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

IN THE MATTER OF:	*	
HEATHER L. BOWLES, D.V.M.	*	DOCKET NO. 11-76B
LICENSE NO. 4815	*	

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 10th CHR day of CHR May, 2012, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Heather L. Bowles, D.V.M. (Dr. Bowles), License No. 4815. This Consent Agreement resolves the charges filed by the Board on April 12, 2012 in Docket No. 11-76B, alleging that Dr. Bowles violated COMAR 15.14.01.07 pertaining to professional judgment and practice, beginning on or about March 2, 2010, concerning the care and treatment of "Pity," a five-year-old female Bull Terrier owned by Stormie Hilderbrand and presented for nail trimming with sedation. On or about April 17, 2012, Dr. Bowles requested through counsel to resolve the charges informally. By entering into this Consent Agreement, Dr. Bowles waives the right to a hearing and appeal on the charges in Docket No. 11-76B. Dr. Bowles has no prior disciplinary history with the Board.

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 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. Bowles, by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to the provisions of this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that she did violate a certain regulation adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.07 pertaining to professional judgment and practice. On or about March 2, 2010, Dr. Bowles failed to review a urinalysis report, which indicated a urinary tract infection (UTI) for "Pity," and consequently failed to treat the dog for UTI or to inform the Owner or others of the positive test for UTI before full sedation for nail trimming on March 4, 2010, and before subsequent office visits for nail trimming with mild sedation on April 8, May 28, and October 1, 2010; and inappropriately administered to the patient non-steroidal anti-inflammatory (NSAID) drugs on March 4, 2010 and October 1, 2010.

Taking all the facts and circumstances into consideration, including the severity of the violation, and Dr. Bowles's lack of a disciplinary history with the Board, and her good faith efforts to resolve this matter, the Board concluded that the most reasonable and appropriate resolution in these matters included the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 25th day of May, 2012, by the Maryland State Board of Veterinary Medical Examiners, ORDERED that:

a. For the two violations of COMAR 15.14.01.07 Professional Judgment and Practice, Dr. Bowles is assessed a civil penalty in the total amount of $1,000 (stayed). The stay of the civil penalty is contingent upon compliance with the condition of probation.

b. Dr. Bowles shall serve a period of probation of six months. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine

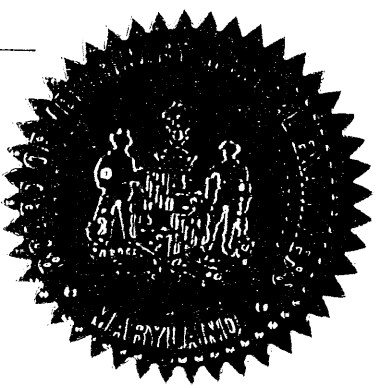
in this State and the conditions of this Consent Agreement. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation. Violation of probation will result in the stay being lifted, and the Board ordering the veterinarian to comply with the sanction; in this case, payment of a civil penalty of $1,000, payable to the Board (SBVME) within 30 days of a final order of the Board.

c. Within **six** months of the date of this order, Dr. Bowles shall complete eighteen credit hours of continuing education (CE) in internal medicine, as **preapproved** by the Board. Within **30** days of completion of this CE, Dr. Bowles shall forward to the Board documentation from the CE provider showing proof of completion of the CE credits required under this Order. Proof from the CE provider shall include Dr. Bowles's name, the number of hours of CE completed, the topics covered, and the dates the CE were given. Completion of this CE will **not** be counted towards the 18 credit hours of CE required annually for re-registration of the veterinary license.

d. Within **three** months of the date of this order, Dr. Bowles shall reimburse the Owner of "Pity" the amount of $1,100, and shall provide proof of reimbursement to the Board within **30** days of the payment.

Chris H. Runde, DVM

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



CONSENT

I, Heather Bowles 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. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of four pages, including this page. I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

4/25/12
Date

, D.V.M.

NOTARY

STATE OF PA

CITY/COUNTY OF Adams

I HEREBY CERTIFY that on this day of April 25th, 2012, before me, a Notary Public of the State and City/County aforesaid, personally appeared Heather Bowles, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public
My Commission expires: 3/20/16

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
SANDRA C. REYES, Notary Public
Conewago Twp., Adams County
My Commission Expires Mar. 20, 2016