

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

IN THE MATTER OF:

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SCOTT K. ANDERSEN, D.V.M.

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DOCKET NO. 12-67

LICENSE NO. 2484

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 3rd day of

December, 2013, is between the Maryland State Board of Veterinary Medical Examiners

(Board) and Scott K. Andersen, D.V.M. (Dr. Andersen), License No. 2484. This Consent Agreement resolves the charges filed by the Board on January 16, 2013 in Docket No. 12-67, alleging that Dr. Andersen violated certain Code of Maryland Regulations (COMAR) 15.14.01.10 pertaining to record keeping, on or about March 30, 2012, concerning the care and treatment of "Rosebud," a three-year-old female Labrador Retriever owned by Denise Grimes and presented for postpartum mastitis. On or about March 5, 2013, Dr. Andersen requested through counsel to resolve the charges informally. By entering into this Consent Agreement, Dr. Andersen waives the right to a hearing and appeal on the charges in Docket No. 12-67. Dr. Andersen has a prior disciplinary history with the Board of a Consent Agreement in Docket No. 11-43.

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, Agriculture Article §§ 2-301 - 2-316, Annotated Code of Maryland and related COMAR regulations 15.14.01 - 15.14.17. 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 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

Dr. Andersen, 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 Board has sufficient evidence to find, as fact, and conclude as a matter of law that on or about March 30, 2012 at Waugh Chapel Animal Hospital, located at 2638 Brandermill Boulevard, in Gambrills, Maryland 21054, Dr. Andersen violated a certain regulation adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.10 pertaining to record keeping by failing to record the administration or dispensing of Rimadyl relating to the treatment of Denise Grimes' three-year-old female Labrador Retriever, "Rosebud."

Taking all the facts and circumstances into consideration, including the nature of the violation, Dr. Andersen's disciplinary history with the Board, and his good faith efforts to resolve this matter, the Board concluded that the most reasonable and appropriate resolution in this matter includes the following sanctions.

ORDER

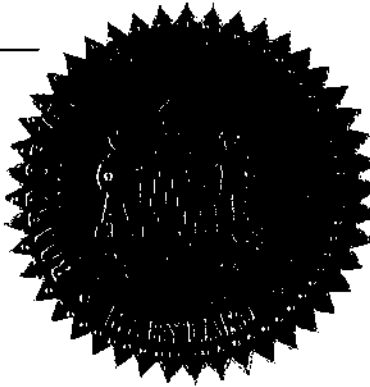
Based on the foregoing Findings of Fact and Conclusions of Law, it is this 3rd day of December, 2013, by the Maryland State Board of Veterinary Medical Examiners, ORDERED that:

- a. For the violation of COMAR 15.14.01.10 Record Keeping, Dr. Andersen is assessed a civil penalty in the amount of \$300, payable to the "Maryland Department of Agriculture" with the notation "SBVME - 12-67." Payment shall be made not later than 30 days from the date of this Order; however, the civil penalty is stayed, contingent upon compliance with the conditions of probation in this Consent Agreement.
- b. Dr. Andersen shall serve a period of probation of one year. 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 during the period of probation. Violation of probation will result in the stay being lifted, and the Board ordering the veterinarian to comply with the sanction; in this case, payment of the civil penalty of \$300.

- c. Within **six** months of the date of this order, Dr. Andersen shall complete a total of twelve credit hours of continuing education (CE), to include six credit hours in the area of internal medicine; specifically, canine reproduction; and six credit hours in pharmacology, as **preapproved** by the Board. Within **30** days of completion of this CE, Dr. Andersen shall forward to the Board documentation from the CE provider showing proof of completion of the CE credits required under this Order. Proof from the CE provider shall include Dr. Andersen's name, the number of hours of CE completed, the topics covered, and the dates the CE were 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.


David L. Handel, D.V.M.
Vice President
State Board of Veterinary Medical Examiners



CONSENT

I, Scott K. Andersen, acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the 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 four pages, including this page. I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

11/21/13
Date

 D.V.M.

NOTARY

STATE OF MARYLAND

~~CITY~~/COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this ^{21st} day of November, 2013, before me, a Notary Public of the State and City/County aforesaid, personally appeared Scott K. Andersen, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.


Notary Public George A. Bealefeld, III
My Commission expires: June 9, 2015