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

IN THE MATTER OF:	*	
SOLOMON PERL D.V.M.	*	DOCKET NO. 09-50
LICENSE NO. 3858	*	

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

CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 2nd day of ~~January~~ February 2010, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Solomon Perl, D.V.M. ("Dr. Perl"), License No. 3858. This Agreement resolves a charging document filed by the Board in December 2009 alleging that Dr. Perl violated the Maryland Veterinary Practices Act and its affiliated regulations regarding his January and February 2008 care and treatment of "Misha," a cat owned by Jeannette Connors.

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. Perl, 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, the following:

A. Dr. Perl's failure to delay the discharge of "Misha" after the administration of anesthetic agents and surgery on January 25, 2008, and his own recognition that the cat needed to "[k]eep off furniture + away from steps until no longer staggering," violated the standard of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07;

B. Dr. Perl's decision to have Ms. Connors administer the syringes of Amikacin to "Misha" without veterinary supervision or assistance when he knew that Ms. Connors had previous difficulty with administering smaller pre-filled syringes of Baytril, violated the standard of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07;

C. Dr. Perl's documentation of the care he provided to Ms. Connors cat, "Misha," failed to comply with the record-keeping requirements for companion animals specified in COMAR 15.14.01.10. Specifically, Dr. Perl

1. failed to record any preoperative physical exams within twelve hours of the administration of anesthesia for the surgical procedures he performed on "Misha" on February 1 and 12, 2008;

2. failed to record dosages in milligrams or concentrations for the drugs he administered to "Misha" on January 25 and February 12, 2008;

3. failed to record that he took a swab of exudate obtained from a lesion on "Misha's" neck on February 20, 2008, and that he sent it to a lab for culture and sensitivity testing, and he failed to record the results of that testing; and

4. Failed to record any physical examinations performed between February 12 and February 14, 2008, when "Misha" was hospitalized for three days by Dr. Perl so that he could amputate the cat's leg.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 2nd day of ~~January~~ February 2010, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that

a.) Dr. Perl is assessed a civil penalty in the amount of $2,200.00 (Two thousand two hundred dollars);

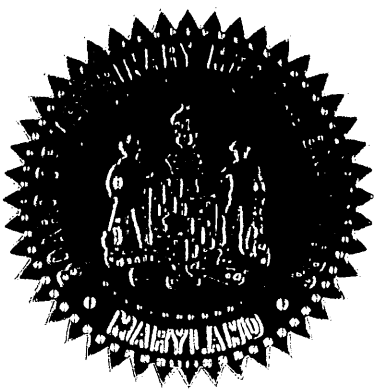
b.) Dr. Perl's license is suspended for a period of two weeks; this suspension, however, is stayed;

c.) Dr. Perl 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. Perl having to serve a two week suspension for the charges resolved here; and

d.) Dr. Perl will complete 6.0 credit hours of continuing education ("CE") in small animal surgery. To fulfill this requirement, Dr. Perl 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 6.0 credit hours, Dr. Perl will forward to the Board proof of completion of the CE credits required under this Order. Such proof will include Dr. Perl'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, DVM

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



CONSENT

I, Solomon Perl, 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.

1/19/10
Date

Solomon Perl, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 19 day of January, 2010, before me, a Notary Public of the State and City/County aforesaid, personally appeared Solomon Perl, 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: 11/9/12

MICHAEL JAY RICHARDS
NOTARY PUBLIC MARYLAND
COUNTY OF MONTGOMERY
COMMISSION EXPIRES 11/9/12

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