

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

IN THE MATTER OF:

JAMILA Y. ECHOLS, D.V.M.
LICENSE NO. 6654

DOCKET NO. 21-68

* * * * *

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 16th day of December 2022, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Jamila Y. Echols, D.V.M. ("Dr. Echols"), License No. 6654. This Consent Agreement resolves a case arising from a complaint filed with the SBVME in Docket No. 21-68, alleging that Dr. Echols violated the Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 – 2-316 and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17 set forth herein.

On 12.6, 2022, Dr. Echols, through legal counsel, agreed to resolve this case under the terms and conditions reflected in this Consent Agreement without the need for issuance of formal charges. Prior to doing so, Dr. Echols was advised in writing regarding her due process rights under Md. Code Ann., Agric. § 2-311. By signing this Consent Agreement, Dr. Echols agrees to waive her right to formal charges and a hearing in Docket No. 21-68 and further agrees to the terms and conditions of this Consent Agreement.

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. § 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. Agric. § 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 civil penalty standards. Md. Code Ann., State Gov't. § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Jamila Y. Echols, D.V.M., License Number 6654, by entering into and signing this Consent Agreement, having had the opportunity to seek the advice of counsel, 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. Echols violated COMAR 15.14.01.07 (Professional Judgment) and COMAR 15.14.01.10A (Record Keeping) as set forth herein:

1. Dr. Echols is a veterinarian licensed to practice in Maryland, where she has been licensed since 2010. At the time of the events described herein, Dr. Echols was a veterinarian at Banfield Pet Hospital #1364 ("Banfield") ("CAC") (License No. 16-083) located at 13600 Baltimore Avenue, Suite 160, Laurel, MD 20707. Dr. Echols has no formal disciplinary history with the Board.
2. This case involves the care and treatment provided to Rudy, a 7-month-old kitten owned by Rachel Lesane ("Ms. Lesane" or "Owner").
3. On March 1, 2021, Ms. Lesane took Rudy to Banfield for vomiting, weakness, and diarrhea. Dr. Echols was Rudy's attending veterinarian. Ms. Lesane was an established client of Dr. Echols, who treated her pets for many years. Ms. Lesane told Dr. Echols that Rudy's diarrhea started one week before the visit. Ms. Lesane explained that Rudy had not been as playful as usual during the previous two weeks, and her stomach was painful when touched.
4. Dr. Echols performed a physical exam and noted that Rudy's body condition score was 2/9. Dr. Echols also found Rudy to be 6% dehydrated. She recommended full bloodwork, a Giardia SNAP test, a FeLV/FIV/HW Snap test, and a fecal test. Ms. Lesane consented to these diagnostics. Dr. Echols also recommended abdominal radiographs and IV fluid therapy, which the record reflects that Ms. Lesane declined.
5. The results of Rudy's bloodwork were abnormal, as Rudy's bilirubin level was elevated (3.7 mg/dl) and the white blood cell count was decreased, which include a decrease in the lymphocyte count. Dr. Echols

failed to note which values were abnormal in the record, nor did she record any suspicion of liver disease, which could cause elevated bilirubin. Rudy was also positive for roundworms. The remainder of Rudy's diagnostic testing was normal.

6. Dr. Echols administered subcutaneous fluids and a single dose of pyrantel orally to Rudy. Dr. Echols prescribed sucralfate, Proviale, and metronidazole orally and discharged Rudy.

7. On March 2, 2021, Ms. Lesane returned to Banfield to see Dr. Echols because Rudy was still not eating, and Ms. Lesane was having trouble giving Rudy her oral medications.

8. Again, Dr. Echols recommended that abdominal radiographs be performed. Dr. Echols noted in the record that Ms. Lesane declined radiographs. Dr. Echols administered Cerenia and famotidine subcutaneously, and Rudy was discharged.

9. On March 4, 2021, Ms. Lesane called Banfield and spoke to a receptionist. Ms. Lesane told the receptionist that Rudy was not vomiting as much, but she still was not eating or drinking. The receptionist told Ms. Lesane that Dr. Echols recommended giving Rudy Pepcid for stomach upset and bringing Rudy in for a recheck exam. However, Ms. Lesane did not return to Banfield with Rudy.

