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

IN THE MATTER OF THE COMPLAINT OF	*	
THE STATE BOARD OF VETERINARY MEDICAL	*	
EXAMINERS AGAINST	*	
SCOTT N. GOUNARIS, D.V.M.	*	DOCKET NO. 98-006
LICENSE NO. 2561	*	

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

CONSENT ORDER

The State Board of Veterinary Medical Examiners (Board) charged that Scott N. Gounaris, D.V.M., License No. 2561, violated certain laws and regulations governing the practice of veterinary medicine in this State (the "Veterinary Practice Act"). 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 $5000 (Md. Code Ann., Agric. Art., §2-310.1).

Most specifically, the Board charged that Dr. Gounaris did not conform to the minimal standards of care and treatment which are customary among veterinarians in this State, a violation of COMAR 15.14.01.07, when he administered insulin to a non-critical, ten-year old male cat before measuring its blood glucose level, a standard procedure employed in diagnosing whether a patient has diabetes (one of the differentials that you offered in this case based in part on the glucose level in the cat's urine). The Board also charged that Dr. Gounaris failed to identify in his treatment record the type, amount and rate of administration of fluids that he administered this cat when it was returned to him with the complaint that it was weak, lethargic, and wobbly, a violation of COMAR 15.14.01.10.

FINDINGS OF FACT

1. Dr. Gounaris is licensed to practice veterinary medicine in this State, and has been since June 1982. Excepting this matter, no formal disciplinary action has been taken against him.

2. On or about January 5, 1998, Dr. Gounaris undertook the care of "Spike", a ten-year old male cat owned by Lawrence Fritsche and Elizabeth Appel (the "owners"). The owners had presented their cat to Dr. Gounaris for (1) an examination and (2) vaccinations for Calicivirus, Panleukopenia, Rhinotracheitis, and Rabies. On presentation, the owners discussed with Dr. Gounaris the cat's polydipsia, polyuria, and recent weight loss.

3. On physical examination of the cat, Dr. Gounaris noted the following: (1) Tartar on the teeth; (2) Bilateral nuclear sclerosis of the eyes; (3) A slightly thin appearance; and (4) A temperature of 101.7 degrees F. Dr. Gounaris did not weigh the cat. Dr. Gounaris expressed the cat's bladder to obtain a urine sample. Urinalysis revealed a specific gravity of 1.043, a pH of 6, a glucose reading of 4-plus, and negative for other readings. Dr. Gounaris obtained a blood sample from the cat for laboratory analysis. Dr. Gounaris offered the following differential diagnosis for the cat's weight loss and polydipsia and polyuria: (1) Diabetes mellitus; and (2) hyperthyroidism.

4. Dr. Gounaris administered (1) the vaccinations referenced above and (2) two units of protamine zinc insulin to the cat. Dr. Gounaris administered the insulin shot without knowing the cat's blood glucose level (the blood sample that Dr. Gounaris obtained from the cat had not yet been submitted for analysis; no blood glucose stick was performed on the cat's blood to measure his blood glucose level).

5. Dr. Gounaris then dispensed a bottle of protamine zinc insulin to the owners; but advised them not to administer any shots of this drug until he had the opportunity to discuss the results of the cat's blood analysis with them the next morning. After administering the insulin shot, Dr. Gounaris did not keep Spike at the hospital to monitor his condition; instead Dr. Gounaris discharged the cat to the owner's care.

6. After arriving home, the owners noted that their cat appeared weak and lethargic. Early the next morning, they observed that their cat appeared even weaker; that his back legs wobbled when he walked; and that he had difficulty keeping his head on his front legs when he laid down.

7. Later that morning, Dr. Gounaris informed the owners that the cat's blood glucose was within normal range (to wit: 82.0). Shortly thereafter, the owners checked Spike's condition; and noting that Spike was quite limp, they presented the cat again to Dr. Gounaris for treatment.

8. On presentation, Dr. Gounaris recommended placing Spike under observation, and administering IV fluids to him. Dr. Gounaris then began treating the cat. Dr. Gounaris did not identify in his treatment record the type, amount and rate of administration of fluids that he administered to the cat. The cat improved and was

discharged the next day. Before discharging the cat, Dr. Gounaris obtained the results of the thyroid test (to wit: 14.1.); and briefly discussed the significance of these results with them (namely, hyperthyroidism).

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Gounaris is guilty of not conforming to the minimal standards of care and treatment which are customary among veterinarians in this State, a violation of COMAR 15.14.01.07, when he administered insulin to a non-critical, ten-year old male cat before measuring its blood glucose level, a standard procedure employed in diagnosing whether a patient has diabetes (one of the differentials that you offered in this case based in part on the glucose level in the cat's urine); and that Dr. Gounaris failed to identify in the treatment record the type, amount and rate of administration of fluids that he administered this cat when it was returned to him with the complaint that it was weak, lethargic, and wobbly, a violation of COMAR 15.14.01.10.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 27th of August, 1998, by the State Board of Veterinary Medical Examiners:

ORDERED that Dr. Gounaris pay a **CIVIL PENALTY** in the amount of Five Hundred Dollars ($500.00) within thirty (30) days from receipt of this Order (payable to the State Board of Veterinary Medical Examiners).

8/27/98
Date

Donald M. Carman, DVM
Donald M. Carman, D.V.M., President
State Board of Veterinary
Medical Examiners

CONSENT

I, Scott N. Gounaris, D.V.M., acknowledge that I could have consulted with counsel before entering into and signing this document but that I have chosen to represent myself. By this Consent, I hereby acknowledge that the Board, by a preponderance of this evidence, could prove the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree and

submit to the foregoing Consent Order, consisting of four pages.

I acknowledge the validity of this Consent Order 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 Order.

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

I sign this Consent Order without reservation as my voluntary act and deed, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

August 21, 1998
Date

Scott N. Gounaris
Scott N. Gounaris, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 21st day of August, 1998, before me, a Notary Public of the State and City/County aforesaid, personally appeared Scott N. Gounaris, D.V.M. and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Mary Elizabeth Hughes

My Commission expires: 1-10-99

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