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

IN THE MATTER OF: *

SCOTT K. ANDERSEN, D.V.M. * DOCKET NO. 11-43

LICENSE NO. 2484 *

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

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this ____ day of _____, 2011, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Scott K. Andersen, D.V.M. (Dr. Andersen), License No. 2484. This Consent Agreement resolves the charges filed by the Board on August 22, 2011 in Docket No. 11-43, alleging that Dr. Andersen violated certain Code of Maryland Regulations (COMAR) under the Veterinary Practice Act. Specifically, in Docket No. 11-43, the Board alleged that Dr. Andersen violated COMAR 15.14.01.07 pertaining to professional judgment and practice, on or about December 21, 2011, by failing to provide the minimal standards of care in the treatment of Thea and Chris Warner's nine-year-old Labrador Mix, "Rocky," who was presented for vomiting. On August 24, 2011, Dr. Andersen requested to resolve the charges informally. Thereafter, the parties entered into discussions and were able to reach a resolution. By entering into this Consent Agreement, Dr. Andersen waives the right to a hearing and appeal on the charges in Docket No. 11-43. Dr. Andersen has no prior disciplinary history with the Board.

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 related 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 . . . [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 a veterinarian's license. 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 any 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

Dr. Andersen, by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate certain regulations adopted under the Veterinary Practice Act, specifically, COMAR 15.14.01.07 pertaining to professional judgment and practice. On December 21, 2010, Dr. Andersen failed to provide at least the minimal standards of care in his treatment of Thea and Chris Warner's nine-year-old Labrador Mix, "Rocky," which was presented for vomiting of three day's duration. Dr. Andersen inappropriately prescribed Depro-Medrol IM, without a clear diagnosis and incorrectly interpreted plain radiographs of the colon and stomach areas. Taking all the facts and circumstances into consideration, including the severity of this matter and Dr. Andersen's lack of prior disciplinary history, the Board concluded that the most reasonable and appropriate resolution in these matters included the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 7th day of September, 2011, by the Maryland State Board of Veterinary Medical Examiners, ORDERED that:

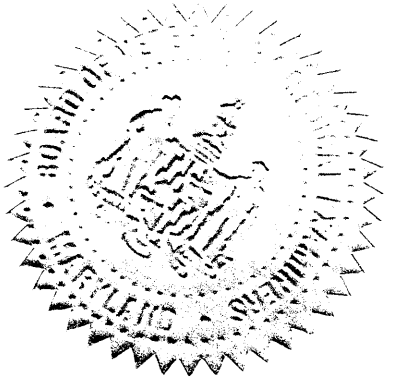
a. For the violations of COMAR 15.14.01.07 Professional Judgment and Practice, Dr. Andersen is assessed a civil penalty in the total amount of $1,000, ($500 for each of two professional judgment and practice violations) payment to be made to the Maryland State Board of Veterinary Medical Examiners ("SBVME") within 30 days of the date of this Order.

b. Dr. Andersen's License No. 2484 shall be suspended for 1 week (stayed). The stay of suspension of the license is contingent upon compliance with the conditions of probation.

c. Dr. Andersen shall serve a period of probation of 6 months. While on probation, the veterinarian will obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation. Violation of probation will result in the stay being lifted, and the Board ordering the veterinarian to comply with the sanction; in this case, suspension of the license for up to one week.

d. As a condition of probation, Dr. Andersen shall complete six credit hours of continuing education (CE) in internal medicine. as preapproved by the Board. The veterinarian shall forward to the Board proof of completion of the CE credits required under this Order. Proof will include Dr. Andersen's name, the number of hours of CE completed, the topics covered, and the dates the CE courses were given. Completion of this CE will not be counted towards the 18 credit hours of CE required annually for re-registration of the veterinary license.

John L. Heizer, D.V.M.
Vice President
Maryland State Board of Veterinary Medical Examiners



CONSENT

I, Scott Anderson, 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. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of four pages, including this page. I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

9/12/11
Date

D.V.M.

NOTARY

STATE OF Maryland

CITY/COUNTY OF

I HEREBY CERTIFY that on this day of Sept 12, 2011, before me, a Notary Public of the State and City/County aforesaid, personally appeared Scott F. Anderson, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public
My Commission expires:

JENNIFER DENNISE BECK
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
MY COMMISSION EXPIRES JANUARY 27, 2015