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

IN THE MATTER OF:	*	
JANE E. BRUNT, DVM LICENSE NO. 5186	*	DOCKET NO. 22-83
	*	
CAT HOSPITAL AT TOWSON, LLC HOSPITAL LICENSE NO. 03-043	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 11th day of May, 2022, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Jane E. Brunt, DVM ("Dr. Brunt") License No. 5186, the responsible veterinarian at Cat Hospital at Towson, LLC ("Cat Hospital"), License No. 03-043, located at 6701 York Road, Baltimore, Maryland, 21212.

This Order confirms Dr. Brunt's agreement to resolve Docket No. 22-83 without the issuance of formal charges. By correspondence with Board counsel on May 2, 2022, Dr. Brunt accepted the terms and conditions set forth in this Order, including the findings that she violated the Maryland Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 - 2-316, ("Veterinary Practice Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17. Before agreeing to this Order, Dr. Brunt was advised in writing regarding her due process rights, including the right to receive formal notice of charges, request a hearing, retain legal counsel, and all other rights under the Veterinary Practice Act, Agric. § 2-311.

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. § 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. Agric. § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of these violations, the good faith of the violator, and the history of prior violations, as well as the Board's 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. Brunt, after having the opportunity to seek the advice of legal counsel, voluntarily waived her right to formal charges and a hearing and agreed to pay the civil penalty of $300. In so doing, Dr. Brunt acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that she violated COMAR 15.14.01.12-3C (Expired Medications) as follows:

1. Dr. Brunt is a veterinarian who has been licensed to practice in Maryland since 1980. Dr. Brunt is the responsible veterinarian at Cat Hospital. She has no formal history of relevant discipline with the Board.

2. On February 8, 2022, during an annual inspection of the Hospital, Board Inspector Ellen James ("Inspector James") found at least nineteen (19) expired medications in the Hospital's working stock of drugs. These included potassium tablets that had expired in January 2021, Dopamine 5 ml. injectable that expired in September 2021, and Ketorolac Tromethamine Opthalmic solution that expired in April of 2021.

3. Inspector James prepared a Veterinary Hospital Inspection Report, reflecting her findings on February 8, 2022 and issued a COMAR Violation Sheet reflecting the expired medications found.

4. COMAR 15.14.01.12-3C requires that expired medications be packaged and kept separate and apart from unexpired medications until disposal of such medications. There is no evidence that Dr. Brunt administered expired medications to her patients. However, Dr. Brunt violated this regulation by allowing expired medications to be stored with non-expired medications in the working stock of the hospital at which she serves as responsible veterinarian.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's lack of prior discipline, 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 11th day of May, 2022, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED:**

(a) That for the violation of Md. Code Ann., Agric. § 2-310(8) and COMAR 15.14.01.12-3C, Jane E. Brunt, DVM, the responsible veterinarian at Cat Hospital at Towson, LLC (License No. 03-043) is assessed a civil penalty of $300;

(b) The civil penalty shall be paid within thirty (30) days from the date of this Order by check payable to the Maryland Department of Agriculture ("MDA") with the notation ("SBVME 22-83") and mailed to MDA at the address below; and

(c) This is a public order.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

/NEB

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