

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

IN THE MATTER OF:

PERRY CROWL, D.V.M.
LICENSE NO. 2712

DOCKET NO. 17-18

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 14th day of March, 2018, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Perry Crowl, D.V.M. ("Dr. Crowl"), License No. 2712. This Consent Agreement resolves the charges filed by the SBVME on or about December 7, 2017, in Docket No. 17-18 alleging that Dr. Crowl violated COMAR 15.14.01.07A (Professional Judgment and Practice) and COMAR 15.14.01.12-3 (Expired Medications), arising from Dr. Crowl's treatment of Bowie, an eighteen-week-old Cavachon owned by Theresa and Eddy Balter. Dr. Crowl, a member of the SBVME, recused himself from all proceedings related to Docket No. 17-18, and did not participate in any aspect of the Board's processing or handling of the complaint against him, including participating in deliberations regarding the complaint and determining what charges and penalties should be imposed.

By letter dated December 15, 2017, Dr. Crowl requested a hearing before the Board. Thereafter, the parties entered into discussions and were able to reach a resolution. By entering into this Consent Agreement, Dr. Crowl waives the right to a hearing and an appeal on the charging document in Docket No. 17-18.

Under Maryland law, the SBVME 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 the provisions of the Veterinary Practice Act and related COMAR regulations adopted pursuant to this law. As part of its authority, the SBVME "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). The Board may also 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 or revoking a veterinarian's license, respectively. 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

Perry Crowl, D.V.M., License No. 2712, 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 SBVME has sufficient evidence to find, as fact, and to conclude as a matter of law that Dr. Crowl violated COMAR 15.14.01.07A (Professional Judgment and Practice) and COMAR 15.14.01.12-3 (Expired Medications) in his treatment of Bowie, an eighteen-week-old Cavachon owned by Theresa and Eddy Balter. Specifically:

1. At all times relevant to these charges, Dr. Crowl was a veterinarian licensed to practice in the State of Maryland. Dr. Crowl was, at the time of the incident described herein, a co-owner and responsible veterinarian at Northwest Animal Hospital ("NAH") (License No. 03-020), located at 10526 Reisterstown Road, Owings Mills, MD 21117.

2. On October 29, 2016, Dr. Crowl provided an expired medicine, Carafate, which had a pharmacy label showing that it had been prescribed for a human patient, to Bowie. As part of its investigation, the Board referred the case to an independent expert witness for review. The expert opined that Dr. Crowl's use of expired Carafate as well as the use of the medication prescribed for another person or animal was not appropriate. Otherwise, the expert confirmed that Carafate was an appropriate medication to order and administer to the patient, and no harm or injury occurred as a result of the medication.

Based on the foregoing findings of fact, the SBVME, deliberating without any participation whatsoever by Dr. Crowl, concludes that Dr. Perry Crowl, License No. 2712, violated COMAR 15.14.01.07A (Professional Judgment and Practice), in his treatment of Bowie by prescribing and administering Carafate, an anti-ulcer medication, that had been prescribed for a human. In addition, Dr. Crowl violated COMAR 15.14.01.12-3 (Expired Medications) by failing to keep expired Carafate separate and apart from unexpired medication and by administering the expired Carafate to a patient. Taking the facts and circumstances into consideration, including the nature of the violation, Dr. Crowl's lack of a disciplinary history with the Board, and his good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution includes the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 14th day of March, 2018, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For violation of COMAR 15.14.01.07A (Professional Judgment and Practice), Dr. Crowl is assessed a civil penalty of \$500.00;
- (b) For violation of 15.14.01.12-3 (Expired Medications), Dr. Crowl is assessed a civil penalty of \$300.00. The total civil penalty of \$800.00 payable to the "Maryland Department of Agriculture" with the notation "SBVME – 17-18," shall be made within thirty (30) days of the date of this Order;
- (c) For both violations, Dr. Crowl shall serve a period of probation of six months from the date of this Order. 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 based on acts which occurred during the period of probation. Violation of probation may result in imposition of a

suspension of the veterinary license for two weeks, and/or any further disciplinary action and sanctions;

- (d) As a condition of probation, within six months of the date of this Order, Dr. Crowl shall complete 6 hours of continuing education ("CE"), pre-approved by the Board. Of those 6 hours, 3 hours shall be in pharmacology and shall include the module from the online course offered by Dr. James F. Wilson (<https://drip.vet/ce-courses/mrk/>) entitled "The Legal Use of Veterinary Drugs;"
- (e) Within 15 days of completion of the CE, Dr. Crowl shall forward to the Board documentation from the CE provider showing proof of completion of the CE credits under this Order. Proof from the CE provider shall include Dr. Crowl's name, the number of CE hours completed, the topics covered, and the dates the CE was 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. To verify completion of both the CE required under the terms of this Consent Agreement and the CE required for annual registration of the veterinary license, Dr. Crowl may be subject to a CE audit in future years.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 23rd day of March, 2018.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



David Handel, D.V.M.

President

State Board of Veterinary Medical Examiners
Maryland Department of Agriculture

CONSENT

I, Perry Crowl, D.V.M., acknowledge that I have had an opportunity to consult with counsel before entering into this Consent Agreement. By this Consent, I hereby acknowledge the legal authority and 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 6 pages. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

3/14/2018
Date

Perry S. Crowl, DVM
Perry Crowl, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Carroll

I HEREBY CERTIFY that on this 14th of March, 2018, before me, a Notary Public of the City/County aforesaid, personally appeared Perry Crowl, 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.

Lisa M. Goretas
Notary Public

My commission expires:

