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

IN THE MATTER OF:	*	
GREGORY BURBELO, D.V.M. License No. 3655	*	DOCKET NO. 04-002A,B,C

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

CONSENT AGREEMENT

This Consent Agreement, dated this 26th day of August, 2005, is between the State Board of Veterinary Medical Examiners ("Board") and Gregory Burbelo, D.V.M., License No. 3655. The Agreement concerns the charges that the Board filed against Dr. Burbelo, pertaining to his treatment of the following animals: a.) "Guy," a male Schnauzer, owned by Ms. Anita Pedersen; b.) "Coty," a female Shetland Sheepdog, owned by Michelle Sipes; and c.) "Freda," a female Domestic Short-hair feline, owned by Ms. Gail Slade.

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 the provisions of the Veterinary Practice Act and regulations adopted thereunder. 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 [the Veterinary Practice Act and] Board rules and 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).

DOCKET No. 04-002A

Findings of Fact:

Dr. Burbelo, 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, Drs. Burbelo and Wimmer were, and are, licensed to practice veterinary medicine in this State and practice veterinary medicine at the Carroll County Veterinary Clinic, located at 334 Gorsuch Road, Westminister, Maryland 21157. Dr. Burbelo owned and operated this clinic. Dr. Wimmer was a clinic employee.

2. On or about November 12, 2003, Ms. Anita Pedersen, who is described in the patient's record as having "just moved here," presented "Guy," a male neutered Schnauzer, to the clinic for veterinary care (to wit: the dog's chief complaints were "drinking a lot of water, and sleeping a lot").

3. Excepting the dog's weight, no physical findings of the dog's condition were noted in the patient's record, standard information that ought to have been recorded, particularly in light of the fact that this was the dog's first visit to the clinic.

4. Diagnostic tests conducted that day were compatible with a diagnosis of diabetes mellitis. Responding to the complaint that prompted the Board's investigation of this matter, Dr. Burbelo stated that the dog was diagnosed with diabetes mellitis that day. Inexplicably, however, this diagnosis was not noted in the patient's record.

5. Responding further to the complaint that prompted the Board's investigation of this matter, Dr. Burbelo also noted that Dr. Lynn Wimmer spoke to Ms. Pedersen that same day about the following treatment options for Guy: (1) Follow a diabetic diet; and (2) Take insulin shots or glipizide twice daily (the latter option being given because Ms. Pedersen supposedly was reluctant to administer insulin shots to Guy). Nothing, however, was noted in the patient's record about the options provided Ms. Pedersen for treating her dog's diabetes. For example, if oral glipizide was prescribed (or discussed with Ms. Pedersen) that day, this treatment plan was not recorded in the patient's record.

6. Amoxicillin was prescribed that day, but the reason why it was prescribed was not noted in the patient's record.

7. On or about November 19, 2003, Ms. Pedersen presented Guy to the clinic for a follow-up visit (to wit: to check the dog's glucose level and urine). Dr. Burbelo examined Guy and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

8. Responding to the complaint that prompted the Board's investigation of this matter, Dr. Burbelo stated that he informed Ms. Pedersen that insulin was the lone treatment option for treating the dog's diabetes; and that Ms. Pedersen "agreed to give it a try." Dr. Burbelo, however, made no notation of the proposed treatment plan in the patient's record. In fact, Dr. Burbelo prescribed humilin insulin, but did not indicate the concentration or type of humilin insulin prescribed.

9. On or about November 24, 2003, Guy was admitted to the clinic for medical boarding. Dr. Burbelo examined Guy and, excepting the dog's weight, recorded no physical findings of the dog's condition that day in the patient's record, standard information that ought to have been recorded.

10. Treatment with NPH insulin (five units) was begun that morning. The treatment record also indicates that Guy was "given his pill," but there is no further information noted, specifying the type of pill or medication (and the dosage) actually administered.

11. On or about November 26, 2003, Dr. Burbelo administered glypizide to Guy. Although he recorded the fact that he had administered this medication to the dog, he did not record the route of administration or the amount administered. In addition, the record is not clear on whether this medication was administered once or twice that day.

