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

IN THE MATTER OF:	*	
F. ANTHONY GREENBLAT, D.V.M.	*	DOCKET NO. 02-058
LICENSE NO. 3969	*	

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CONSENT AGREEMENT

This Agreement, dated this 2 day of Dec, 2003, is between the State Board of Veterinary Medical Examiners ("Board") and F. Anthony Greenblat, D.V.M., License No. 3969. The Agreement concerns the charges that the Board filed against Dr. Greenblat, alleging that he violated the Maryland Veterinary Practice Act (Md. Code Ann., Agric Art. §§2-301, *et seq.*), pertaining to his treatment "Buster," a one year-old male Teacup Poodle, owned by Mr. Christian Furin.

Under the Veterinary Practice Act, 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 ... regulations after receiving a license" (Md. Code Ann., Agric. Art., §2-310(8)); and in lieu of, or in addition to, suspending a veterinarian's license, the Board may impose a civil penalty of not more than $5,000 (Md. Code Ann., Agric. Art., §2-310.1).

In this matter, the Board charged that the care Dr. Greenblat provided Buster surrounding the castration he performed upon this animal fell below the minimal standard required of veterinarians in this State, a violation of COMAR 15.14.01.04. The Board also charged that the record Dr. Greenblat maintained in conjunction with this procedure did not comply with the record-keeping requirements for veterinarians in this State, a violation of COMAR 15.14.01.10.

FINDINGS OF FACT

Dr. Greenblat, by entering into and signing this document, stipulates to, and acknowledges that the Board, by a preponderance of the evidence, could prove the following Findings of Fact:

1. At all times relevant to the charges, Dr. Greenblat was, and is, a veterinarian licensed to practice veterinary medicine in the State of Maryland; and practiced veterinary medicine at the Glenvilah Veterinary Clinic, located at 12948-E Travilah Road, Potomac, Maryland.

2. On or about April 15, 2002, "Buster," a 1 year-old male Teacup Poodle, weighing 3.8 pounds, owned by Christian E. Furin, was presented to Dr. Greenblat for castration. However, because one of Buster's testicles could not be found, surgery was postponed.

3. On or about August 13, 2002, Buster again was presented for castration. Although Dr. Greenblat states that Buster "had a normal pre op physical just prior to anesthesia" and "was in apparent good health," the patient's record does not reflect his findings, *e.g.*, it does not reflect Buster's pre-surgical temperature, heart rate, or respiratory rate. Likewise, the patient's record does not reflect Buster's post-surgical temperature, heart rate, or respiratory rate.

4. In his Surgery/Anesthesia report, Dr. Gleenblat failed to identify in the patient's record the particular pre-anesthetic drug that was used on Buster - albeit, he did note the dosage administered (to wit: .05 mg., subcutaneously). Subsequently, Dr. Greenblat advised Ms. Beverly Raymond, the Board's inspector, that the pre-anesthetic drug he administered was Torbugesic.

5. In that same report, Dr. Greenblat noted that he used a Valium/Ketamine combination to anesthetize Buster at the following dosage: "2 mg/25 mg," intravenously. This dosage far exceeds the recommended range (to wit: the recommended intravenous dosage of Diazepam for healthy dogs is 0.1 to 0.5 mg/kg (Muir *et al.* Handbook of Veterinary Anesthesia 3rd edition, 2000; Thurmon *et al.* Essentials of Small Animal Anesthesia and Analgesia, 1999), and the intravenous induction dose of Diazepam/Ketamine combination is 0.25 mg/kg of Diazepam and 5 mg/kg of Ketamine). Potential consequences resulting from an over-administration of Diazepam include vasodilation and subsequent hypotension (because of the vehicle in which it is

dissolved, that being: propylene glycol) and hypoventilation (due to respiratory muscle relaxation)).

6. During and following surgery, Buster was under the effects of the injectable anesthesia referenced above. Although Dr. Greenblat had placed Buster on a pulse oximeter to monitor the dog's oxygen level during surgery, he failed to intubate Buster before undertaking this procedure (and thus, failed to ensure that the dog, among other things, would have a patent airway not only during surgery, but also following surgery while still recovering from anesthesia).

7. Following surgery, Buster's oxygen level dropped suddenly and the dog became hypoxemic (to wit: the dog's SpO2 reading at one point was lower than 50 percent, and anything lower than 90 percent indicates hypoxemia).

