

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

IN THE MATTER OF: *

SALLIE E. MORRIS, DVM *

DOCKET NOS. 14-47 & 15-55

LICENSE NO. 2191 *

* * * * *

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 26th day of February, 2016, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Sallie E. Morris, DVM (Dr. Morris), License No. 2191. This Consent Agreement resolves the charges filed by the Board on October 28, 2015 in Docket Nos. 14-47 and 15-55, alleging that on or about January 17, 2014, Dr. Morris violated Code of Maryland Regulations (COMAR); specifically, COMAR 15.14.01.07 and COMAR 15.14.01.10, pertaining to veterinary care provided on January 17, 2014 to "Xena" and "Mini," Toy Poodles owned by Deborah Fisher. On or about November 10, 2015, Dr. Morris requested an informal resolution. Subsequently, the parties entered into discussions and were able to reach a resolution. By entering into this Consent Agreement, Dr. Morris waives the right to a hearing and appeal on the charges in Docket Nos. 14-47 and 15-55. Dr. Morris has one prior disciplinary action by the Board in Docket No. 14-27.

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 Sections 2-301 through 2-316, Annotated Code of Maryland and related COMAR 15.14.01 through 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., Section 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., Section 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. Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Sallie E. Morris, DVM (License No. 2191), 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 at Rocky Gorge Animal Hospital, located at 7515 Brooklyn Bridge Road in Laurel, Maryland 20707, on or about January 17, 2014, she violated COMAR 15.14.01.07, a regulation adopted under the Veterinary Practice Act pertaining to Professional Judgment and Practice in her care and treatment of two companion animals, Deborah Fisher's 8.2 pound, six-year-old spayed female Toy Poodle, "Xena," and her 8.8 pound, nine-year-old neutered male Toy Poodle, "Mini." Specifically, Dr. Morris:

- a. Failed to perform additional diagnostic tests, including urinalysis and repeated bloodwork, prior to elective surgery, when the bloodwork for "Xena" indicated high levels of creatinine and BUN;
- b. Discharged the dogs that day with one dose of Buprenorphine, an opioid, which would have worn off near the time of discharge, and the NSAID for "Mini" should have been directed to be given the evening of surgery when analgesic therapy is most needed, rather than the following day. An NSAID, however, should not have been administered to a dog such as "Xena," one with abnormal bloodwork results that indicated kidney disease or azotemia, without investigating the cause of such abnormal bloodwork results; and
- c. Used abrasion sulcoplasty to repair the dogs' patellas, a procedure that is no longer recommended and is considered outdated; and used a suture size 0-vicryl to close multiple tissue layers, when a smaller suture is advisable in dogs weighing 8.2 and 8.8 pounds.

II.

Dr. Morris failed to maintain adequate records for two companion animals, Deborah Fisher's 8.2 pound, six-year-old spayed female Toy Poodle, "Xena," and her 8.8 pound, nine-year-old neutered male Toy Poodle, "Mini," a violation of COMAR 15.14.01.10 Record Keeping, when she failed after surgeries on or about January 17, 2014, at Rocky Gorge Animal Hospital, located at 7515 Brooklyn Bridge Road in Laurel, Maryland 20707, to prepare thorough surgical and anesthetic logs for "Xena's" and "Mini's" surgeries, including volumes and concentrations of substances used, frequencies, and routes of administration.

Taking all of the facts and circumstances into consideration, including the severity of the violations, Dr. Morris's past disciplinary history with the Board, and her good faith efforts to resolve this matter with the client and the Board, the Board concluded that the most reasonable and appropriate resolution in these matters includes the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this ^{1ST} ~~16~~ day of ^{HAK} ~~2/1/16~~ _{February} ~~Jan~~, 201~~6~~⁶ by the Maryland State Board of Veterinary Medical Examiners, ORDERED that:

- a. For the violations of COMAR 15.14.01.07 Professional Judgment and Practice and COMAR 15.14.01.10 Record Keeping, Dr. Morris is assessed a civil penalty in the total amount of \$3,600 (\$1,000 for each violation of COMAR 15.14.01.07 and \$300 for each violation of COMAR 15.14.01.10), payable to the "Maryland Department of Agriculture" with the notation "SBVME - 14-47 & 15-55." Payment shall be made not later than 30 days from the date of this Order.
- b. Dr. Morris's License, No. 2191, shall be suspended for three weeks, with two weeks stayed. Dr. Morris shall notify the Board in writing 30 days before beginning the week of suspension. The stay of suspension of the license is contingent upon compliance with the conditions of probation in this Consent Agreement.
- c. Dr. Morris shall serve a period of probation of eighteen months, consecutive to the current period of probation which expires on January 6, 2017 under the Consent Agreement and Order in Docket No. 14-27. The Board expressly agrees that it will not act to violate the probation ordered in that earlier

Consent Agreement and Order based on the charges in Docket Nos. 14-47 and 15-55. 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, suspension of the license for up to two weeks.

- d. Within 18 months of the date of this order, Dr. Morris shall complete nine credit hours of continuing education (CE); specifically, three credit hours in pain management, three credit hours in orthopedics, and three credit hours in clinical pathology for renal disease, as **preapproved** by the Board. Within 30 days of completion of this CE, Dr. Morris 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(s) shall include Dr. Morris'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.


Heather M. Hendler, VMD
Vice President
State Board of Veterinary Medical Examiners



CONSENT

I, Sallie E. Morris, DVM, License No. 2191, 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 five 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.

1/26/16
Date

Sallie E. Morris, DVM

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF CARROLL

I HEREBY CERTIFY that on this 26 day of JANUARY, 2016, before me, a Notary Public of the State and City/County aforesaid, personally appeared Sallie E. Morris, DVM, and made oath in due form of law that the foregoing Consent Agreement and Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

James H. Seales
Notary Public

My Commission expires: 10/12/18