

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

IN THE MATTER OF:

*

MICHELLE HUDNALL, DVM
(LICENSE NO. 6358)

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DOCKET NO. 16-71

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 7th day of August, 2018, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Michelle Hudnall, DVM, ("Dr. Hudnall"), License No. 6358. This Consent Agreement resolves the charges filed by the SBVME on or about July 31, 2017 in Docket No. 16-71 alleging that Dr. Hudnall violated COMAR 15.14.01.07A (Professional Judgment and Practice) and COMAR 15.14.01.10-A (Record Keeping), in connection with her treatment of "Obo," a Doberman owned by Lindsley Williams and Lisa Dodd-Major,

By letter dated August 10, 2017, Dr. Hudnall, through counsel, requested a hearing before the Board. Thereafter, the parties entered into discussions regarding resolution of the case. On April 26, 2018, Dr. Hudnall and her counsel appeared before members of the Board for a confidential resolution conference. Following that conference, Dr. Hudnall and the Board reached an agreement to resolve the case. By entering into this Consent Agreement, Dr. Hudnall waives the right to a hearing and an appeal on the charging document in Docket Number 16-71.

Under Maryland law, the SBVME 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 the provisions of the Veterinary Practice Act and related COMAR regulations adopted pursuant to this law. As part of its authority, the SBVME "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). The Board may also 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

Michelle Hudnall, DVM, License No. 6358, 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 SBVME has sufficient evidence to find, as fact, and to conclude as a matter of law that Dr. Hudnall committed two violations of COMAR 15.14.01.07A (Professional Judgment and Practice) and two violations of COMAR 15.14.01.10-A (Record Keeping) in connection with her treatment of Obo, a Doberman owned by Lindsley Williams and Lisa Dodd-Major. Specifically:

1. At all times relevant to these charges, Dr. Hudnall was a veterinarian licensed to practice in the State of Maryland. Dr. Hudnall was, at the time of the incident described herein, employed at Pineview Veterinary Hospital ("Hospital") (License No. 11-002), located at 85 Pineview Drive, Oakland, Maryland 21550.
2. On or about May 19, 2016, "Obo" was boarded at the Hospital while his owners were out of town. That afternoon, Obo was found in his kennel in distress by staff. After Obo's condition was discovered, Obo came under the care of Dr. Hudnall. Radiographs were taken which indicated that Obo was suffering from gastric dilation-volvulus ("GVD"), commonly referred to as "bloat." GVD is an emergency condition in which the patient's stomach is twisted. Appropriate treatment is necessary to make a favorable outcome more likely, including pre-operative treatment and surgery. Among the first steps necessary to address GVD is stabilization of the patient and/or decompression of the stomach. In this case, Dr. Hudnall did not satisfy the applicable standard of care with respect to the pre-operative management of Obo.

3. Later in the case, Dr. Hudnall performed surgery on Obo. Unfortunately, Obo died later that evening. Although the Board did not find that Dr. Hudnall's actions caused Obo's death, the Board was impressed with Dr. Hudnall's expressions of regret for the outcome and with her efforts to be better prepared if she is presented with a GVD case in the future.

4. At 4:35 p.m., Dr. Hudnall approved the administration of epinephrine. The records indicate that Dr. Hudnall approved the administration of a second dose of epinephrine 7:20 p.m.

5. In Obo's case, epinephrine was an inappropriate medication. Some level of shock and cardiac arrhythmia is typically present in bloat cases pre-treatment. Post-operatively, 25% of GDV patients have an arrhythmia, but it can take up to 72 hours to develop. According to *Plumb's Veterinary Drug Handbook*, epinephrine can cause cardiac arrhythmias and is contraindicated in shock cases due to non-anaphylactic causes. A more appropriate treatment would have been an anti-arrhythmia drug such as lidocaine.

6. Dr. Hudnall's records from Obo's surgery lack sufficient detail reflecting the surgery performed. COMAR 15.14.01.10A(8) requires that a veterinarian keep medical records which contain a surgery log and anesthesia log. The medical records for Obo are deficient with respect to both a surgery log and an anesthesia log.

Based on the foregoing findings of fact, the SBVME, concludes that Michelle Hudnall, D.V.M., License No. 6358, violated COMAR 15.14.01.07A (Professional Judgment and Practice) in her treatment of Obo by failing to take actions to stabilize Obo in the period before surgery and by administering an inappropriate medication, epinephrine. In addition, Dr. Hudnall violated COMAR 15.14.01.10A(10) by failing to include in medical records from Obo's surgery both an adequate surgery log and an anesthesia log. Taking the facts and circumstances into consideration, including the nature of the violations, Dr. Hudnall's lack of a disciplinary history with the Board, and her good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution includes the sanctions below.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 17th day of August, 2018, by the State Board of Veterinary Medical Examiners, ORDERED that:

(a) For each of the two violations of COMAR 15.14.01.07A (Professional Judgment and Practice), Dr. Hudnall is assessed a civil penalty of \$500.00, for a total of \$1,000.00;

(b) For each of two violations of 15.14.01.10A(10) (Record Keeping), Dr. Hudnall is assessed a civil penalty of \$300.00, for a total of \$600.00;

(c) The total civil penalty of \$1,600.00 payable to the "Maryland Department of Agriculture" with the notation "SBVME – 16-71," shall be made within thirty (30) days of the date of this Order;

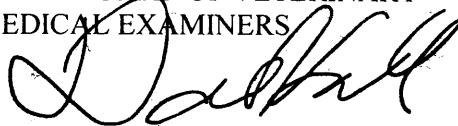
(d) Dr. Hudnall shall serve a period of probation of six months from the date of this Order. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. Violation of probation means 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 based on acts which occurred during the period of probation. Violation of probation may result in imposition of a suspension of the veterinary license for two weeks, as well as additional disciplinary action and sanctions;

(e) As a condition of probation, within six months of the date of this Order, Dr. Hudnall shall complete 12 hours of continuing education ("CE"), pre-approved by the Board. Of those 12 hours, 6 hours preferably shall be in management of gastric dilation-volvulus and 6 in pharmacology (although the Board may approve other CE upon request); Within 15 days of completion of the CE, Dr. Hudnall shall forward to the Board documentation from the CE provider showing proof of completion of the CE credits under this Order. Proof from the CE provider shall include Dr. Hudnall's name, the number of CE hours completed, the topics covered, and the dates the CE was 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. To verify completion of

both the CE required under the terms of this Consent Agreement and the CE required for annual registration of the veterinary license, Dr. Hudnall may be subject to CE audit in future years.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this
17th day of August, 2018.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



David Handel, D.V.M.

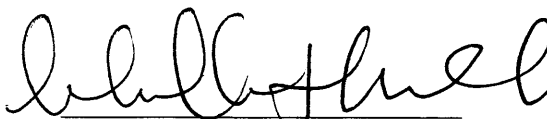
President

State Board of Veterinary Medical Examiners
Maryland Department of Agriculture

CONSENT

I, Michelle Hudnall, D.V.M., acknowledge that I have had an opportunity to consult with counsel before entering into this Consent Agreement. By this Consent, I hereby acknowledge the legal authority and 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 ___ pages. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

8/7/18
Date



Michelle Hudnall, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Garrett

I HEREBY CERTIFY that on this 7th of August, 2018 before me, a Notary Public of the City/County aforesaid, personally appeared Michelle Hudnall, D.V.M, and made oath in due form of law that the foregoing Consent Agreement was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Theresa Marie Miller

Notary Public

My commission expires: 05/17/21



Theresa Marie Miller, Notary Public
Garrett County
State of Maryland
My Commission Exp. May 17, 2021