STATE OF MARYLAND
DEPARTMENT OF AGRICLTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF:	*	
BELAIR VETERINARY HOSPITAL LICENSE NO. 16-004	*	DOCKET NO. 17-35
DR. ROBERT L. HARRISON, DVM LICENSE NO. 3194	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 7th day of June, 2017, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Dr. Robert Harrison, DVM, License No. 3194. This Order confirms the intention of Dr. Harrison to waive the right to contest the charge filed by the Board on March 23, 2017 in Docket No. 17-35, alleging that Dr. Harrison violated the Maryland Veterinary Practice Act, Agriculture Article, Sections 2-301 - 2-316, Annotated Code of Maryland, ("Veterinary Practice Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17. Specifically, in Docket No. 17-35, the Board alleged that Dr. Harrison violated COMAR 15.14.01.12-3C by failing to keep expired medications separate and apart from unexpired medications. By telephone call on or about May 11, 2017, Dr. Harrison notified the Board that he wishes to voluntarily waive the right to a hearing and appeal on the charge in Docket No. 17-35. On May 22, 2017, Dr. Harrison submitted a check for $500.00 to pay the civil penalty in this matter.

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 and related COMAR 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 or veterinary practitioner . . . [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 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 the 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). Dr. Harrison's prior disciplinary history in this case included prior instances in which expired medications were found in the practice.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Robert Harrison, DVM, License No. 3194, has agreed to submit payment of the $500.00 civil penalty assessed by the Board in Docket No.17-35, and waived his right to a hearing or appeal of the charge. After having the opportunity to seek advice of legal counsel, Dr. Harrison acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate Agriculture Article Section 2-310(8), Md. Code Ann., and a related regulation; specifically COMAR 15.14.01.12-3C, as follows:

1. At all times relevant to these charges, Dr. Robert L. Harrison ("Dr. Harrison") was a licensed veterinarian and the owner of Belair Veterinary Hospital, a licensed veterinary hospital in this State, located at 15511 Hall Road, Mitchellville, MD 20716.

2. On November 2, 2009 and March 14, 2014, during routine inspections, an inspector from the SBVME found expired drugs in Belair Veterinary Hospital's working stock.

3. On September 1, 2015, SBVME inspector, Susie Husk ("Ms. Husk"), found and removed more than 10 expired medication from the working stock of Belair Veterinary Hospital. These medications had expiration dates from 2013 through 2015. At that time, Ms. Husk advised that the inventory system should be improved and the inventory checked to remove expired medications from

working stock every thirty days. A representative of Belair Veterinary Hospital also signed a "COMAR Violations Sheet" reflecting the violations found during the inspection and advising that if similar violations were found in subsequent inspections the hospital could be subject to charges.

4. On January 27, 2017, Ms. Husk conducted another inspection of Belair Veterinary Hospital during which she found and removed more than 10 expired medications. A representative of Belair Veterinary Hospital signed another "COMAR Violations Sheet" at that time.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's prior disciplinary history with the Board, and the veterinarian's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

ORDER

Based on the following Findings of Fact and Conclusions of Law, it is this 1st day of June, 2017, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of Agriculture Article, § 2-310(8), Md. Code Ann., of the Veterinary Practice Act, and COMAR 15.14.01.12-3C, Dr. Harrison is assessed a civil penalty in the amount of $500.00. The Board acknowledges payment of $500.00 received from Dr. Harrison on May 22, 2017.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

David L. Handel, DVM
President