

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

IN THE MATTER OF:

\*

LAWRENCE J. GIEBEL, D.V.M.  
LICENSE NO. 1846

\*

DOCKET NO. 20-23

\*

\* \* \* \* \*

**CONSENT AGREEMENT AND ORDER**

This Consent Agreement and Order ("Order"), dated this 17<sup>th</sup> day of May, 2021, is entered by the State Board of Veterinary Medical Examiners ("SBVME" or "Board") in this case involving Lawrence J. Giebel, D.V.M. ("Dr. Giebel"), License No. 1846. This Order resolves the charge filed by the SBVME on or about May 18, 2020 in Docket No. 20-23 alleging that Dr. Giebel violated the Veterinary Practice Act and related Code of Maryland Regulations ("COMAR") as set forth herein.

After receiving the charge, Dr. Giebel retained counsel and requested a hearing. On March 25, 2021, Dr. Giebel and his counsel appeared via videoconference at a Resolution Conference, following which the parties agreed to the resolution reflected in this Order. By agreeing to entry of this Order, Dr. Giebel waives the right to a hearing on the charging document in Docket No. 20-23 and agrees to the resolution set forth herein.

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**

Lawrence J. Giebel, D.V.M., by agreeing to this Order and having had the opportunity to obtain the assistance of counsel, acknowledges that the SBVME has sufficient evidence to find, as fact, and to conclude as a matter of law that Dr. Giebel violated COMAR 15.14.01.10A (Record Keeping), as follows:

1. At all times relevant to these charges, Dr. Giebel was a veterinarian licensed to practice in the State of Maryland, where he has been licensed since 1975. Dr. Giebel has no prior disciplinary history with the Board.
2. This case involves treatment provided by Dr. Giebel to "Canelo," a mixed breed dog adopted by Tina Marie ("Owner") from a rescue organization in July of 2019.
3. Canelo was a large dog with aggressive tendencies. When the Owner adopted Canelo from the rescue, the rescue agreed to provide and fund a three-week boarding and training session with iCare K9 Training and Performance Center ("Training Center") located in Gaithersburg, Maryland. The Training Center was owned by Morris Lindesey ("Trainer").
4. The Owner dropped Canelo off at the Training Center on or about August 27, 2019 for the three-week boarding program.
5. On September 9, 2019, when Canelo was approximately two weeks into the boarding program, the Trainer became concerned about the condition of Canelo's eyes. The Trainer had previously taken animals in his care to Quince Orchard Veterinary Hospital ("Quince Orchard), located at 11910 Darnestown Road, North Potomac, MD 20878, and was familiar with the care provided there. That morning, the Trainer took Canelo to Quince Orchard where the dog came under the care of Dr. Giebel.

6. Upon arrival at Quince Orchard, the Trainer set up an account for Canelo under the Trainer's own name. As part of the paperwork the Trainer completed for Canelo, the Trainer signed a document entitled "Diagnostic/Treatment Consent" in which he identified himself as Canelo's owner. The consent also contained the following acknowledgment, "If an unforeseen condition or emergency arises during the course of my pet's treatment, I further authorize the doctors to perform any additional procedures which, in their judgment, may be immediately necessary to save my pet's life and health."

7. When Dr. Giebel entered the examination room for the first time, Canelo lunged, growled and barred his teeth. Although he could not get close to Canelo, Dr. Giebel could tell from only a few feet away that Canelo's eyes were swollen, scabbed, bleeding and oozing pus, and the dog was in pain. Dr. Giebel believed that the condition of Canelo's eyes might present an emergency, but Dr. Giebel could not adequately examine Canelo without sedating him. Dr. Giebel explained his concerns to Mr. Lindesey, who placed a call to the Owner to advise her regarding these issues and to discuss the need for sedation, examination, and if necessary, a blepharoplasty procedure to prevent further damage to the eyes. The Owner verbally consented to the treatment plan proposed by Dr. Giebel, although the discussions with the Owner were not recorded in the medical record.

8. Once Canelo was sedated, Dr. Giebel was able to conduct a thorough examination. Dr. Giebel believed that Canelo was suffering from entropion, a condition in which the eyelid folds inward, resulting in rubbing on the cornea that causes pain and discomfort. Dr. Giebel believed that Canelo needed a temporary blepharoplasty to prevent the eyelids from continuing to fold inward. However, before proceeding further, Dr. Giebel consulted with an eye specialist to confirm his diagnosis and treatment plan and to see whether the specialist could accept a referral to perform the procedure. The specialist agreed with Dr. Giebel's diagnosis and determination that the procedure was needed as soon as possible. However, the specialist was unable to accommodate Canelo in his schedule and recommended that Dr. Giebel perform the procedure.

9. Dr. Giebel then attempted to contact Mr. Lindesey on his cell phone to inform him of the diagnosis and recommendations of the specialist; however, Mr. Lindesey did not answer his cell phone. Dr. Giebel left a message for him.

10. By the time Dr. Giebel consulted with the specialist and attempted to contact the Trainer, Canelo was near the end of his sedation. Dr. Giebel had to decide whether to allow the sedation to wear off so that he could continue to try to contact the Trainer to discuss the procedure, or to perform the procedure immediately, which would avoid having Canelo wake up only to be sedated again. Given the pressing need for the procedure and Canelo's previous aggressive behavior, Dr. Giebel decided to anesthetize Canelo and perform blepharoplasty immediately rather than to wait for the Trainer to return his call.

11. Dr. Giebel performed the blepharoplasty, which was a success. The Trainer picked Canelo up after recovery and later returned Canelo to the Owner.

12. The Owner, however, later filed a complaint with the Board.

13. The Board opened a case and conducted an investigation. Following review of the investigative materials, the Board found deficiencies in Dr. Giebel's record keeping.

14. COMAR 15.14.01.10A governs record keeping for companion animals, and states that for each animal treated, a veterinarian shall prepare a legibly written record that accurately and thoroughly reflects the treatment provided. Among other things, the record must contain a statement of the amount in milligrams and volume and concentration of substances used, as well as the frequency and route of administration. *See* COMAR 15.14.01.10A(8). Dr. Giebel violated 15.14.01.10A(8) by failing to indicate the concentration of medications administered on September 9, 2019, including Torbugesic, Deomitor, Flocillin, and Buprenex.

15. In addition, the record prepared by Dr. Giebel did not adequately document the telephone conversation he had with the Owner while the Trainer was in the examination room regarding the condition of Canelo's eyes and the measures available to prevent further damage.

Taking the facts and circumstances into consideration, including the nature of the violations, Dr. Giebel's lack of disciplinary history, Dr. Giebel's demonstrated efforts to prevent further violations of this nature, and his good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution includes the measures set forth below.

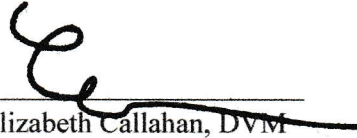
### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 17<sup>th</sup> day of May 2021, by the State Board of Veterinary Medical Examiners, ORDERED that for the violation of COMAR 15.14.01.10A (Record Keeping):

- a) Dr. Giebel is assessed a civil penalty of \$600;
- b) The civil penalty shall be stayed if Dr. Giebel completes continuing education ("CE") consisting of the Medical Record Keeping for Veterinarians course available online at [drip.vet](http://drip.vet) within thirty (30) days from the date of this Order;
- c) To satisfy the requirements of Paragraph (b) above, Dr. Giebel shall send verification of completion to Vanessa Orlando, Executive Director, at [vanessa.orlando@maryland.gov](mailto:vanessa.orlando@maryland.gov) within thirty (30) days from the date of this Order. This CE will not count towards the 18 credit hours of CE required annually for re-registration of the veterinary license. The Board may audit CE records for relevant years to verify full completion of the CE required annually for all veterinary practitioners as well as the CE provided for in this Consent Order; and
- d) If Dr. Giebel has not completed the Medical Record Keeping for Veterinarians course and submitted documentation of completion within thirty (30) days from the date of this Order, the \$600 civil penalty must be paid within 60 days from the date of this Order to the "Maryland Department of Agriculture" with the notation "SBVME - 20-23," mailed to Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401."

e) WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 17<sup>th</sup> day of May, 2021.

STATE BOARD OF VETERINARY  
MEDICAL EXAMINERS



Elizabeth Callahan, DVM

President

State Board of Veterinary Medical Examiners

Maryland Department of Agriculture

50 Harry S. Truman Parkway, Room 102

Annapolis, Maryland 21401

Telephone: 410.841.5862

CONSENT

I, Lawrence J. Giebel, 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 7 pages, including this Consent. 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: 5/12/2021

Lawrence J. Giebel D.V.M.  
Lawrence J. Giebel, D.V.M.