Conclusions of Law:

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

1. On or about November 19, 2003, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level and urine), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

2. On or about November 19, 2003, after informing the subject animal's owner that insulin was the lone treatment option for treating the dog's diabetes, and being apprized by the owner that she would "give it a try," Dr. Burbelo began treating the dog for this disease (presumably, with insulin), but failed to record the treatment provided in the patient's record (*e.g.*, he failed to note the concentration or type of humilin insulin prescribed). In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the treatment provided in the patient's record).

3. On or about November 24, 2003, after the subject animal was admitted to the clinic for medical boarding, Dr. Burbelo failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

4. On or about November 24, 2003, the subject animal was "given his pill," but Dr. Burbelo did not record any further information in the patient's record, specifying the type of pill or medication (and the dosage) actually administered. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the treatment provided and, if

medication is given, the amount and frequency).

5. On or about November 26, 2003, Dr. Burbelo administered glypizide to the subject animal, but did not record the amount administered in the patient's record. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the treatment provided and, if medication is given, the amount and frequency).

DOCKET No. 04-002B

Findings of Fact:

Dr. Burbelo, 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. Burbelo was, and is, licensed to practice veterinary medicine in the State of Maryland; and owned and operated the Carroll County Veterinary Clinic, located at 334 Gorsuch Road, Westminister, Maryland 21157.

2. On or about May 24, 2000, Ms. Michelle Sipes presented "Coty," a female Shetland Sheepdog mix, to the clinic for veterinary care (to wit: the dog's chief complaints were "urinating in house and drinking increased").

3. Excepting Coty's weight, temperature, and that her bladder, on palpation, was "O.K.," no physical findings of the dog's condition were noted in the patient's record, standard information that ought to have been recorded.

4. Diagnostic tests conducted that day were compatible with a diagnosis of diabetes mellitis, which was noted in the patient's record.

5. Dr. Burbelo, however, did not note any additional information in the patient's record

that day concerning the options given, if any, for treating Ms. Sipes' dog's diabetes. Dr. Burbelo did administer Amoxicillin to Coty that day, but the reason for doing so was not noted in the patient's record.

6. On or about May 30, 2000, Ms. Sipes presented Coty to the clinic for a follow-up visit (to wit: to check the dog's glucose level and urine). Dr. Burbelo examined Coty and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

7. On that same day, Dr. Burbelo administered Humilin insulin (20 units) and Amoxicillin (250 mg bid) to Coty. He also kept Coty overnight.

8. On or about May 31, 2000, Dr. Burbelo twice administered Humilin insulin to Coty (to wit: 18 units in a.m., and 15 units in p.m.). Coty was discharged that evening, after being prescribed Humilin insulin (15 units).

9. On or about June 7, 2000 and July 7, 2000, Ms. Sipes presented Coty to the clinic to be re-checked (to wit: to check the dog's glucose level). On each occasion, Dr. Burbelo examined Coty and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

10. On or about May 17, 2002, Ms. Sipes presented Coty to the clinic for her annual examination. Dr. Burbelo examined Coty and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

Conclusions of Law:

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

1. On or about May 24, 2000, Dr. Burbelo assumed the care of "Coty," a female Shetland Sheepdog mix owned by Michelle Sipes (to wit: the dog's chief complaints were "urinating in house and drinking increased"), but failed to record any physical findings of the dog's condition (excepting the dog's weight, temperature, and that her bladder, on palpation, was "O.K.,") in the patient's record, standard information that ought to have been recorded, particularly in light of the fact that this was the dog's first visit to the clinic. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

2. On or about May 30, 2000, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

3. On or about June 7, 2000, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

4. On or about July 7, 2000, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record,

standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

5. On or about May 17, 2002, Dr. Burbelo was presented the subject animal for her examination, but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

DOCKET No. 04-002C

Findings of Fact:

Dr. Burbelo, 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, Drs. Burbelo and Wimmer were, and are, licensed to practice veterinary medicine in this State and practice veterinary medicine at the Carroll County Veterinary Clinic, located at 334 Gorsuch Road, Westminister, Maryland 21157. Dr. Burbelo owned and operated this clinic. Dr. Wimmer was a clinic employee.

