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

IN THE MATTER OF THE COMPLAINT OF *

THE STATE BOARD OF VETERINARY *

MEDICAL EXAMINERS AGAINST * DOCKET # 98-008

GLORIA KILBY, D.V.M. *

LICENSE NO. 1987 *

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO: Gloria Kilby, D.V.M.
Basin Run Animal Hospital
572 Firetower Road
Colora, Maryland 21917

DECISION AND ORDER

The State Board of Veterinary Medical Examiners (Board) charged that Gloria Kilby, D.V.M., License No. 1987, violated certain laws and regulations governing the practice of veterinary medicine in Maryland in her treatment of "Sammy Jo", a male feline owned by Ms. Karen Schlehr. The Board charged that Dr. Kilby violated COMAR 15.14.01.17 (direct supervision guidelines). More specifically, the Board charged Dr. Kilby as follows:

Dr. Kilby allowed her technician to administer an euthanasia agent, to wit: "Sleepaway", a drug that has among its ingredients, sodium pentobarbital (an anesthetic agent and a Schedule II Controlled Substance), isopropyl alcohol and propylene glycol, to euthanize an animal under her care when that technician was not under the responsible direct supervision of a veterinarian, a violation of COMAR 15.14.01.17.

FINDINGS OF FACT

1. Dr. Gloria Kilby is licensed and registered to practice veterinary medicine in Maryland (License # 1987), and has been since June, 1977. Dr. Kilby is the owner of Basin Run Animal Hospital located at 572 Firetower Road, Colora, Maryland (the "hospital").

2. On or about November 7, 1998, Dr. Kilby undertook the care of "Sammy Jo", a male feline owned by Ms. Karen Schlehr.

3. On or about November 10, 1997, Dr. Kilby examined the cat and opined that it was in severe respiratory distress.

4. On that same day, at approximately 7:50 A.M., a member of Dr. Kilby's staff telephoned Ms. Schlehr and informed her of Dr. Kilby's opinion that Sammy Jo should be humanely euthanized.

5. Having been apprised that Ms. Schlehr wanted to be present when her cat was euthanized, Dr. Kilby drew up 4 ccs of "Sleepaway" and placed it, a cotton ball soaked in alcohol, a tourniquet and stethoscope on an examination table. Shortly after 8:00 A.M., Dr. Kilby brought Sammy Jo to the examination room and clipped the hair off his right front leg.

6. "Sleepaway" is an euthanasia agent; its ingredients include sodium pentobarbital (an anesthetic agent and a Schedule II Controlled Substance), isopropyl alcohol and propylene glycol.

7. Having another appointment to attend, Dr. Kilby left the hospital at approximately 9:10 A.M., instructing her staff that Ms. Schlehr could elect to have a technician euthanize her cat or wait until she returned from her appointment to perform this procedure.

8. Shortly after Dr. Kilby left, Ms. Schlehr arrived at the hospital.

9. With Ms. Schlehr present, Dr. Kilby's technicians undertook the procedure to euthanize Sammy Jo. A technician placed a tourniquet on one of the cat's front legs. The technician then injected the euthanasia solution into a vein in that leg. The technician lost the vein, however, when the cat jerked while the euthanasia solution was being injected. Because the cat was weak and his circulation was poor, Dr. Kilby had anticipated that a vein might be difficult to find. The technician then clipped Sammy Jo's other leg to administer the medication, and on the second attempt, successfully euthanized the cat.

10. Dr. Kilby was not present at the hospital when her technician euthanized the cat.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Kilby allowed her technician to administer an euthanasia agent intravenously, to wit: "Sleepaway", a drug that has among its ingredients, sodium pentobarbital (an anesthetic agent and a Schedule II Controlled Substance), isopropyl alcohol and propylene glycol, to euthanize an animal under her care when that technician was not under the responsible direct supervision of a veterinarian, a violation of COMAR 15.14.01.17.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 13th of August, 1998, by the State Board of Veterinary Medical Examiners:

ORDERED that Dr. Kilby be and she is hereby **CENSURED**.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

Donald M. Carman, D.V.M.

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