

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

IN THE MATTER OF:

ABDULLAH YUSUF, D.V.M.

LICENSE NO. 4311

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DOCKET NO. 11-48

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 12th day of

MARCH, 2012, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Abdullah Yusuf, D.V.M. (Dr. Yusuf), License No. 4311. This Consent Agreement resolves the charges filed by the Board on December 22, 2011 in Docket No. 11-48, alleging that Dr. Yusuf violated COMAR 15.14.01.10 pertaining to record keeping, and COMAR 15.14.01.07 pertaining to professional judgment and practice, on or about May 14 through May 17, 2010, by failing to maintain adequate records and failing to provide the minimal standards of care of a three-year-old male German Shepherd mix, "Snowball," who was presented by James Shelton for lethargy, inappetance, red eyes, and lack of mobility. On or about January 5, 2012, Dr. Yusuf requested to resolve the charges informally. Thereafter, the parties entered into discussions and were able to reach a resolution. By entering into this Consent Agreement, Dr. Yusuf waives the right to a hearing and appeal on the charges in Docket No. 11-48. Dr. Yusuf has no disciplinary history with the Board.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and related regulations. As part of its authority, 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 rules and regulations after receiving a license." Md. Code Ann., Agric. Art., § 2-310(8). In addition, the Board may impose

a civil penalty of not more than \$5,000 for a first offense or \$10,000 for a second or subsequent offense in lieu of or in addition to suspending a veterinarian's license. Md. Code Ann., Agric. Art., § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Yusuf, by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to the provisions of this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate certain regulations adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.10 pertaining to record keeping, and COMAR 15.14.01.07 pertaining to professional judgment and practice. On or about May 14, 15, 16, and 17, 2010, Dr. Yusuf failed to record pertinent details concerning a physical examination and the administration of fluids and medications for the Sheltons' three-year-old male German Shepherd mix, "Snowball." Additionally, Dr. Yusuf failed to provide the minimal standards of care expected of a veterinarian in this State when he failed to appropriately record the progress and care of the case on May 15, 16, and 17, 2010.

Taking all the facts and circumstances into consideration, including the severity of the violation, Dr. Yusuf's lack of a disciplinary history, and Dr. Yusuf's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in these matters included the following sanctions.

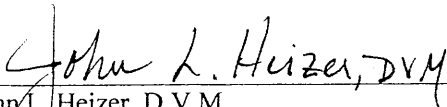
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 12th day of MARCH, 2012, by the Maryland State Board of Veterinary Medical Examiners, ORDERED that:

- a. For the violations of COMAR 15.14.01.10 Record Keeping and COMAR 15.14.07 Professional Judgment and Practice, Dr. Yusuf is assessed a civil penalty in the total amount of \$4,100 (\$300 for each of seven record keeping violations and \$500 for each of three substandard care violations, payment of \$4,100 to be made to the Maryland State Board of Veterinary Medical Examiners

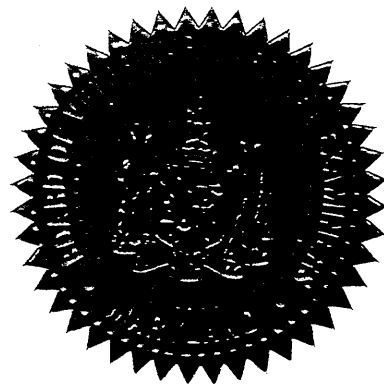
("SBVME") within six months of the date of the Order, at \$700 a month for five months and \$600 for the final month.

- b. Dr. Yusuf's License No. 4311 shall be suspended for 60 days (45 days stayed), to be served on March 12, 13, 14, 15, 19, 20, and 21, and April 9, 10, 11, 12, 16, 17, ~~and 18,~~ ^{and 27,} 2012. The 45-day stay of suspension of the license is contingent upon compliance with the conditions of probation. JLH
3/12/12
- c. Dr. Yusuf shall serve a period of probation of one year. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation. Violation of probation will result in the stay being lifted, and the Board ordering the veterinarian to comply with the sanction; in this case, suspension of the license for up to 45 days.
- d. As a condition of probation, Dr. Yusuf shall complete six credit hours of continuing education (CE) in internal medicine, as **pre-approved** by the Board, and 15 credit hours of CE in Dr. James Wilson's on-line course, Veterinary Law and Ethics. The veterinarian shall forward to the Board documentation from the CE provider showing proof of completion of the CE credits required under this Order. Proof from the CE provider shall include Dr. Yusuf's name, the number of hours of CE completed, the topics covered, and the dates the CE were given. Completion of this CE will **not** be counted towards the 18 credit hours of CE required annually for re-registration of the veterinary license.



John L. Heizer, D.V.M.
Vice President
State Board of Veterinary Medical Examiners

CONSENT



I, ABDULLAH YUSUF, acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of four pages, including this page. I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

3-5-2012
Date

Abdullah Yusuf, D.V.M.

NOTARY

STATE OF Maryland

CITY/COUNTY OF

I HEREBY CERTIFY that on this day of March, 2012, before me, a Notary Public of the State and City/County aforesaid, personally appeared Abdullah Yusuf, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Melvin J. Martin 3/5/12
Notary Public
My Commission expires: 11/23/13

