Maryland
Department of Agriculture

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Office of Marketing, Animal Industries & Consumer Services

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The Wayne A. Cawley, Jr. Building
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
TTY Users: Call via Maryland Relay
Internet: www.mda.state.md.us

410.841.5700 Baltimore/Washington
301.261.8106 Washington, D.C.
410.841.5914 Fax
800.492.5590 Toll Free

MARYLAND STATE BOARD OF VETERINARY MEDICAL EXAMINERS
Telephone: (410) 841-5862 Facsimile: (410) 841-5999 www.mda.state.md.us

June 19, 2008

NOTICE OF AGENCY ACTION

VIA CERTIFIED MAIL –
RETURN RECEIPT REQUESTED
Eugene Bauer, D.V.M.
Bay Country Veterinary Hospital
1197 Generals Highway
Crownsville, MD 21032

Re: Docket # 08-45 *(Dismissal of Complaint and Letter of Censure)*

Dear Dr. Bauer:

The State Board of Veterinary Medical Examiners ("Board") recently investigated a complaint filed against you by Stefanie Wachter concerning your care and treatment of her dog, "Ruby," from December 2007 through January 2008. After reviewing the owner's complaint, your response and medical records, and the owner's letter of rebuttal, the Board has concluded that the allegations in the owner's complaint require no further action, and the complaint will be dismissed.

In investigating this matter, however, the Board carefully reviewed the medical records that were submitted and found that your records were lacking in specificity, thus giving the Board a good faith basis to find you in violation of the applicable regulations governing veterinarians in the State of Maryland. The Code of Maryland Regulations (COMAR) 15.14.01.10 requires veterinarians to prepare a legibly written record that accurately and thoroughly reflects the treatment provided and provides a listing of specific items, at a minimum, that the medical record shall contain.

Specifically, your records did not comply with COMAR 15.14.01.10 because you failed to document evidence of a pre-surgical physical exam having been performed on December 26, 2007. The regulations state that "the animal's condition, as evidenced through a physical examination, not more than 12 hours before administration of one of the following a) anesthetic; b) sedative; or c) tranquilizing agent" must be performed and documented.

Because you have no prior disciplinary history before the Board, the Board has concluded that it is appropriate at this time to issue this **LETTER OF CENSURE** so that you may take steps to rectify

the deficiencies noted. You also are hereby **ORDERED TO CEASE AND DESIST** from all further acts that would violate COMAR 15.14.01.10, a copy of which is enclosed. There is **no disciplinary sanction for the violations identified herein**, although this Letter of Censure is subject to disclosure under Maryland's Public Information Act §§ 10-611 *et seq.* of the State Government Article, Annotated Code of Maryland, and may be taken into account by the Board in any future proceedings regarding your practice.

If you wish to be heard on this matter before the Board, please contact the Board in writing within ten (10) days from receipt of this letter. If we do not hear from you during this ten-day period, this letter is final. You may appeal, if you so choose, this determination to the Board of Review of the Department of Agriculture pursuant to § 2-402 of the Agriculture Article, Annotated Code of Maryland.

If you have any questions, please contact Laura Downes, Executive Director of the Board, at 410-841-5862.

Sincerely,

Chris H. Runde, DVM

Chris H. Runde, D.V.M.
Board President

cc: Board file
Encl.