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

IN THE MATTER OF:	*	
Patricia Brennan, D.V.M Veterinary License No. 5880	*	Docket No. 07-69

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 1st day of September, 2008, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Patricia Brennan, D.V.M. ("Dr. Brennan"), License No. 5880. This Agreement concerns the resolution of charges filed by the Board in May 2008 contending that Dr. Brennan violated the Maryland Veterinary Practice Act. The Board specifically alleged that in January 2007, Dr. Brennan should not have suspected neoplasia in providing a differential diagnoses for a twelve-year-old female dog, "Casey," based on Dr. Brennan's interpretation of radiographs taken of Casey's abdomen and thorax.

On June 2, 2008, Dr. Brennan requested a Hearing before the Board as to the Board's charges, and Dr. Brennan specifically and generally denied any deviations in applicable standards of veterinary medical care and treatment. Dr. Brennan asserted and continues to assert that she provided veterinary medical care and treatment to Casey in compliance with generally accepted standards of practice and standards of care.

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, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and regulations adopted thereunder. 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 . . . [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 also impose a civil penalty of not more than $5,000.00 in lieu of or in addition to suspending a veterinarian's license. Md. Code Ann., Agric. Art., § 2-310.1.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Brennan by entering into and signing this document generally and specifically denies liability in this case. Dr. Brennan acknowledges, however, that the Board has sufficient evidence to find that an interpretation of Casey's radiographs should not have included a suspicion of neoplasia in providing a differential diagnoses. In reviewing this case, the Board recognizes that the radiology films taken in January 2007 were expiratory, making the interpretation for pulmonary nodules or metastatic disease more difficult. The Board also recognizes that no harm or injury to Casey or to any patient occurred as a result of the care and treatment provided.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law finding that the Board could determine that Dr. Brennan violated the Maryland Veterinary Practice Act in interpreting the radiology films for Casey, and based on those mitigating facts and principles noted above, it is this 17th day of September, 2008, by the Maryland State Board of Veterinary Medical Examiners,

ORDERED that Dr. Brennan should be assessed only a civil penalty in the amount of Five Hundred Fifty Dollars ($550.00) and placed only on a period of probation for six months from the date of this

Order.

Chris H. Runde, D.V.M.
President
Maryland State Board of Veterinary Medical Examiners

CONSENT

I, Patricia Brennan, D.V.M., acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement and Order. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement and Order, consisting of two pages.

I sign this Consent as my voluntary act, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement and Order.

Sept 17, 2008
Date

Patricia Brennan, D.V.M.
Patricia Brennan, D.V.M.

NOTARY

STATE OF

CITY/COUNTY OF Hillsborough

I HEREBY CERTIFY that on this 19 day of September, 2008, before me, a Notary Public of the State and City/County aforesaid, personally appeared Patricia Brennan D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires:

MATTHEW J. BASSO
NOTARY PUBLIC
STATE OF NEW HAMPSHIRE
MY COMMISSION EXPIRES DEC. 11, 2012