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

IN THE MATTER OF:	*	
BHAWANDEEP KALER, D.V.M. Veterinary License No. 6086	*	DOCKET NO. 08-60
	*	

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 2nd day of ~~March~~ April CHR 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Bhawandeep Kaler, D.V.M. ("Dr. Kaler"), License No. 6086. This Agreement concerns the resolution of charges filed by the Board in January 2009 alleging that Dr. Kaler, in treating Kim Donohue's cat, "Fred," violated the minimal standard of care expected of a veterinarian in this State by incorrectly interpreting a radiograph of "Fred's" limb and violated a record-keeping regulation concerning the labeling of this radiograph.

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. Kaler, 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. Kaler, after reviewing radiographs of "Fred's" affected limb, incorrectly diagnosed "Fred's" limping to be a result of "a complete non-displaced transverse fracture of the second metacarpal bone," which was not apparent on the radiographs. In addition, Dr. Kaler failed to properly label "Fred's" radiograph with the animal's name, the owner's name, and the date taken. Based on these findings of fact, Dr. Kaler acknowledges that the Board could conclude as a matter of law that Dr. Kaler violated the minimal standard of care expected of veterinarian in this State (COMAR 15.14.01.07) and violated the requirement for labeling of a patient's radiograph with the patient's name, the owner's name, and the date the radiograph was taken. (COMAR 15.14.01.10D).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Kaler violated the Veterinary Practice Act, it is this 2nd day of ~~March~~ APRIL CHE 2009, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED**:

1. That Dr. Kaler is assessed a civil penalty in the amount of Eight Hundred Dollars ($800.00);
2. That Dr. Kaler's license is suspended for two weeks; this suspension, however, is stayed; and
3. That Dr. Kaler is placed on probation for a period of six months

from the date of this Consent Agreement and Order, requiring her to obey all laws and regulations governing the practice of veterinary medicine in this State.

Chris H. Runde, DVM

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

CONSENT

I, Bhawandeep Kaler, 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.

Mar 20, 2009
Date

Bhawandeep Kaler
BHAWANDEEP KALER, D.V.M.

NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 20th day of March, 2009, before me, a Notary Public of the State and City/County aforesaid, personally appeared Bhawandeep Kaler, 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.

Payal Bansal 3/20/09
Notary Public

My Commission expires:

PAYAL BANSAL
NOTARY PUBLIC,
MONTGOMERY COUNTY
MARYLAND
My Commission Expires Oct. 12, 2010