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

IN THE MATTER OF:	*	
MICHAEL D. SCHRIVER, DVM	*	DOCKET NO. 15-07
LICENSE NO. 2413	*	

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 2nd day of March, 2015, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Michael D. Schriver, DVM (Dr. Schriver), License No. 2413. This Consent Agreement resolves the charges filed by the Board on December 16, 2014, in Docket No. 15-07. The Board alleged that on or about April 7, 2014, Dr. Schriver violated certain Code of Maryland Regulations (COMAR); specifically, COMAR 15.14.01.04, pertaining to professional conduct, and COMAR 15.14.07, pertaining to professional judgment and practice at his veterinary hospital, Denton Animal Hospital, P.A. (Hospital), located at 531 Fleetwood Road, Unit C, in Denton, Maryland 21629, when he advised Amy Cawley of the safety of expired vaccines and administered expired vaccines to Ms. Cawley's two-year-old male Domestic Shorthair, "Cole," as well as to companion animals of other clients during the period from September 15, 2013 through July 31, 2014. On December 29, 2014, Dr. Schriver requested a hearing before the Board to dispute the charges. Thereafter, the parties entered into discussions and were able to reach a resolution. By entering into this Consent Agreement, Dr. Schriver waives the right to a hearing and appeal of the charges in Docket Number 15-07. Dr. Schriver 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 Maryland Veterinary Practice Act, Agriculture Article (Agric.) Sections 2-301 through 2-316, Annotated Code of Maryland and related regulations, COMAR 15.14.01 through 15.14.17. 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 or veterinary practitioner. . . [f]ails to comply with Board rules and regulations

after receiving a license[.]" Md. Code Ann., Agric. Section 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 or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Section 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 Government Article, Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Michael D. Schriver, DVM (Dr. Schriver), License No. 2413, by entering into and 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 on or about April 7, 2014, at Denton Animal Hospital, P.A., a veterinary hospital owned by Dr. Schriver, located at 531 Fleetwood Road, Unit C in Denton, Maryland 21629, Dr. Schriver violated COMAR 15.14.01.04, pertaining to professional conduct, and COMAR 15.14.01.07, pertaining to professional judgment and practice, when he advised Amy Cawley of the safety of expired vaccines, administered expired vaccines to Ms. Cawley's two-year-old male Domestic Shorthair, "Cole," and administered expired vaccines to other companion animals of clients during the period from September 15, 2013 through July 31, 2014.

Taking into account all of the facts and circumstances, including the nature of the violations, Dr. Schriver's lack of a prior disciplinary history with the Board, and Dr. Schriver's good faith efforts to resolve this matter promptly, the Board concluded that the following sanctions were reasonable and appropriate.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 2nd day of MARCH, 2015, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

1. For the violation of COMAR 15.14.01.04 Professional Conduct, Dr. Schriver is assessed a civil penalty in the amount of $1,500, and for the violation of COMAR 15.14.01.07 Professional Judgment and Practice, Dr. Schriver is assessed a civil penalty in the amount of $1,500 for a total of $3,000, which amount is

stayed. The stay of the civil penalty is contingent upon compliance with the conditions of probation in this Consent Agreement.

2. Dr. Schriver's License, No. 2413, shall be suspended for a period of two months, with both months stayed. The stay of suspension of the license is contingent upon compliance with the conditions of probation in this Consent Agreement.

3. Dr. Schriver shall serve a period of probation of one year from the date of this Order. 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 may result in the stay of the two-month period of suspension in this matter being lifted and the suspension being imposed; the stay of the $3,000 civil penalty in this matter being lifted and the total amount being due and payable by paper check within 30 days of the date of this Order to the "Maryland Department of Agriculture" with the notation "SBVME – 15-07," and sent to the Board at 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401; and further disciplinary action and sanctions.

4. As a condition of probation, Dr. Schriver shall fully complete Dr. James Wilson's online course, Veterinary Law and Ethics, within six months of the date of this Order. Within 30 days after completion of the continuing education (CE) credit hours, the veterinarian shall forward to the Board proof of completion of the CE credit hours required under this Order from the CE provider. Proof will include Dr. Schriver's name, the number of credit (program) hours of CE completed, the topics covered, and the date the CE course was taken. Completion of this CE condition of probation will not be counted toward the 18 credit hours of CE required annually for re-registration of the veterinary license.

5. As a condition of probation, Dr. Schriver shall compile a list of all clients with companion animals (Client List) to whom he has administered expired rabies vaccinations during the period from July 31, 2011 through September 24, 2014. Dr. Schriver shall provide a copy of the Client List to the Board within 30 days of the date of this Consent Agreement.

6. As a condition of probation, Dr. Schriver shall provide written notice by first class mail, for example, by post card, to all clients on the Client List to include the following statement verbatim:

> It has come to our attention that your pet/s, _____, may have received an expired rabies vaccination at the Denton Animal Hospital. Please contact Dr. Schriver at 410-479-0388 to schedule a revaccination at no charge. We are very sorry for this oversight, and any inconvenience incurred.

7. As a condition of probation, Dr. Schriver shall provide proof of USPS mailing costs of the notice to the listed clients and a copy of that notice to the Board within 60 days of the date of this Consent Agreement.

Heather M. Hendler, VMD

Heather M. Hendler, VMD
Vice President
Maryland State Board of Veterinary Medical Examiners

CONSENT

I, Michael Schriver DVM 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 five 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.

2-23-15
Date

MD Schriver, DVM

NOTARY

STATE OF Maryland
CITY/COUNTY OF Caroline

I HEREBY CERTIFY that on this 23 day of February, 2015, before me, a Notary Public of the State and City/County aforesaid, personally appeared Michael D. Schriver, DVM, and made oath in due form of law that the foregoing Consent was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires:

NOTARY PUBLIC STATE of MARYLAND
My Commission Expires 10/7/2016

RECEIVED
FEB 25 2015
BY: