

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

IN THE MATTER OF:

\*

THOMAS W. VINSON, III, DVM  
(LICENSE NO. 6735)

\*

DOCKET NO. 17-21

\*

\* \* \* \* \*

**CONSENT AGREEMENT AND ORDER**

This Consent Agreement and Order ("Consent Agreement"), dated this 3<sup>rd</sup> day of July, 2018, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Thomas W. Vinson, DVM, ("Dr. Vinson"), License No. 6735. This Consent Agreement resolves the charges filed by the SBVME on or about July 31, 2017 in Docket No. 17-21 alleging that Dr. Vinson violated COMAR 15.14.01.10A (Record Keeping), in connection with his care and treatment of "Sterling" a six month old Persian kitten owned by Victor and Dianne Salama.

By letter dated September 2017, Dr. Vinson requested a hearing before the Board. Thereafter, the parties entered into discussions regarding resolution of the case. On April 26, 2018, Dr. Vinson and his counsel appeared before members of the Board for a confidential resolution conference. Following that conference, Dr. Vinson and the Board reached an agreement to resolve the case. By entering into this Consent Agreement, Dr. Vinson waives the right to a hearing and an appeal on the charging document in Docket Number 17-21.

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**

Thomas W. Vinson, III, D.V.M., License Number 6735, 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. Vinson violated of COMAR 15.14.01.10-A (Record Keeping), as follows:

1. At all times relevant to these charges, Dr. Vinson was a veterinarian licensed to practice in the State of Maryland. Dr. Vinson was, at the time of the incident described herein, employed at Stevenson Village Veterinary Hospital ("Hospital") (License No. 03-121), located at 46 Sudbrook Lane, Baltimore, MD 21208.

2. On or about December 7, 2016, a 6 month old Persian kitten named "Sterling," owned by Victor Salama and Dianne Salama (collectively "Owners"), presented to the Hospital for neuter surgery. Dr. Vinson was Sterling's attending veterinarian for the surgery. Dr. Vinson's pre-surgical examination of Sterling revealed stenotic nares and mild stertor. Sterling was otherwise healthy. Dr. Vinson placed Sterling under anesthesia and performed a "routine closed castration," which was finished at 9:15 a.m. Following surgery, Dr. Vinson also performed a leukemia test.

3. COMAR 15.14.01.10-1 (Client Consent for Companion Animals and Hospitalized Animals) requires that for a non-emergency presentation, a veterinarian shall

inform the client in a manner that is understandable by a reasonable person, of the diagnostic and treatment plan . . .” In addition, the veterinarian shall “. . . provide a written estimate of the charges for veterinary services, and obtain the client’s signature indicating acknowledgement and approval, before a veterinarian performs . . . surgery.”

4. In this case, the medical records do not reflect aspects of owner consent, including when or if consent for a leukemia test was given. In addition, the medical records do not contain the estimate required under COMAR 15.14.01.10-1.

Based on the foregoing findings of fact, the SBVME, concludes that Dr. Thomas W. Vinson, III, License No. 6735, violated 15.14.01.01.10-1 (Client Consent for Companion Animals and Hospitalized Animals) by not providing a written estimate of the charges for veterinary services for “Sterling” and by not obtaining the signature of Sterling’s owners on the estimate, indicating the owners’ acknowledgment and approval before performing surgery.

Taking the facts and circumstances into consideration, including the nature of the violations, Dr. Vinson’s lack of a disciplinary history with the Board, and his good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution includes the following sanctions.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 3<sup>rd</sup> day of July, 2018, by the State Board of Veterinary Medical Examiners, ORDERED that:

(a) For violation of 15.14.01.01.10-1 (Client Consent for Companion Animals and Hospitalized Animals), Dr. Vinson is assessed a civil penalty of \$300.00, payable within 30 days from the date of this Order to the “Maryland Department of Agriculture” with the notation “SBVME – 17-21;” and;

(b) Dr. Vinson shall, within six months of the date of this Order, complete six hours of continuing education ("CE") in small animal surgery or anesthesia, pre-approved by the Board; and;

(c) Within 15 days of completion of the CE, Dr. Vinson 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. Vinson'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. Vinson may be subject to CE audit in future years.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 3<sup>rd</sup> day of July, 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, Thomas W. Vinson, III, 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.

6/19/2018  
Date

  
Thomas W. Vinson, III, D.V.M.

NOTARY

STATE OF Maryland  
CITY/COUNTY OF Carroll

I HEREBY CERTIFY that on this 19 of June, 2018 before me, a Notary Public of the City/County aforesaid, personally appeared Thomas W. Vinson, D.V.M, III, and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

  
Notary Public  
My commission expires: 3/19/2022