("Owner"), to the Hospital to receive emergency care for coughing and congestion. Malea's regular veterinarian was closed on Sunday, so the Mersons sought emergency care for her at the Hospital, where Dr. Crane was Malea's attending veterinarian. According to the medical record, Malea had a history of grade 1-2/6 heart murmur diagnosed in the summer of 2018 but was not on any medications at the time of this visit.

3. A triage technician was the first to examine Malea and, according to Dr. Crane, determined that Malea was a stable patient "with no urgency to be seen."

4. Ryan and Aaron were escorted into an exam room with Malea. According to Ryan, Dr. Crane came into the room at approximately 2:30 p.m., listened to Malea's heart, and then rushed Malea out of the exam room. The medical record reflects that Malea was severely dyspneic, cyanotic, and had a grade 5/6

heart murmur with diffuse pulmonary crackles. Dr. Crane suspected left-sided congestive heart failure, and this possible diagnosis was relayed to Aaron and Ryan.

5. After receiving a telephone call about Malea's condition, Dawn Merson, the Owner's daughter, and the Owner came to the Hospital to be with Malea. According to the Mersons, Dr. Crane diagnosed Malea with "a ruptured chordae tendineae." Dr. Crane disagreed that this was her diagnosis, although she confirmed having discussed chordae tendineae rupture as a possible reason for the acute severe exacerbation of Malea's heart disease.

6. Malea was given a dose of Lasix and placed in an oxygen chamber while Dr. Crane continued conversations with the Merson family.

7. Dr. Crane recommended a treatment plan that included Malea being hospitalized overnight to continue oxygen therapy, diuretic therapy, blood pressure measurement, and chest radiographs. She further recommended a cardiology consult the next day. However, the Mersons declined the recommended treatment plan due to costs.

8. The Mersons suggested taking Malea to their regular veterinary practice, which would be open the next day, for a second opinion. Dr. Crane expressed concern that Malea might die if the Mersons took her home without oxygen or transferred her to their regular veterinarian without supplemental oxygen.

9. As an additional option, given the severity of Malea's condition and the cost of continued hospitalization, Dr. Crane initiated a discussion of euthanasia. Dr. Crane also provided a minimum cost estimate for overnight care to "give Malea a chance."

10. The discussions about next steps were difficult for all involved. The Mersons expressed concerns about the treatment plan proposed. Dr. Crane, believing she was acting in Malea's best interest, advocated for either continued hospitalization or euthanasia. Dr. Crane confirmed that she told the Mersons she would call Animal Control if the Mersons took their dog home without treatment and oxygen support.

11. The Mersons felt pressured to make a decision. Ultimately, the Mersons agreed to euthanize Malea.

12. The Mersons later filed a complaint against Dr. Crane, alleging that she provided substandard care in her treatment of Malea.

13. The Board opened a case and conducted an investigation, which included obtaining medical records and interviewing the parties. During the investigation, Dr. Crane explained that she did not recommend euthanasia lightly. However, according to Dr. Crane, euthanasia was a treatment option in the "arsenal to alleviate patient suffering when appropriate, and this was a very appropriate option for a dog in severe respiratory distress with evidence of severe hypoxemia (cyanosis) regardless of finances" as an alternative to costly hospitalization and monitoring.

14. After reviewing the case, the Board determined that Dr. Crane violated COMAR 15.14.01.10A (Record Keeping). This regulation requires, for a companion animal, that a veterinarian prepare a legibly written record that accurately and thoroughly reflects the treatment provided, including the progress and disposition of the case. Dr. Crane did not satisfy the applicable standard for medical records, because she did not document in the record her continuous observations and monitoring of Malea during the time the dog was hospitalized, including the time Malea was in the oxygen chamber. While Dr. Crane has explained her observations and thought process after the fact, the lack of detail in the medical record created questions about whether discussions of euthanasia were warranted.

Taking the facts and circumstances into consideration, including the nature of the violation(s), the veterinarian's lack of disciplinary history, her acceptance of responsibility, and good faith cooperation in resolving this matter, the Board concluded that the most reasonable and appropriate resolution includes the sanctions set forth below.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 30th day of August, 2021, by the State Board of Veterinary Medical Examiners, ORDERED that:

(a) For violating COMAR 15.14.01.10A (Record Keeping) by failing to document in the medical record her monitoring and observations of Malea during hospitalization and by failing to document her communications with Malea's owners, Dr. Crane is assessed a civil penalty of $500; and

(b) The civil penalty is due within thirty (30) days from the date of this Consent Agreement by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME – 19-76" sent to the MDA at 50 Harry S. Truman Parkway, Annapolis, MD 21401.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 30th day of August, 2021.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

Elizabeth Callahan, D.V.M.
President
State Board of Veterinary Medical Examiners
Maryland Department of Agriculture

CONSENT

I, Ana Courtney Crane, 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 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 6 pages. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

Date: 8/30/21

Ana C Crane

Ana Courtney Crane, D.V.M.