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

RECEIVED
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By

IN THE MATTER OF: *

SHAHID AZIZ, D.V.M. * DOCKET NO. 09-71

LICENSE NO. 4926 *

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

CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 28th day of January 2010, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Shahid Aziz, D.V.M. ("Dr. Aziz"), License No. 6367. This Agreement resolves a charging document filed by the Board in December 2009 alleging that Dr. Aziz violated the Maryland Veterinary Practices Act and its affiliated regulations regarding the April 2009 care and treatment of "Emma," a fourteen-year old cat owned by Oonah Deasy,

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 Maryland Veterinary Practice Act, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and regulations adopted hereunder. 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 in lieu of or in addition to the suspending a veterinarian's license. Md. Code Ann., Agric. Art., § 2-310.1.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Aziz, by entering into and signing this document, while generally and specifically denying liability in this case, agrees to this Agreement & Order, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he

a.) Failed to recognize the correlative cause (a tumor) of "Emma's" symptoms (i.e., the cat's weight loss, inability to eat, coughing, labored breathing, large swelling on the cat's left side of the neck, and a prolapsed eye) by appropriately working up the cat's case thereby not conforming to the standard of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07.

b.) Failed to address the cat's inability to eat—instead treating the cat for an ear infection—thereby not conforming to the standard of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07.

c.) Failed to follow up with the progress and disposition of cat by recommending a re-check sooner than two weeks from the date of presentation—thereby violating the standard of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07; and

d.) Failed to document the concentration of ketoprofen in the syrup he gave "Emma's" owner to administer to "Emma," thereby violating the record-keeping requirements for companion animals specified in COMAR 15.14.01.10.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 28th day of January 2010, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that

a.) Dr. Aziz is assessed a civil penalty in the amount of $900.00;

b.) Dr. Aziz's license is suspended for a period of two weeks; this suspension, however, is stayed;

c.) Dr. Aziz will serve a period of probation of six months from the date of this Order. Violation of probation (he is charged and the Board ultimately concludes that he's in violation of the Maryland Veterinary Practices Act during the period of probation) will result in the stay being lifted and Dr. Aziz having to serve a two week suspension for the charges resolved here; and

d.) Dr. Aziz will complete 12.0 credit hours of continuing education ("CE") in internal medicine, preferably oncology, within six (6) months from the date of this Order. To fulfill this requirement, Dr. Aziz will obtain approval for his selected CE from the Board before registering and attending in person the CE course or courses. After completion of his 12.0 credit hours, Dr. Shahid will forward to the Board proof of completion of the CE credits required under this Order. Such proof will include Dr. Shahid's name, the number of hours of continuing education completed, the topic(s) covered, and the date(s) the CE course was given.

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



CONSENT

I, Shahid Aziz, 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 four pages.

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

01/11/10
Date

Shahid Aziz, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 11th day of January, 2010, before me, a Notary Public of the State and City/County aforesaid, personally appeared Shahid Aziz, 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: 7-11-2011

Brian A. Smolen
Notary Public
Montgomery County
State of Maryland
My Commission Expires 7/11/2011