2. On or about July 11, 2003, Ms. Gail Slade presented "Freda," a female Domestic Short-Hair feline, to the clinic for veterinary care (to wit: the cat's chief complaint was "constipation"). Dr. Wimmer, an employee of the clinic, examined Freda, treated her constipation (to wit: she administered 180 ml soapy water enema with mineral oil), and prescribed Propulsid.

3. On August 29, 2003, Ms. Slade again presented Freda to the clinic for veterinary care because the cat was constipated. Dr. Wimmer again examined Freda, diagnosing the cat with "megacolon complications."

4. In treating Freda, Dr. Wimmer anesthetized the cat (presumably, with a Ketamine/Acepromazine combination), but failed to note that she had administered anesthetic agent(s) to the cat in the patient's record.

5. Later, that same day, Dr. Burbelo, in treating this cat, also anesthetized the cat. Specifically, he administered 0.15 ml of a Ketamine/Rompun combination to the cat, but failed to record the concentration of each drug in the record.

Conclusions of Law:

Based on the foregoing Findings of Fact, the Board makes the following Conclusion of Law: On or about August 29, 2003, Dr. Burbelo administered 0.15 ml of a Ketamine/Rompun combination to "Freda," a female Domestic Short-Hair feline, to anesthetize the animal, but failed to record the concentration of each drug in the record. In so doing, Dr. Burbelo failed to comply with the record-keeping requirements imposed upon veterinarians in this State, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the amount of any drug given).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Shortall violated the Veterinary Practice Act, it is this 26th day of August, 2005, by the State Board of Veterinary Medical Examiners, **ORDERED**:

1.) That Dr. Burbelo is assessed a Three Thousand Five Hundred Dollar ($3,500) Civil Penalty, and that Dr. Burbelo shall pay the civil penalty within thirty (30) days from the date of this Consent Agreement;

2.) That Dr. Burbelo's license to practice veterinary medicine in this State is suspended for a period of fourteen days, but that one week of this suspension is stayed; and that he shall serve and complete the portion of the suspension period not stayed (to wit: a continuos seven-day period) on or before October 10, 2005;

3.) That Dr. Brubelo is placed on probation for a period of one year under the following terms and conditions:

a.) That he obey all laws and regulations governing the practice of veterinary medicine in this State;

b.) That he immediately institute a new record-keeping system that, at a minimum, complies with the record-keeping requirements specified under COMAR 15.14.01.10; and

c.) That he pay the aforementioned civil penalty within thirty (30) days from the date of this Consent Agreement.

8/26/05
Date

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

CONSENT

I, Gregory Burbelo, 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

NOTARY

STATE OF Maryland

CITY/COUNTY OF Carroll

I HEREBY CERTIFY that on this 22nd day of Aug, 2005, before me, a Notary Public of the State and City/County aforesaid, personally appeared Gregory Burbelo, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Cheryl D Boyce
Notary Public

My Commission expires: 7/1/07

OFFICIAL SEAL
CHERYL D. BOYCE
NOTARY PUBLIC-MARYLAND
COUNTY OF CARROLL
My Commission Expires July 1, 2007

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 10 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.

8/22/05
Date

Gregory Burbelo, D.V.M.
Respondent

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

IN THE MATTER OF:	*	
GREGORY BURBELO, D.V.M. License No. 3655	*	DOCKET NO. 04-002A,B,C

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

CONSENT AGREEMENT

This Consent Agreement, dated this 26th day of August, 2005, is between the State Board of Veterinary Medical Examiners ("Board") and Gregory Burbelo, D.V.M., License No. 3655. The Agreement concerns the charges that the Board filed against Dr. Burbelo, pertaining to his treatment of the following animals: a.) "Guy," a male Schnauzer, owned by Ms. Anita Pedersen; b.) "Coty," a female Shetland Sheepdog, owned by Michelle Sipes; and c.) "Freda," a female Domestic Short-hair feline, owned by Ms. Gail Slade.

