

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

IN THE MATTER OF:

SHAHID AZIZ, D.V.M.
LICENSE NO. 6367

DOCKET NO. 22-08

* * * * *

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 24th day of May, 2022, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Shahid Aziz, D.V.M. ("Dr. Aziz"), License No. 6367. This Consent Agreement resolves a case arising from a complaint filed with the SBVME in Docket No. 22-08, alleging that Dr. Aziz 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 May 9, 2022, Dr. Aziz, after having received written notice of his due process rights under Md. Code Ann., Agric. § 2-311, agreed to resolve this case under the terms and conditions reflected in this Consent Agreement. By signing this Consent Agreement, Dr. Aziz agrees to waive his rights to formal charges and hearing in Docket No. 22-08 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 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

Shahid Aziz, D.V.M., License Number 6367, by entering into and signing this Consent Agreement, having had the opportunity to seek the 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. Aziz violated COMAR 15.14.01.07 (Professional Judgment) and COMAR 15.14.01.10A (Record Keeping) as set forth herein:

1. Dr. Aziz is a veterinarian licensed to practice in Maryland, where he has been licensed since 2008. At the time of the events described herein, Dr. Aziz was a veterinarian at Banfield Pet Hospital #1348 ("Banfield") (License No. 15-121) located at 6800 Wisconsin Avenue, Bethesda, MD 20815.
2. Dr. Aziz has a history of discipline by the Board, which includes two Consent Agreements and Orders, attached as Exhibits A and B. In Docket No. 09-71, dated January 28, 2010, Dr. Aziz was disciplined for violating COMAR 15.14.01.07 (Professional Judgment and Practice) and COMAR 15.14.01.10 (Record Keeping) arising from the care of a cat. In Docket No. 17-45, dated November 5, 2018, the Board disciplined Dr. Aziz for violating the Board's record keeping regulations when he performed a physical examination on a dog but did not record the results of that examination in the medical record.
3. This case arises from the care provided to Huntley, a 10-year-old neutered Springer Spaniel owned by Nathan Casaday ("Mr. Casaday"). On March 4, 2021, Mr. Casaday took Huntley to Banfield for a comprehensive exam. Dr. Aziz was Huntley's attending veterinarian.
4. According to Banfield's medical records, Mr. Casaday told Dr. Aziz that Huntley had "some growths on his back leg" that he wanted to be examined, and he wanted Huntley to have a dental cleaning. However, Mr. Casaday alleges that he told Dr. Aziz he was concerned about a raspberry-sized growth on Huntley's neck and wanted it removed.

5. Dr. Aziz performed a physical exam on Huntley, noting mild dental calculus and “two approximately 3-centimeter soft swellings near right stifle.” The record prepared for the March 4 visit did not mention the growth on Huntley’s neck. The remainder of Huntley’s exam was within normal limits. Dr. Aziz then performed bloodwork, a fecal test and administered Huntley his vaccines before Huntley was discharged.
6. On June 10, 2021, Mr. Casaday brought Huntley to Banfield for his dental prophylaxis and mass removal. According to Mr. Casaday, and as reflected in the medical record, he confirmed that Dr. Aziz would remove Huntley’s neck mass with a Banfield veterinary assistant.
7. In the record of his presurgical examination, Dr. Aziz noted two approximately 3-centimeter masses on Huntley’s right stifle and a “pedunculated mass on the right side of the neck.” Huntley’s bloodwork was repeated and a urinalysis was performed. Huntley was then premedicated and placed under anesthesia for his dental prophylaxis.
8. After Huntley’s dental prophylaxis was finished, Dr. Aziz removed a subcutaneous mass from Huntley’s right stifle. According to Dr. Aziz, while Huntley was still under anesthesia, he called Mr. Casaday and told him that he removed the mass on Huntley’s leg. Mr. Casaday told Dr. Aziz that he did not want the mass on Huntley’s leg removed, only the mass on his neck. Dr. Aziz then removed a 3-centimeter dermal mass from Huntley’s neck. Huntley recovered uneventfully.
9. Subsequently, Veronica Talbert, DVM (“Dr. Talbert”) (License No. 6947), Banfield Hospital’s interim field director, called Mr. Casaday to apologize for the mass removal mistake. Dr. Talbert assured Mr. Casaday that removing the additional leg mass would not lengthen Huntley’s recovery time.
10. On July 14, 2021, Mr. Casaday filed a complaint with the Board against Dr. Aziz. Mr. Casaday alleges that Dr. Aziz provided substandard care to Huntley because he removed the wrong mass.
11. Dr. Aziz submitted a response to the SBVME via his attorney. Dr. Aziz apologized for mistakenly removing Huntley’s right leg mass. He stated that Huntley’s “drop-off notes” indicated that Mr. Casaday wanted the mass removed from Huntley’s neck. However, Dr. Aziz admitted that he did not read Huntley’s

drop-off notes before the procedure. Instead, he relied on information from his surgical assistant, who told him that Mr. Casaday wanted Huntley's leg mass removed.

12. COMAR 15.14.01.07A (Professional Judgment and Practice) provides that: "[a] veterinarian, when caring for and treating a patient, shall conform to those minimum standards of care and treatment which are customary among veterinarians in this State." Dr. Aziz failed to satisfy the applicable standard in his care and treatment of Huntley when he failed to confirm which of dog's masses Mr. Casaday wanted removed before performing surgery and by removing a mass on Huntley's leg, against the owner's wishes

13. The medical record prepared by Dr. Aziz was also deficient. 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. Dr. Aziz did not satisfy this standard when he failed to note the mass on Huntley's neck in the record for Huntley's March 4, 2021 examination.

Taking the facts and circumstances into consideration, including the nature of the violation(s), the veterinarian's disciplinary history, which included prior substandard care and record keeping violations, his 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 24th day of May, 2022, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For violating COMAR 15.14.01.07 (Professional Judgment and Practice) in the care and treatment provided to Huntley, a 10-year-old Springer Spaniel owned by Nathan Casaday, by removing the wrong mass during surgery, Dr. Aziz is assessed a civil penalty of \$1,000;
- (b) For violating COMAR 15.14.10A (Record Keeping), by failing to document a full physical examination that included all skin conditions, including the mass on Huntley's neck, Dr. Aziz is assessed a civil penalty of \$3,000, all but \$1000 stayed;

- (c) Dr. Aziz shall pay the unstayed portion of the civil penalty (\$2,000) in monthly installments of \$200, with the first installment due on the first day of the month following the date this Consent Agreement is signed and each installment thereafter due on the 1st of each month until the balance is paid in full. Payments shall be made by check payable to the Maryland Department of Agriculture (“MDA”) with the notation “SBVME – 22-08” sent to the MDA at 50 Harry S. Truman Parkway, Annapolis, MD 21401;
- (d) As a condition of the stay of a portion of the civil penalty, Dr. Aziz shall complete six hours of continuing education (“CE”) consisting of the “Medical Record Keeping for Veterinarians” course offered by Dr. Lance Roasa and found at drip.vet; and
- (e) CE shall be completed and verification of completion provided to the Board by August 1, 2022, with verification sent by email to Nathaniel Boan, Executive Director, at nathaniel.boan@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; and
- (f) This Consent Agreement is a public order.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this

24th day of May, 2022.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

Karena Joung /NEB
Karena Joung, V.M.D.

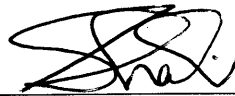
Vice-President

State Board of Veterinary Medical Examiners
Maryland Department of Agriculture

CONSENT

I, Shahid Aziz, 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 page. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

Date: 5/16/2022



Shahid Aziz, D.V.M.