

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

IN THE MATTER OF:

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MARYMONT ANIMAL HOSPITAL
LICENSE NO. 15-025

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DOCKET NO. 17-50

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DR. GREGORY MEYER, DVM
LICENSE NO. 4256

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order ("Order"), dated this 24th day of August, 2017, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board") against Gregory Meyer, D.V.M. ("Dr. Meyer"), License No. 4256 and Marymont Animal Hospital, License No. 15-025. At all times relevant to these charges, Dr. Meyer was a veterinarian licensed to practice in the State of Maryland and was the co-owner and responsible veterinarian at Marymont Animal Hospital (License No. 15-025), located at 24 Randolph Road, Silver Spring, MD 20904.

This Order confirms the intention of Dr. Meyer, as the co-owner and responsible veterinarian of Marymont Animal Hospital to waive the right to contest the charge filed by the Board on June 22, 2017 in Docket No. 17-50 alleging that Dr. Meyer 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. 17-50, the Board alleged that Dr. Meyer 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 August 23, 2017, Dr. Meyer notified the Board that he wishes to voluntarily waive the right to a hearing and appeal on the charge in Docket No. 17-50 and would agree to pay a civil penalty in the amount of \$750.00 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, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and related 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 . . . [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 a veterinarian’s license. 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.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Meyer, after having the opportunity to seek advice of legal counsel, voluntarily waived his right to a hearing on the charge and agreed to pay a civil penalty of \$750.00. In so doing, Dr. Meyer 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. On or about May 23, 2017, during a routine inspection, Board Inspector Pegeen Morgan found 11 expired medications among the working stock at Marymont Animal Hospital. The expired medications found included Gabapentin liquid (50 mg) which expired in October 2015, Fatal Plus (250 ml) which expired in February 2016, and Prednisolone (3mg/ml) (30 ml) which expired on April 1, 2016.
2. In addition to the expired meds found in May 2017, Dr. Meyer has a history of having expired medications in his working stock dating back to 2014.
3. During an inspection in June 18, 2013, a few expired medications were removed by inspectors.
4. During an inspection on February 23, 2016, inspectors removed more than 10 expired medications and advised Dr. Meyer to check expiration dates every 30 days and to remove all expired medication. At that time, Dr. Meyer signed a “COMAR Violation Sheet” acknowledging the violations found.
5. COMAR 15.14.01.12-3C requires that until a veterinarian has disposed of an expired medication, the veterinarian shall package and keep it separate and apart from unexpired medications.
6. On or about May 23, 2017, despite prior warnings and other instances in which expired medications were found during routine inspections, Dr. Gregory Meyer, a co-owner and the responsible veterinarian at

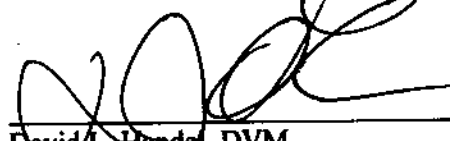
Marymont Animal Hospital, violated COMAR 15.14.01.12-3C by failing to keep expired medications separate and apart from unexpired medications.

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 24th day of August, 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. Meyer is assessed a civil penalty in the amount of \$750.00.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



David L. Handel, DVM
President