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

IN THE MATTER OF:	*	
DAVID SAYLOR, V.M.D.	*	DOCKET NO. 11-46
LICENSE NO. 2411	*	

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

CONSENT AGREEMENT AND ORDER OF CENSURE

This Consent Agreement and Order of Censure (Consent Agreement), dated this 15th day of December, 2011, is between the Maryland State Board of Veterinary Medical Examiners (Board) and David Saylor, V.M.D. (Dr. Saylor), License No. 2411. On February 16, 2011, Ms. Dale Pearlman (Owner) of a then thirteen-year-old female Domestic-Shorthair cat, "Sassy," filed a complaint with the Board against Dr. Saylor. This Consent Agreement resolves the violations described by the Board in a Notice of Agency Action dated October 18, 2011, alleging that Dr. Saylor violated the Maryland Veterinary Practice Act and related Code of Maryland Regulations (COMAR), on or about December 11, 2008, with regard to Ms. Dale Pearlman's cat, "Sassy." The parties have agreed to resolve this matter by entering into this Consent Agreement. Dr. Saylor waives the right to a hearing and appeal on the Notice of Agency Action in Docket No. 11-46.

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 to 2-316, 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. In setting the amount of a civil penalty,

the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Saylor, by signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate COMAR 15.14.01.10 pertaining to record keeping, by failing to indicate in his records that he attempted to speak or meet with Ms. Pearlman, the owner of his patient, "Sassy ," or, that they did speak, and he relayed the results of the CT scan with his client. Taking all the facts and circumstances into consideration, including the nature of the incident and Dr. Saylor's limited disciplinary history with the Board, the Board concluded that the most reasonable and appropriate resolution in this matter is a Censure.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 15th day of December, 2011, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Saylor is **CENSURED.**

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

CONSENT

I, DAVID SAYLOR, 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. To resolve this matter, I agree to the terms of this Consent Agreement, consisting of three pages, including this page. 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.

12-8-2011
Date

David K. Saylor VMD ~~D.V.M.~~

NOTARY

STATE OF MD

CITY/COUNTY OF CARROLL

I HEREBY CERTIFY that on this 8th day of December, 2011, before me, a Notary Public of the State and City/County aforesaid, personally appeared DAVID SAYLOR, 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.

Cheryl L. Smith
Notary Public

My Commission expires: 12/14/14