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

IN THE MATTER OF THE COMPLAINT OF	*	
THE STATE BOARD OF VETERINARY MEDICAL	*	
EXAMINERS AGAINST	*	
DEBORAH WEISS, D.V.M.	*	DOCKET NO. 00-031
LICENSE NO. 3592	*	

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CONSENT ORDER

The State Board of Veterinary Medical Examiners ("Board") charged that Deborah Weiss, D.V.M., License No. 3592, violated certain laws and regulations governing the practice of veterinary medicine in this State (the "Veterinary Practice Act"). Under the Veterinary Practice Act, the Board "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 ... regulations after receiving a license" (Md. Code Ann., Agric. Art., §2-310(8)); and in lieu of, or in addition to, suspending a veterinarian's license, the Board may impose a civil penalty of not more than $5000 (Md. Code Ann., Agric. Art., §2-310.1).

More specifically, the Board charged that Dr. Weiss made a false, or inaccurate, entry in the treatment record of an animal whose care that she had assumed, a violation of Md. Code Ann., Agric. Art., §2-310, and COMAR 15.14.01.10.

FINDINGS OF FACT

1. In 1989, Dr. Weiss obtained her license to practice veterinary medicine in this State.

2. On or about February 3, 2000, Dr. Weiss assumed the care of "Hans," a fourteen-month old Great Dane, owned by Ms. Judith Rothstein. On presentation, the dog's chief complaint was "bloat." Dr. Weiss performed surgery on this dog to address its condition.

3. In Hans' treatment record, Dr. Weiss noted the following in describing this surgery: "Gastropexy was performed using a modified muscle flap technique in which a J

shaped seromuscular flap along the antrum was attached to the right ventrolateral peritoneal wall incorporating two incisions which were made to the abdominis muscle using 0 PDS."

4. On or about February 4, 2000, Ms. Rothstein took Hans to the Southern Maryland Veterinary Referral and Emergency Service. On presentation, the dog's chief complaint was acute abdominal hemorrhage. Hans was treated by Dr. Bruce S. Nwadike, who noted no evidence of an abdominis musculature incision at the proposed gastropexy site cited in your record.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Weiss made a false, or inaccurate, entry in the treatment record of an animal whose care that she had assumed, a violation of Md. Code Ann., Agric. Art., §2-310, and COMAR 15.14.01.10.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Weiss violated Agriculture Article, §2-313, Annotated Code of Maryland, and COMAR 15.14.01.11, it is this 14th day of ~~November~~ December, 2000, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Weiss pay a civil penalty in the amount of Five Hundred Dollars ($500.00).

12/14/2000
Date

Donald M. Carman, D.V.M.
President
State Board of Veterinary
Medical Examiners

CONSENT

I, Deborah Weiss, acknowledge that I had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge that the Board, by a preponderance of the evidence, could prove the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree to accept and submit to the foregoing Consent Order, consisting of 3 pages.

I acknowledge the validity of this Consent Order as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal from this Consent Order.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order.

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

12-1-00
Date

Deborah E. Weiss
Deborah Weiss, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF MG

I HEREBY CERTIFY that on this 1 day of December, 2000, before me, a Notary Public of the State and City/County aforesaid, personally appeared Deborah Weiss, D.V.M., and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires: 12/16/02