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 the provisions of the Veterinary Practice Act and regulations adopted thereunder. 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 [the Veterinary Practice Act and] Board rules and 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).

DOCKET No. 04-002A

Findings of Fact:

Dr. Burbelo, 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, Drs. Burbelo and Wimmer were, and are, licensed to practice veterinary medicine in this State and practice veterinary medicine at the Carroll County Veterinary Clinic, located at 334 Gorsuch Road, Westminister, Maryland 21157. Dr. Burbelo owned and operated this clinic. Dr. Wimmer was a clinic employee.

2. On or about November 12, 2003, Ms. Anita Pedersen, who is described in the patient's record as having "just moved here," presented "Guy," a male neutered Schnauzer, to the clinic for veterinary care (to wit: the dog's chief complaints were "drinking a lot of water, and sleeping a lot").

3. Excepting the dog's weight, no physical findings of the dog's condition were noted in the patient's record, standard information that ought to have been recorded, particularly in light of the fact that this was the dog's first visit to the clinic.

4. Diagnostic tests conducted that day were compatible with a diagnosis of diabetes mellitis. Responding to the complaint that prompted the Board's investigation of this matter, Dr. Burbelo stated that the dog was diagnosed with diabetes mellitis that day. Inexplicably, however, this diagnosis was not noted in the patient's record.

5. Responding further to the complaint that prompted the Board's investigation of this matter, Dr. Burbelo also noted that Dr. Lynn Wimmer spoke to Ms. Pedersen that same day about the following treatment options for Guy: (1) Follow a diabetic diet; and (2) Take insulin shots or glipizide twice daily (the latter option being given because Ms. Pedersen supposedly was reluctant to administer insulin shots to Guy). Nothing, however, was noted in the patient's record about the options provided Ms. Pedersen for treating her dog's diabetes. For example, if oral glipizide was prescribed (or discussed with Ms. Pedersen) that day, this treatment plan was not recorded in the patient's record.

6. Amoxicillin was prescribed that day, but the reason why it was prescribed was not noted in the patient's record.

7. On or about November 19, 2003, Ms. Pedersen presented Guy to the clinic for a follow-up visit (to wit: to check the dog's glucose level and urine). Dr. Burbelo examined Guy and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

8. Responding to the complaint that prompted the Board's investigation of this matter, Dr. Burbelo stated that he informed Ms. Pedersen that insulin was the lone treatment option for treating the dog's diabetes; and that Ms. Pedersen "agreed to give it a try." Dr. Burbelo, however, made no notation of the proposed treatment plan in the patient's record. In fact, Dr. Burbelo prescribed humilin insulin, but did not indicate the concentration or type of humilin insulin prescribed.

9. On or about November 24, 2003, Guy was admitted to the clinic for medical boarding. Dr. Burbelo examined Guy and, excepting the dog's weight, recorded no physical findings of the dog's condition that day in the patient's record, standard information that ought to have been recorded.

10. Treatment with NPH insulin (five units) was begun that morning. The treatment record also indicates that Guy was "given his pill," but there is no further information noted, specifying the type of pill or medication (and the dosage) actually administered.

11. On or about November 26, 2003, Dr. Burbelo administered glypizide to Guy. Although he recorded the fact that he had administered this medication to the dog, he did not record the route of administration or the amount administered. In addition, the record is not clear on whether this medication was administered once or twice that day.

Conclusions of Law:

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

1. On or about November 19, 2003, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level and urine), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

2. On or about November 19, 2003, after informing the subject animal's owner that insulin was the lone treatment option for treating the dog's diabetes, and being apprized by the owner that she would "give it a try," Dr. Burbelo began treating the dog for this disease (presumably, with insulin), but failed to record the treatment provided in the patient's record (*e.g.*, he failed to note the concentration or type of humilin insulin prescribed). In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the treatment provided in the patient's record).

