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

IN THE MATTER OF:	*	
LINDA B. RAWLS, D.V.M. LICENSE NO. 2008	*	DOCKET NO. 01-042-A
	*	

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CONSENT ORDER

This Agreement, dated this 22nd day of August, 2002, is between the State Board of Veterinary Medical Examiners ("Board") and Linda B. Rawls, D.V.M., License No. 2008. The Agreement concerns the charges that the Board filed against Dr. Rawls, alleging that she violated the Maryland Veterinary Practice Act (Md. Code Ann., Agric Art. §§2-301, *et seq.*), pertaining to her treatment of "Shawney," a diabetic, eight-year old female American Eskimo/Spitz, owned by John and Kristina Milia.

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 $5,000 (Md. Code Ann., Agric. Art., §2-310.1).

More specifically, in this matter, the Board charged that Dr. Rawls, after assuming Shawney's care: (1) made no written record of the animal's condition at the beginning of custody, a violation of COMAR 15.14.01.10.1; (2) did not administer insulin to the dog after diagnosing the animal with "diabetic ketoacidosis," a violation of COMAR 15.14.01.07 (alternatively, that Dr. Rawls administered insulin to Shawney, but failed to make a written record of this treatment, a violation of COMAR 15.14.01.10); (3) did not perform any confirmatory and baseline diagnostic testing after clinically diagnosing the animal with "diabetic ketoacidosis," a violation of COMAR 15.14.01.07; and (4) did not immediately attempt to provide Shawney with fluids by other means after

diagnosing the animal with "diabetic ketoacidosis," and failing repeatedly to place an IV catheter in any of her extremities because of her "hyperemia and dependent pitting edema," a violation of COMAR 15.14.01.07.

FINDINGS OF FACT

Dr. Rawls, by entering into and signing this document, stipulates to, and acknowledges that the Board, by a preponderance of the evidence, could prove the following Findings of Fact:

1. Linda B. Rawls, D.V.M., is licensed to practice veterinary medicine in this State, and has been licensed since 1977. At all times relevant to the charges filed in this matter, Drs. Rawls and James M. Bryant were, and are, the owners of the New Market Animal Hospital, located at 10609 Old National Pike, New Market, Maryland 21774.

2. On or about Saturday, July 14, 2001, "Shawney," a diabetic, eight-year old female American Eskimo/Spitz, owned by John and Kristina Milia, was presented to Dr. Bryant for veterinary care. Shawney's chief complaint was lack of appetite and lethargy.

3. Dr. Bryant examined Shawney and made the following observations: (a) Shawney's appearance "was not dire"; (b) Shawney's "energy level was slightly less than ... usual, but her composure was good"; (c) During the exam, Shawney "stood on the exam table..., and her breath smelled normal.... a good indication that she was not in ketoacidosis, at that time"; and (d) Shawney's "heart rate and breathing were normal." Dr. Bryant, however, did not record any of these observations in Shawney's treatment record.

4. Dr. Bryant ordered the following blood work for Shawney: "CBC and Chem 12." Based on his examination of Shawney and the results of her blood work, Dr. Bryant: (a) made the following diagnosis: "probable idiopathic infection," and (b) prescribed the

following medication to treat the infection: "Cephalexin 500 mg 1 cap. TID." That same day, when Shawney was discharged, Dr. Bryant informed the owner to return the dog for fluid therapy if she was not better by Monday.

5. On or about Monday, July 16, 2001, Shawney was presented to Dr. Rawls for veterinary care. The owner informed Dr. Rawls that Shawney's condition appeared to be worsening and that the dog still did not want to eat. After examining Shawney, Dr. Rawls determined that Shawney "was obviously in a state of ketoacidosis and had evidence of multiple systems failure secondary to diabetes and infection." Dr. Rawls, however, did not make a written record of Shawney's condition on presentation, that is, the results of her physical examination of Shawney. More specifically, Dr. Rawls failed to record such information as: (a) Shawney's heart rate and character, (b) Shawney's respiratory rate, (c) Shawney's skin turgor, (d) Shawney's capillary refill rate, and (e) other medical parameters she believed were necessary to assess Shawney's clinical condition.

