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

IN THE MATTER OF:	*	
R. SCOTT CARLSON, D.V.M. Veterinary License No. 4926	*	DOCKET NO. 08-40B
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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 25th day of ~~January~~ February CHR 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and R. Scott Carlson, D.V.M. ("Dr. Carlson"), License No. 4926. This Agreement concerns the resolution of charges filed by the Board in December 2008 alleging that Dr. Carlson failed to conform to the minimal standard of care expected of veterinarian in Maryland in the care and treatment of Ms. Hitt's dog, "Bella," in May and August 2007. Specifically, the Board alleged that Dr. Carlson failed to take steps to attempt to investigate, though appropriate testing, Bella's symptoms, when such symptoms suggested renal failure.

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 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. Carlson, 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, that Dr. Carlson did examine Bella in May and August 2007, that he did document in the record the owner's concerns that the dog was exhibiting excessive thirst, the dog ~~was~~ was vomiting and had ~~plydipsia~~ polydypsia, and that there was evidence of elevated renal values in the record from testing done in October 2006.

~~Based on these findings of fact, Dr. Carlson further acknowledges that the Board could~~ conclude as a matter of law that, by not investigating (or documenting in the dog's medical records the recommendation to the owner of such investigation) the causes associated with "Bella's" symptoms that suggested renal failure, Dr. ~~Brown~~ Carlson did not comply with the minimal standard of care expected of a veterinarian in this State, a violation of COMAR 15.14.01.07.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law finding that Dr. Carlson violated the Veterinary Practice Act and its affiliated regulations, it is this 25th day of ~~January~~ February 2009, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that

1.) Dr. Carlson is assessed a civil penalty in the amount of Five Hundred Dollars ($500.00);

2.) Dr. Carlson will complete 6.0 credit hours of Board-approved continuing education relating to internal medicine (in addition to the annual 12.0 hours of continuing education mandated for Maryland veterinarians); and

3.) Dr. Carlson will serve a period of a probation of six months; violation of probation may result in the Board imposing an additional sanction of a one week stayed suspension of Dr. Carlson's veterinarian license.

Chris H. Runde, DVM

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

CONSENT

I, Scott Carlson, 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 three pages.

I sign this Consent without reservation as my voluntary act, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement and Order.

1/30/09
Date

Scott Carlson, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 30th day of January, 2009, before me, a Notary Public of the State and City/County aforesaid, personally appeared Scott Carlson, 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.

Lenore D. Peterson
Notary Public

My Commission expires:
2/28/2012