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

IN THE MATTER OF:	*	
ROBERT L. HARRISON, DVM LICENSE NO. 3194	*	DOCKET NO. 19-38
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BEL AIR ANIMAL HOSPITAL HOSPITAL LICENSE NO. 16-113 OWNER: NVA BELAIR VETERINARY MANAGEMENT LLC	* *	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 22nd day of February, 2019, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Dr. Robert L. 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 or about January 25, 2019, in Docket No. 19-38, 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, 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 in his veterinary hospital. By letter received by the Board on February 5, 2019, Dr. Harrison notified the Board that he wishes to voluntarily waive the right to a hearing and appeal on the charge in Docket No. 19-38 and will pay the $1,000.00 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).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Robert Harrison, DVM, License No. 3194 ("Dr. Harrison"),has agreed to submit payment of the $1000.00 civil penalty assessed by the Board in Docket No.19-38, and waived his right to a hearing on 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 related regulation. specifically COMAR 15.14.01.12-3C, as follows:

1. At all times relevant to the charge, Dr. Harrison was a veterinarian licensed to practice in Maryland, where he been licensed since 1987. Prior to June 2018, Dr. Harrison was the owner and responsible veterinarian of a veterinary hospital known as Belair Veterinary Hospital ("Hospital") located at 15511 Hall Road, Mitchellville MD 20716 (previous License No. 16-004). As of June 2018, the Hospital was purchased by NVA Belair Veterinary Management, LLC, and is now licensed as Hospital License No. 16-113.

2. While Dr. Harrison no longer owns the Hospital, he continues to act as responsible veterinarian. Dr. Harrison has a history of having expired medications mixed with the working stock of medications at the Hospital dating back to 2009, including formal charges reflected in a Consent Agreement and Order in Docket No. 17-35, for which he paid a civil penalty of $500.00 for expired medication violations.

3. On November 27, 2018, Board Inspector, Pegeen Morgan ("Ms. Morgan"), conducted a routine inspection of the Hospital during which she found 10 expired medications in the Hospital's working stock. As Board inspectors have done during previous inspections, Ms. Morgan advised that the Hospital inventory system should be improved and the inventory checked to remove expired medications from working stock every thirty

days. Ms. Morgan issued a COMAR Violation sheet, providing notice of the violations found, which was signed a Hospital staff member.

4. COMAR 15.14.01.12-3A prohibits veterinarians from administering expired medications to any animal and COMAR 15.14.01.12-3C requires that expired medications be packaged and kept separate and apart from unexpired medications in a hospital's working stock until disposal of such medications.

Taking all the facts and circumstances into consideration, including the nature of the violations, 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 foregoing Findings of Fact and Conclusions of Law, it is this 22nd day of February, 2019, 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 $1,000.00. The Board acknowledges receive of the full civil penalty on February 12, 2019.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



David L. Handel, DVM
President