8. Believing that Buster was having a "hypotensive anesthetic crisis" (if the dog's blood pressure was being monitored or its pulse taken, no record of this activity was made), and was "unable to maintain adequate cardiac function," Dr. Greenblat intubated the dog - a step he should have taken before initiating the surgical procedure.

9. Dr. Greenblat began administering cardiopulmonary resuscitation to Buster. He also administered Dopram and Epinephrine to Buster and, in each instance, failed to record the dosage administered. Moreover, although endotracheal administration of emergency drugs is preferred over intracardiac administration (if intravenous access is not available), Dr. Greenblat administered the Epinephrine to Buster intracardiac.

10. Dr. Greenblat was unable to revive Buster, and the dog died.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board makes the following Conclusions of Law:

1. Although Dr. Greenblat assessed Buster's physical condition at the beginning of

custody, and determined that the animal was in apparent good health, the patient's record does not reflect Dr. Greenblat's findings (*e.g.*, it does not reflect Buster's pre-surgical temperature, heart rate, or respiratory rate), a violation of COMAR 15.14.01.10A(6). Having determined that Dr. Greenblat assessed Buster's condition at the beginning of custody, the charge alleging that he failed to do so is dismissed.

2. Dr. Gleenblat failed to identify in the patient's record the name of the pre-anesthetic drug that was used on Buster, a violation of COMAR 15.14.01.10A(7) (requiring the veterinarian to record the treatment provided).

3. Dr. Greenblat over-administered the Valium/Ketamine combination he used to anesthetize Buster (to wit: whereas the recommended induction dose of Diazepam/Ketamine combination is 0.25 mg/kg of Diazepam and 5 mg/kg of Ketamine, Dr. Greenblat administered this drug at the following dosage: "2 mg/25 mg"), and for this reason, the care he provided the animal fell below the minimal standard required of a veterinarian in this State, a violation of COMAR 15.14.01.07 (when using Diazepam/Ketamine combination to anesthetize an animal, minimal care requires that the veterinarian not over-administer the drug).

4. Dr. Greenblat anesthetized and then performed surgery upon Buster without first intubating the dog, and thus, without ensuring, among other things, that the dog would have a patent airway not only during surgery, but also following surgery while still recovering from anesthesia, and in so doing, the care that Dr. Greenblat provided the animal fell below the minimal standard required of a veterinarian in this State, a violation of COMAR 15.14.01.07. The charge alleging that Dr. Greenblat's decision not to insert an intravenous catheter before undertaking this procedure constituted substandard care is dismissed.

5. Having diagnosed Buster as hypotensive, Dr. Greenblat, in treating this condition, minimally should have begun treating the dog with fluids, but there is no evidence that he ever administered fluid therapy to the dog and, in so doing, the care that Dr.

Greenblat provided the animal fell below the minimal standard required of a veterinarian in this State, a violation of COMAR 15.14.01.07.

6. Dr. Gleenblat failed to record the amount of Dopram he administered to Buster in the patient's record, a violation of COMAR 15.14.01.10A(7) (requiring the veterinarian to record the amount of a medication administered when treating an animal).

7. Dr. Gleenblat failed to record the amount of Epinephrine he administered to Buster in the patient's record, a violation of COMAR 15.14.01.10A(7) (requiring the veterinarian to record the amount of a medication administered when treating an animal).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Greenblat violated COMAR 15.14.01.07 and 15.14.01.10, it is this 10 day of November 2003, by the State Board of Veterinary Medical Examiners, **ORDERED** that:

(1) Dr. Greenblat pay a civil penalty in the amount of $1,500, but that $1,000 of this amount is stayed;

(2) Dr. Greenblat's license to practice veterinary medicine in this State is suspended for a period of two weeks, but that this suspension is stayed; and

(3) Dr. Greenblat is placed on probation for a period of one year under the condition that he obey all laws and regulations governing the practice of veterinary medicine in this State.

2 Dec 2003
Date

John Paul O'Mara, D.V.M.
President
State Board of Veterinary
Medical Examiners

CONSENT

I, F. Anthony Greenblat, D.V.M., acknowledge that I had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge that the Board, by a preponderance of the evidence, could prove the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree to accept and submit to the foregoing Consent Agreement, consisting of 6 pages.

I acknowledge the validity of this Consent Agreement as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal from this Consent Agreement.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Agreement.

I sign this Consent Agreement without reservation as my voluntary act and deed after having an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

Dec 2, 2003
~~Nov 10, 2003~~
Date

F Anthony Greenblat DVM
F. Anthony Greenblat, D.V.M.
Respondent