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

IN THE MATTER OF:	*	
JANICE L. GRIFFIN, DVM LICENSE NO. 4087	*	DOCKET NO. 20-67
	*	
VALLEY VETERINARY HOSPITAL D/B/A ERDMAN ANIMAL HOSPITAL HOSPITAL LICENSE NO. 10-064	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 16th day of April, 2020, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Dr. Janice L.Griffin, DVM, License No. 4087. This Order confirms the intention of Dr. Griffin to waive the right to contest the charge filed by the Board on or about February 28, 2020 in Docket No. 20-67, alleging that Dr. Griffin 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. Specifically, the Board alleged that Dr. Griffin violated COMAR 15.14.01.12-3C by failing to keep expired medications separate and apart from unexpired medications in the veterinary hospital she owns and at which she serves as responsible veterinarian. By email to Board counsel dated March 18, 2020, Dr. Griffin notified the Board of her decision not to contest the charge, to waive her right to a hearing, and to pay the civil penalty proposed.

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. 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

Janice L. Griffin, DVM, License No. 4087 ("Dr. Griffin"), after having the opportunity to seek advice of legal counsel, has agreed to waive his right to a hearing and agreed to pay the $300 civil penalty assessed by the Board in Docket No. 20-67. Dr. Griffin acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that she violated Agriculture Article Section 2-310(8), Md. Code Ann., and related regulation, specifically COMAR 15.14.01.12-3C, as follows:

1. At all times relevant to the charge, Janice L. Griffin, DVM ("Dr. Griffin") was a veterinarian licensed to practice in Maryland, where she has been licensed since 1992. Dr. Griffin is the owner and responsible veterinarian at a veterinary hospital known as Valley Veterinary Hospital ("Hospital") located at 4315 Old National Pike, Middletown, MD 21769 (License No. 10-064). Dr. Griffin has no prior disciplinary history with the Board.

2. On December 17, 2019, during an annual inspection of the Hospital, Board Inspector Ellen James ("Inspector James") found approximately 120 expired drugs and expired diagnostic tests mixed with the Hospital's working stock of drugs and diagnostic tests. Ms. James issued a COMAR Violation sheet which was signed by Dr. Griffin.

3. During a follow up inspection of the Hospital conducted on February 4, 2020, Inspector James noted that significant progress had been made updating the Hospital's inventory of medications and diagnostic tests. Inspector James found no expired drugs during this follow up inspection.

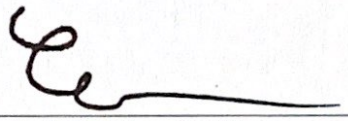
4. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to any animal, and COMAR 15.14.01.12-3C requires that expired medications be packaged and kept separate and apart from unexpired medications until disposal of such medications. Dr. Griffin violated this regulation by failing to separate expired medications and diagnostic tests from the working stock of non-expired medications and tests at her Hospital.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's lack of prior 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 16th day of April, 2020, 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, Janice L. Griffin, DVM, is assessed a civil penalty in the amount of $300, which is due within 60 (sixty) days of the date of this Order.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



Elizabeth Callahan, DVM
President