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

IN THE MATTER OF:	*	
CAREY L. MCINNIS, D.V.M.	*	DOCKET NO. 12-02
LICENSE NO. 6682	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order (Order), dated this 2nd day of February, 2012, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Carey L. McInnis, D.V.M. (Dr. McInnis), License Number 6682. This Order confirms the intention of Dr. McInnis not to contest the charge filed by the Board on December 5, 2011, in Docket No. 12-02, alleging that Dr. McInnis violated the Veterinary Practice Act and a certain Code of Maryland Regulation (COMAR). In Docket No. 12-02, the Board alleged that Dr. McInnis violated the Veterinary Practice Act; specifically, COMAR 15.14.01.10 Record Keeping, when she failed to perform a complete physical examination of the patient not more than twelve hours before sedation, or, in the alternative, performed a physical examination, but failed to record details concerning the examination in the medical record of Ms. Scanlon's ten-year-old English Bulldog, "Stella," on or about June 8, 2011.

On or about January 31, 2012, Dr. McInnis submitted full payment of the civil penalty assessed by the Board as the only sanction in this matter, and voluntarily waived the right to a hearing and appeal on the charge in Docket No. 12-02.

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 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. McInnis has submitted payment of the $300 civil penalty assessed by the Board without requesting a hearing or appeal of the charge in Docket No. 12-02. After having the opportunity to seek advice of counsel, Dr. McInnis voluntarily agreed to the Board's sanction, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that Dr. McInnis did violate the Veterinary Practice Act, specifically, COMAR 15.14.01.10 Record Keeping, when she failed to perform a complete physical examination of the patient not more than twelve hours before sedation, or, in the alternative, performed a physical examination, but failed to record details concerning the examination in the medical record of Ms. Scanlon's ten-year-old English Bulldog, "Stella," on or about June 8, 2011. Taking all the facts and circumstances into consideration, including the severity of the violation, Dr. McInnis' lack of prior disciplinary history with the Board, and the good faith effort of Dr. McInnis to promptly resolve this violation, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 2nd day of February, 2012, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of the Veterinary Practice Act; specifically, COMAR 15.14.01.10 Record Keeping, Dr. McInnis is assessed a civil penalty in the amount of $300.00; the Board acknowledges the payment of $300.00 has been received from Dr. McInnis.

John L. Heizer, DVM

John L. Heizer, DVM
Vice President
Maryland State Board of Veterinary Medical Examiners