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

IN THE MATTER OF:	*	
SARAH L. DUNLEAVY, D.V.M. Veterinary License No. 5988	*	DOCKET NO. 09-02
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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 19th (14th CHR) day of Aug. 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Sarah L. Dunleavy, D.V.M. ("Dr. Dunleavy"), License No. 5988. This Agreement concerns the resolution of charges filed by the Board in June 2009 concerning Dr. Dunleavy's care and treatment of Dawn Foster's dog, "Pepper/Skip" ("Skip") in April 2008.

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 Dunleavy, 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 she did not consider ethylene glycol as a possible toxin affecting "Skip," even though the dog presented with classic symptoms suggestive of such a diagnosis. In addition, Dr. Dunleavy acknowledges that she did not properly amend "Skip's" medical records. Based on these findings of fact, Dr. Dunleavy acknowledges that the Board could conclude as a matter of law that she violated the standard of care customary of veterinarians in Maryland as set forth in COMAR 15.14.01.07 and the recordkeeping requirements that govern veterinarians in Maryland that are set forth in COMAR 15.14.01.10.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law finding that Dr. Dunleavy violated the Maryland Veterinary Practice Act and its affiliated regulations, it is this 18th day of Aug - 2009, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED**

1. That Dr. Dunleavy is assessed a civil penalty in the amount of $250.00;
2. That Dr. Dunleavy's license is suspended for two weeks; this suspension, however, is stayed;
3. That Dr. Dunleavy is placed on probation for a period of six months from the date of this Agreement & Order requiring her to obey all laws and regulations governing the practice of veterinary medicine

in this State. Violation of probation (i.e., she is charged and the Board ultimately concludes that Dr. Dunleavy was in violation of the Maryland Veterinary Practices Act during the period of probation) will result in the stay being lifted, and Dr. Dunleavy having to serve a two-week suspension for the charges resolved here.

4. That Dr. Dunleavy must complete 6.0 credit hours of Board-approved continuing education relating to toxicology by ~~February~~ August 28, 2010. CHR 9/1/09

Chris H. Runde, DVM

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

CONSENT

I, Sarah L. Dunleavy, 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.

8/11/09
Date

Sarah L. Dunleavy

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 11th day of August, 2009, before me, a Notary Public of the State and City/County aforesaid, personally appeared Sarah L. Dunleavy, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was a voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires: 04/01/2012