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	*	
CHARLES R. SCOTT, D.V.M.	*	DOCKET NO. 99-012
LICENSE NO. 1322	*	

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

CONSENT AGREEMENT

This Agreement, dated this 22nd of June, 2000, is between the State Board of Veterinary Medical Examiners ("Board") and Charles R. Scott, D.V.M., License No. 1322. This Agreement concerns the Board's allegation that Dr. Scott 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 $5,000 (Md. Code Ann., Agric. Art., §2-310.1).

More specifically, the Board charged that Dr. Scott, in his treatment of Dreyfus, a tan greyhound owned by Ms. Judith Stainbrook, failed to: (1) comply with the record-keeping requirements specified under COMAR 15.14.01.10; and (2) conform to those minimum standards of care and treatment customary among veterinarians in this State, a violation of COMAR 15.14.01.07. In the charging document filed in this matter, the Board alleged:

1. On or about the evening of January 21, 1999, after assuming the care of "Dreyfus," a tan greyhound owned by Ms. Judith Stainbrook, for treatment of trauma and puncture wounds that the animal had suffered, Dr. Scott made little, if any, notation in Dreyfus' treatment record of the dog's physical condition at the beginning of custody. In so doing, Dr. Scott failed to comply with the record-keeping requirements specified under COMAR 15.14.01.10; and

2. On or about January 21, 1999 and January 22, 1999, having administered more than one dose of Ketamine and Diazepam to a dog that he was treating for trauma and puncture wounds, and having observed that the injuries were more extensive than Dr. Scott had originally thought, Dr. Scott failed to insert a catheter into the dog and begin administering fluids to this animal in a timely manner. In so doing, Dr. Scott failed to conform to those minimal standards of care and treatment which are customary among veterinarians in this State, a violation of COMAR 15.14.01.07.

Dr. Scott received a copy of the Charging Document and the Notice of Agency Action by certified mail. In the Board's Notice, Dr. Scott was given the option of either contesting the charges filed against him, or accepting the Board's proposed sanction, to wit: (1) that he pay a civil penalty in the amount of six hundred dollars ($600), but that payment of two hundred dollars ($200) of this amount be stayed; and (2) that he be placed on probation for a period of one year under the following terms and conditions:

(b) That he obey all laws and regulations governing the practice of veterinary medicine in this State; and

(c) That he pay the portion of the civil penalty not stayed, that being four hundred dollars ($400), within 30 days from the date of the Board's order.

Dr. Scott chose to accept the proposed sanction.

Under this Consent Agreement, the Board makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

On or about the evening of January 21, 1999, Dr. Charles Scott assumed the care of "Dreyfus," a tan greyhound owned by Ms. Judith Stainbrook. On presentation, the dog's chief complaint was trauma and puncture wounds that it had suffered. Dr. Scott, however, made little, if any, notation in Dreyfus' treatment record of the dog's physical condition at the beginning of custody. As a result, it is difficult to assess from the record the extent of soft tissue injury that Dreyfus suffered.

To clean the wounds, Dr. Scott sedated Dreyfus, administering 1.5 ml of Ketamine and 1.5 ml of Diazepam. Noting that Dreyfus' injury was more extensive than he had originally thought, and observing that the dog was not sufficiently relaxed, Dr. Scott administered an additional 1.5 ml of Ketamine and 1.5 ml of Diazepam to the dog. Shortly thereafter, observing that the dog was becoming uncomfortable, Dr. Scott once more administered 1.5 ml of Ketamine and 1.5 ml of Diazepam, for completing skin closure; and 45 mg of sodium pentobarbital, for suturing (stapling) Dreyfus' wounds.

Dr. Scott did not insert an IV catheter into the dog during this time period. As a result, Dr. Scott needed to induce Dreyfus more than once, interrupting his treatment of the dog. Because an IV line had not been opened, no fluids were being administered to Dreyfus, a necessary step for maintaining the dog's circulatory system and blood pressure.

On or about the morning of January 22, 1999, at approximately 8:20 a.m., Dreyfus still had not recovered from the anesthesia. At 8:30 a.m., recognizing that Dreyfus needed assistance, an IV catheter was inserted into Dreyfus and fluids were administered to the dog.

CONCLUSIONS OF LAW

After assuming the care of "Dreyfus," a tan greyhound owned by Ms. Judith Stainbrook, for treatment of trauma and puncture wounds that the dog had suffered, Dr. Scott made little, if any, notation in Dreyfus' treatment record of the dog's physical condition at the beginning of custody. In so doing, Dr. Scott failed to comply with the record-keeping requirements specified under COMAR 15.14.01.10.

Having administered more than one dose of Ketamine and Diazepam to a dog that he was treating for trauma and puncture wounds, and having observed that the injuries were more extensive than he had originally thought, Dr. Scott failed to insert a catheter into the dog and begin administering fluids to it in a timely manner. In so doing, Dr. Scott failed to conform to those minimal standards of care and treatment which are customary among veterinarians in this State, a violation of COMAR 15.14.01.07.

The Board agrees to impose, and Dr. Scott agrees to accept, the sanctioned referenced above.

6-22-2000
Date

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

04-09-2000
Date

Charles R. Scott, D.V.M.
Charles R. Scott, D.V.M.

CONSENT

I, Charles R. Scott, D.V.M., acknowledge that I have 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 Agreement, consisting of four (4) pages.

I acknowledge the validity of this Consent Agreement 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 Agreement.

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

I sign this Consent Agreement 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 Agreement.

06-09-00
Date

Charles R. Scott DVM
Charles R. Scott, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Talbot

I HEREBY CERTIFY that on this 9th day of June, 2000, before me, a Notary Public of the State and City/County aforesaid, personally appeared Charles R. Scott, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Maryfred Ramsey
Notary Public

My Commission Expires: 3-1-01