

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

IN THE MATTER OF:

*

SHARON W. RAYNE, D.V.M.
LICENSE NO. 4065

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DOCKET NO. 20-12

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (“Consent Agreement”), dated this 13th day of October 2021, is between the State Board of Veterinary Medical Examiners (“SBVME” or “Board”) and Sharon W. Rayne, D.V.M. (“Dr. Rayne”), License No. 4065. This Consent Agreement resolves the charges filed by the SBVME on January 22, 2021 in Docket No. 20-12, alleging that Dr. Rayne violated the Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 – 2-316 and related Code of Maryland Regulations (“COMAR”) 15.14.01 – 15.14.17 set forth herein.

On March 31, 2021, Dr. Rayne, through legal counsel, requested a hearing on the charges. Thereafter, the parties engaged in discussions and reached an agreed resolution in this case. By signing this Consent Agreement, Dr. Rayne agrees to waive her right to a hearing on the charges in Docket No. 20-12 and further agrees to the terms and conditions of this Consent Agreement.

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. § 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. Agric. §

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. § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Sharon W. Rayne, D.V.M., License Number 4065, by entering into and signing this Consent Agreement, having had the opportunity to seek advice of counsel, 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. Rayne violated COMAR 15.14.01.07 (Professional Judgment and Practice) and COMAR 15.14.01.10A (Record Keeping) as set forth herein:

1. Dr. Rayne is a veterinarian licensed to practice in the State of Maryland, where she has been licensed since 1992. Dr. Rayne was, at the time of the incidents described herein, the owner and responsible veterinarian at Winter Place Animal Hospital ("Hospital") (License Number: 22-007), located at 31611 Winterplace Parkway, Salisbury, MD 21804. Dr. Rayne has no disciplinary history with the Board.
2. This case involves veterinary care and treatment provided to Sugar, a 16-year-old female Labrador mixed dog owned by Michelle Davis ("Ms. Davis" or "Owner"). Sugar had been a patient at the Hospital prior to the events detailed below.
3. On May 9, 2018, Ms. Davis took Sugar to the Hospital due to concerns about Sugar's swollen gums. Dr. Rayne was Sugar's attending veterinarian on this visit. The medical record reflects that the day prior, Ms. Davis noticed that Sugar's gums were swollen and that Sugar had a dog biscuit lodged between her back teeth. Ms. Davis was able to remove the dog biscuit, and the swelling seemed to improve somewhat.
4. After conducting an oral exam, Dr. Rayne noted halitosis (bad breath), a small gum laceration, bruising of the right maxillary molar area, and severe tartar. Additionally, Dr. Rayne observed pelvic limb weakness, sarcopenia, a cystic mass at the top of Sugar's head, and a right caudal mammary mass.

5. Dr. Rayne prescribed Clindamycin (300 mg.) to Sugar for ten days and recommended that Sugar have a dental cleaning and lumpectomies if Sugar's bloodwork was normal. Ms. Davis approved pre-operative bloodwork.

6. On May 31, 2018, Sugar presented to the Hospital for the scheduled dental cleaning and "possible lumpectomies" with Dr. Rayne. At that time, Dr. Rayne noted in the medical record that Sugar was bright, alert, and responsive, with severe dental disease and halitosis. Dr. Rayne also noted an estimated 14-mm round, raised, and firm cystic mass on top of Sugar's head, and an irregular bumpy mass of the right caudal ventral abdomen.

7. Dr. Rayne proceeded with the dental procedure. She extracted two caudal mandibular molars and removed the roots of Sugar's broken teeth. Dr. Rayne noted that Sugar had severe gingival recession and periodontal disease of all molars with hair and dead tissue impacted into the gingival margins, between, and under the teeth.

8. Additionally, Dr. Rayne performed a lumpectomy to remove Sugar's right mammary mass, and the cystic mass on top of her head was aspirated. According to Dr. Rayne, Ms. Davis had been offered the option of having the mass biopsied, but Ms. Davis declined. Sugar was discharged with prescriptions for Clindamycin (300 mg) and Vetprofen (100 mg).