3. On or about November 24, 2003, after the subject animal was admitted to the clinic for medical boarding, Dr. Burbelo failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

4. On or about November 24, 2003, the subject animal was "given his pill," but Dr. Burbelo did not record any further information in the patient's record, specifying the type of pill or medication (and the dosage) actually administered. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the treatment provided and, if

medication is given, the amount and frequency).

5. On or about November 26, 2003, Dr. Burbelo administered glypizide to the subject animal, but did not record the amount administered in the patient's record. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the treatment provided and, if medication is given, the amount and frequency).

DOCKET No. 04-002B

Findings of Fact:

Dr. Burbelo, 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. Burbelo was, and is, licensed to practice veterinary medicine in the State of Maryland; and owned and operated the Carroll County Veterinary Clinic, located at 334 Gorsuch Road, Westminister, Maryland 21157.

2. On or about May 24, 2000, Ms. Michelle Sipes presented "Coty," a female Shetland Sheepdog mix, to the clinic for veterinary care (to wit: the dog's chief complaints were "urinating in house and drinking increased").

3. Excepting Coty's weight, temperature, and that her bladder, on palpation, was "O.K.," no physical findings of the dog's condition were noted in the patient's record, standard information that ought to have been recorded.

4. Diagnostic tests conducted that day were compatible with a diagnosis of diabetes mellitis, which was noted in the patient's record.

5. Dr. Burbelo, however, did not note any additional information in the patient's record

that day concerning the options given, if any, for treating Ms. Sipes' dog's diabetes. Dr. Burbelo did administer Amoxicillin to Coty that day, but the reason for doing so was not noted in the patient's record.

6. On or about May 30, 2000, Ms. Sipes presented Coty to the clinic for a follow-up visit (to wit: to check the dog's glucose level and urine). Dr. Burbelo examined Coty and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

7. On that same day, Dr. Burbelo administered Humilin insulin (20 units) and Amoxicillin (250 mg bid) to Coty. He also kept Coty overnight.

8. On or about May 31, 2000, Dr. Burbelo twice administered Humilin insulin to Coty (to wit: 18 units in a.m., and 15 units in p.m.). Coty was discharged that evening, after being prescribed Humilin insulin (15 units).

9. On or about June 7, 2000 and July 7, 2000, Ms. Sipes presented Coty to the clinic to be re-checked (to wit: to check the dog's glucose level). On each occasion, Dr. Burbelo examined Coty and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

10. On or about May 17, 2002, Ms. Sipes presented Coty to the clinic for her annual examination. Dr. Burbelo examined Coty and, excepting the dog's weight, recorded no physical findings of the dog's condition in the patient's record, standard information that ought to have been recorded.

Conclusions of Law:

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

1. On or about May 24, 2000, Dr. Burbelo assumed the care of "Coty," a female Shetland Sheepdog mix owned by Michelle Sipes (to wit: the dog's chief complaints were "urinating in house and drinking increased"), but failed to record any physical findings of the dog's condition (excepting the dog's weight, temperature, and that her bladder, on palpation, was "O.K.,") in the patient's record, standard information that ought to have been recorded, particularly in light of the fact that this was the dog's first visit to the clinic. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

2. On or about May 30, 2000, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

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4. On or about July 7, 2000, Dr. Burbelo was presented the subject animal for a follow-up visit (to wit: to check the dog's glucose level), but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record,

standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

5. On or about May 17, 2002, Dr. Burbelo was presented the subject animal for her examination, but failed to record any physical findings of the dog's condition (excepting the dog's weight) in the patient's record, standard information that ought to have been recorded. In so doing, Dr. Burbelo did not comply with the record-keeping requirements for companion animals, a violation of COMAR 15.14.01.10A(6) (a veterinarian shall record the animal's physical condition at the beginning of custody).

DOCKET No. 04-002C

Findings of Fact:

Dr. Burbelo, 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, Drs. Burbelo and Wimmer were, and are, licensed to practice veterinary medicine in this State and practice veterinary medicine at the Carroll County Veterinary Clinic, located at 334 Gorsuch Road, Westminister, Maryland 21157. Dr. Burbelo owned and operated this clinic. Dr. Wimmer was a clinic employee.

2. On or about July 11, 2003, Ms. Gail Slade presented "Freda," a female Domestic Short-Hair feline, to the clinic for veterinary care (to wit: the cat's chief complaint was "constipation"). Dr. Wimmer, an employee of the clinic, examined Freda, treated her constipation (to wit: she administered 180 ml soapy water enema with mineral oil), and prescribed Propulsid.

3. On August 29, 2003, Ms. Slade again presented Freda to the clinic for veterinary care because the cat was constipated. Dr. Wimmer again examined Freda, diagnosing the cat with "megacolon complications."

4. In treating Freda, Dr. Wimmer anesthetized the cat (presumably, with a Ketamine/Acepromazine combination), but failed to note that she had administered anesthetic agent(s) to the cat in the patient's record.

5. Later, that same day, Dr. Burbelo, in treating this cat, also anesthetized the cat. Specifically, he administered 0.15 ml of a Ketamine/Rompun combination to the cat, but failed to record the concentration of each drug in the record.

Conclusions of Law:

Based on the foregoing Findings of Fact, the Board makes the following Conclusion of Law: On or about August 29, 2003, Dr. Burbelo administered 0.15 ml of a Ketamine/Rompun combination to "Freda," a female Domestic Short-Hair feline, to anesthetize the animal, but failed to record the concentration of each drug in the record. In so doing, Dr. Burbelo failed to comply with the record-keeping requirements imposed upon veterinarians in this State, a violation of COMAR 15.14.01.10A(7) (a veterinarian shall record the amount of any drug given).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Shortall violated the Veterinary Practice Act, it is this 26th day of August, 2005, by the State Board of Veterinary Medical Examiners, **ORDERED**:

1.) That Dr. Burbelo is assessed a Three Thousand Five Hundred Dollar ($3,500) Civil Penalty, and that Dr. Burbelo shall pay the civil penalty within thirty (30) days from the date of this Consent Agreement;

2.) That Dr. Burbelo's license to practice veterinary medicine in this State is suspended for a period of fourteen days, but that one week of this suspension is stayed; and that he shall serve and complete the portion of the suspension period not stayed (to wit: a continuos seven-day period) on or before October 10, 2005;

3.) That Dr. Brubelo is placed on probation for a period of one year under the following terms and conditions:

a.) That he obey all laws and regulations governing the practice of veterinary medicine in this State;

b.) That he immediately institute a new record-keeping system that, at a minimum, complies with the record-keeping requirements specified under COMAR 15.14.01.10; and

c.) That he pay the aforementioned civil penalty within thirty (30) days from the date of this Consent Agreement.

8/26/05
Date

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

CONSENT

I, Gregory Burbelo, 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

2.) That Dr. Burbelo's license to practice veterinary medicine in this State is suspended for a period of fourteen days, but that one week of this suspension is stayed; and that he shall serve and complete the portion of the suspension period not stayed (to wit: a continuos seven-day period) on or before October 10, 2005;

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b.) That he immediately institute a new record-keeping system that, at a minimum, complies with the record-keeping requirements specified under COMAR 15.14.01.10; and

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8/26/05
Date

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

CONSENT

I, Gregory Burbelo, 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 10 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.

8/22/05
Date

Gregory Burbelo, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Carroll

I HEREBY CERTIFY that on this 22nd day of July, 2005, before me, a Notary Public of the State and City/County aforesaid, personally appeared Gregory Burbelo, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Cheryl D. Boyce
Notary Public

My Commission expires: 7.1.07

OFFICIAL SEAL
CHERYL D. BOYCE
NOTARY PUBLIC-MARYLAND
COUNTY OF CARROLL
My Commission Expires July 1, 2007