6. Dr. Rawls did not perform any diagnostic tests (e.g., blood work, urinalysis) to: (a) substantiate her working hypothesis or clinical diagnosis of ketoacidosis, and (b) establish a baseline for evaluating the dog's response to treatment.

7. Based on her diagnoses of "infection and diabetic ketoacidosis," Dr. Rawls should have treated Shawney with IV fluids, antibiotics, and insulin.

8. Despite repeated attempts, Dr. Rawls "could not place an IV catheter in any of Shawney's extremities," attributing her inability to perform this procedure to the dog's "hyperemia and dependent pitting edema." Under these circumstances, Dr. Rawls should have immediately attempted to provide the dog fluids by other means, including, but not limited to, the following: (a) attempt to administer fluids by a different route (SQ, IP, Intraosseous); (b) perform a cut-down for venous access; or (c) refer the case to another veterinarian.

9. Later that day, Dr. Rawls recorded Shawney's prognosis as "poor," and referred her to the Emergency Animal Center.

10. Lisa Zolkiewicz, D.V.M., undertook Shawney's care, and was able to administer IV fluids to the dog.

11. After Dr. Zolkiewicz also advised that Shawney's prognosis was poor, the owners elected to euthanize Shawney.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board makes the following Conclusions of Law:

1. On or about July 16, 2001, after assuming the care of Shawney, a diabetic, eight-year old female American Eskimo/Spitz, owned by John and Kristina Milia, Dr. Rawls made no written record of the animal's condition at the beginning of custody, a violation of COMAR 15.14.01.10.

2. In not administering insulin to Shawney, after diagnosing the dog with "diabetic ketoacidosis," Dr. Rawls failed to conform to those minimal standards of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07;

3. In not performing any further diagnostic testing (e.g., blood work, urinalysis) to: (a) substantiate her clinical diagnosis that Shawney was suffering from "diabetic ketoacidosis," and (b) establish a baseline for evaluating the dog's response to treatment, Dr. Rawls failed to conform to those minimal standards of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07.

4. In not immediately attempting to provide Shawney fluids by other means (including,

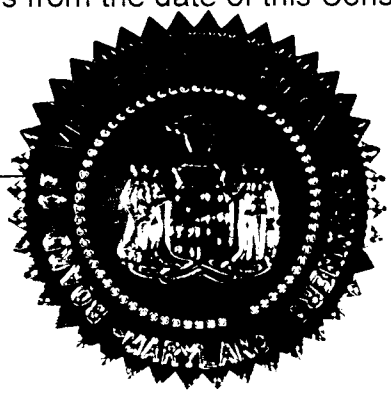
but not limited to, taking such measures as: (a) attempting to administer fluids by a different route (SQ, IP, Intraosseous); (b) performing a cut-down for venous access; or (c) referring the case to another veterinarian), after diagnosing the dog with "diabetic ketoacidosis," and failing repeatedly to place an IV catheter in any of Shawney's extremities because of the dog's "hyperemia and dependent pitting edema," Dr. Rawls failed to conform to those minimal standards of care customary among veterinarians in this State, a violation of COMAR 15.14.01.07.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Rawls violated COMAR 15.14.01.07 and 15.14.01.10, it is this 22nd day of August, 2002, by the State Board of Veterinary Medical Examiners, **ORDERED**:

1. That Dr. Linda B. Rawls pay a civil penalty in the amount of six hundred dollars ($600) within 30 days from the date of this Consent Order.

8/22/02
Date



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

CONSENT

I, Linda B. Rawls, D.V.M., acknowledge that I had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge that the Board, by a preponderance of the evidence, could prove the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree to accept and submit to the foregoing Consent Order, consisting of 5 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 after having an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

8-8-02
Date

Linda B. Rawls DVM
Linda B. Rawls, D.V.M.
Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF Frederick

I HEREBY CERTIFY that on this 8 day of August, 2002, before me, a Notary Public of the State and City/County aforesaid, personally appeared Linda B. Rawls, D.V.M., and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Sharon Phillips
Notary Public

My Commission expires: 2-28-05