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

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| IN THE MATTER OF: | * | |
| SAILENDRA ROY, D.V.M. | * | DOCKET NO. 08-76 |
| LICENSE NO. 2775 | * | |

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## CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Agreement & Order), dated this 5th day of January, 2011, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Sailendra Roy, D.V.M. (Dr. Roy), License No. 2775. This Agreement resolves a charging document filed by the Board on July 8, 2009, alleging that in late 2007 and early 2008, Dr. Roy violated the Maryland Veterinary Practice Act and related regulations regarding the care and treatment of "Emerson," an 11- year-old dog with a femoral fracture in the rear left leg, owned by Shamus Baxter and Halema Deonauth. By entering into this Agreement & Order, Dr. Roy waives his right to a hearing and right to appeal on this matter.

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 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.

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Roy, by entering into and signing this document, while generally and specifically denying liability and /or any deviations in applicable standards of medical care treatment in this case, agrees to this Agreement and Order, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he violated the minimal standard of care expected of a veterinarian in this State; specifically, Code of Maryland Regulations 15.14.01.07, by failing to properly apply a cerclage wire at the fracture site on the left femoral fracture, leading to the failure to stabilize the fracture in "Emerson's" left femur, in late 2007. The Board acknowledges the fact that the same left femur bone of Emerson's left leg was diagnosed to have osteosarcoma, a bone cancer, resulting in amputation of the leg and euthanasia of the dog. Taking all of the facts and circumstances into consideration, the Board concluded that the most reasonable and appropriate resolution in this matter included a censure, a civil penalty, and a conditional probation period, as described below.

## ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 5th day of JANUARY 2011, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

a.) Dr. Roy is censured (reprimanded);

b.) Dr. Roy is assessed a civil penalty in the amount of $1,000.00, $500.00 of which is stayed pending successful completion of the conditions of probation (payment to be made to the Maryland State Board of Veterinary Medical Examiners within 60 days of the date of this Order);

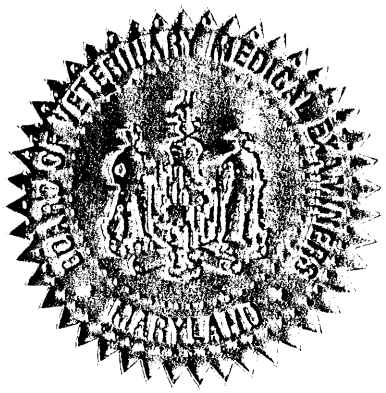
c.) Dr. Roy will serve a period of probation of six months from the date of this Order. Violation of probation (he is charged and the Board ultimately concludes that he is in violation of the Maryland Veterinary Practice Act during the period of probation) will result in the stay being lifted and Dr. Roy having to pay the full civil penalty within 30 days of notice from the Board; and

d.) As a condition of probation, Dr. Roy will complete 12.0 credit hours of continuing education (CE) in surgery, as preapproved by the Board, within six months from the date of this Order. To fulfill this requirement, Dr. Roy will obtain approval for his selected CE from the Board before registering and attending in person the CE course. After completion of the 12.0 credit hours, Dr. Roy will forward to the Board proof of completion of the CE credit hours required under this Order. Such proof will include Dr. Roy's name, the number of hours of continuing education completed, the topic(s) covered, and the date(s) the CE course(s) was (were) given. Attainment of this CE shall

not be counted towards the 18 hours of CE required annually of all Maryland-licensed veterinarians for re-registration of their veterinary licenses.

Chris H. Runde, DVM

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



Saileudra N Roy

## CONSENT

I, Saileudra N Roy, 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, 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 and Order.

12/21/10
Date

_____, D.V.M.

## NOTARY

STATE OF

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 21th day of December, 2010, before me, a Notary Public of the State and City/County aforesaid, personally appeared Saileudra Nath Roy, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his/her voluntary act and deed.

AS WITNESS my hand and notarial seal.

M. OLGA JEAN-CLAUDE
Notary Public-Maryland
Montgomery County
My Commission Expires
March 10, 2014

My Commission expires:

_____
Notary Public