9. When Ms. Davis arrived home with Sugar, she noticed blood on the back seat of her car and missing stitches. Ms. Davis also alleges that Sugar's nipple was still infected and that Sugar's teeth were not cleaned adequately.

10. On June 4, 2018, Ms. Davis took Sugar back to the Hospital for incisional dehiscence. According to the medical record, Ms. Davis stated that Sugar's sutures from her lumpectomy site had been out since Saturday (two days prior).

11. Dr. Rayne examined Sugar and noted that all subcuticular and skin sutures, except for two at the proximal end, were gone.

12. Dr. Rayne recommended that Sugar's incision be flushed and cleaned. Sugar was administered local anesthesia and the incision sites were flushed, cleaned, and re-sutured. Sugar was discharged with an e-collar and instructions to continue antibiotics and return in ten days for suture removal.

13. After the visit on June 4, 2018, Ms. Davis wrote a letter to Dr. Rayne detailing her concerns about Sugar's care at the Hospital between May 31, 2018 and June 4, 2018. Ms. Davis subsequently filed a complaint with the Board.

14. The Board opened a case and investigated the complaint. Its investigation included review of the medical records. Following that review, the Board found that Dr. Rayne did not satisfy the applicable standard for record keeping.

15. COMAR 15.14.01.10A (Record Keeping) requires, for a companion animal, that a veterinarian prepare a legibly written record that accurately and thoroughly reflects the treatment provided, including the progress and disposition of the case.

16. Dr. Rayne did not satisfy the applicable standard for record keeping. Dr. Rayne should have documented Sugar's vital signs, such as temperature, pulse and respiration. Dr. Rayne should have provided more documentation regarding her communications with the Owner about Sugar's care, including any recommendation or offer to refer Sugar to a dental specialist for the cleaning. Dr. Rayne should have documented that Ms. Davis specifically declined biopsy of the lumpectomy tissue that was removed. Dr. Rayne also should have put more information in the record regarding "Sugar's" progress and disposition, including thorough written discharge instructions following surgery.

Taking the facts and circumstances into consideration, including the nature of the violation(s), the veterinarian's lack of disciplinary history, her acceptance of responsibility and good faith cooperation in resolving this matter, the Board concluded that the most reasonable and appropriate resolution includes the sanctions set forth below.

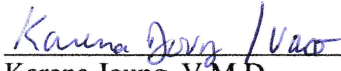
ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 13th day of October, 2021, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For violating COMAR 15.14.01.10A (Record Keeping) by failing to prepare a written record for Sugar, a companion animal owned by Michelle Davis, that accurately and thoroughly reflects the care and treatment provided as well as Dr. Rayne's communications with Ms. Davis, Dr. Rayne is assessed a civil penalty of \$1,000;
- (b) Dr. Rayne shall pay the civil penalty within thirty (30) days from the date of this Consent Agreement by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME – 20-12" sent to the MDA at 50 Harry S. Truman Parkway, Annapolis, MD 21401; and
- (c) As an additional requirement of this Consent Agreement, Dr. Rayne shall complete 6 hours of continuing education ("CE"), which consists of the "Medical Record Keeping for Veterinarians" found at drip.vet. The CE shall be completed and verification of completion provided to the Board within thirty (30) days from the date of this Order. Verification should be sent by email to Vanessa Orlando, Executive Director, at vanessa.orlando@maryland.gov. Proof from the CE provider shall include the veterinarian's name, the number of hours of CE completed, the topics covered, and the date(s) the CE was given. This CE will not count toward the 18 credit hours required annually for re-registration of the veterinary license. To verify completion of the annual CE requirements and the CE required by this Consent Agreement, the Board may conduct an audit of the veterinarian's CE records for relevant years.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this
13th day of October, 2021.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



Karena Joung, V.M.D.

Vice-President

State Board of Veterinary Medical Examiners

Maryland Department of Agriculture

CONSENT

I, Sharon W. Rayne, 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 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 _____ 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.

Date:

10/11/21

Sharon W Rayne DVM

Sharon W. Rayne, D.V.M.