10. On March 5, 2021, Ms. Lesane took Rudy to Friendship Hospital for Animals ("FHA") (Washington D.C.) due to continued inappetence and lethargy. The FHA attending veterinarian performed a physical exam and noted that Rudy was icteric (yellow pigmentation to the skin), 8-10% dehydrated, and had a BCS score of 3/9. Based on her physical exam findings, the FHA veterinarian was concerned that Rudy could have hepatic disease or feline infectious peritonitis ("FIP").

11. The veterinarian recommended diagnostic testing (full bloodwork and abdominal ultrasound) and hospitalization for supportive care and intravenous (IV) fluids. Ms. Lesane consented to the treatment plan. The veterinarian noted that she would hold off on performing Rudy's bloodwork until she could obtain Rudy's medical records from Banfield.

12. The following morning on March 6, 2021, Rudy came under the care of a different veterinarian at FHA. Rudy had bloodwork and an abdominal ultrasound performed.

13. According to FHA's medical records, Rudy's ultrasound showed moderate hepatomegaly, hypoechoic parenchyma, and peritoneal effusion. These changes were supportive of FIP. The attending

veterinarian noted that Rudy's bloodwork did not show characteristics changes related to FIP, such as an increased total protein level, but her white blood cell count was decreased.

14. Due to Rudy's poor prognosis, Ms. Lesane, made the difficult decision to euthanize Rudy on March 6, 2021.

15. Ms. Lesane filed a complaint with the Board alleging substandard care by Dr. Echols. One of Ms. Lesane's complaints was that Dr. Echols never discussed Rudy's abnormal bloodwork results with her,

16. The Board opened a case and conducted an investigation, including obtaining and reviewing the medical records. After considering the evidence presented, the Board concluded that Dr. Echols provided substandard care to Rudy and that her medical records were deficient.

17. COMAR 15.14.01.07A (Professional Judgment and Practice) provides that: "[a] veterinarian, when caring for and treating a patient, shall conform to those minimum standards of care and treatment which are customary among veterinarians in this State." Dr. Echols failed to satisfy the applicable standard in her care and treatment of Rudy in several ways.

18. Although the bloodwork she ordered showed increased bilirubin, Dr. Echols never discussed this abnormal value with Ms. Lesane, nor was it noted in the record other than the lab results. Dr. Echols only considered Rudy dehydrated and did not include liver disease as part of her differential diagnosis. Acting within the standard of care, Dr. Echols should have recognized signs of illness, formulated a treatment or diagnostic plan to further explore the liver disease as a possible diagnosis, and communicated with the Owner about Rudy's condition, including the increased bilirubin levels shown on the bloodwork. While the Board understands that Dr. Echols did not have the ability to order an abdominal ultrasound to be performed at Banfield, she should have discussed the benefits of ultrasound to assess Rudy's condition with Ms. Lesane.

19. The medical record prepared by Dr. Echols was also deficient. COMAR 15.14.01.10A (Record Keeping) requires, for a companion animal, that a veterinarian prepare a legibly written record that accurately and thoroughly reflects the treatment provided, including the progress and disposition of the case.

20. Dr. Echols did not satisfy the Board's record keeping standards because the record does not include any assessment of Rudy's condition, any note of the abnormal bilirubin levels, or a differential diagnosis. In addition, there is no record of any client communication.

Taking the facts and circumstances into consideration, including the nature of the violation(s), the veterinarian's lack of disciplinary history, her acceptance of responsibility, and good faith cooperation in resolving this matter, the Board concluded that the most reasonable and appropriate resolution includes the sanctions set forth below.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 6th day of December, 2022, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For violating COMAR 15.14.01.07 (Professional Judgment) with respect to the care and treatment provided to Rudy, a 7-month-old kitten owned by Rachael Lesane, by not discussing the increased bilirubin shown on the bloodwork, not formulating a treatment plan that satisfied the applicable standard of care, and not including liver disease as part of her differential diagnosis, Dr. Echols is assessed a civil penalty of \$300;
- (b) For violating COMAR 15.14.10A (Record Keeping) by failing to discuss the abnormal findings in the cat's blood work, include her assessment and differential diagnoses, and record her communications with Rudy's owner, Dr. Echols is assessed a civil penalty of \$300;
- (c) Dr. Echols shall pay the civil penalties (\$600) within sixty (60) days from the date of this Consent Agreement by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME – 21-68" sent to the MDA, care of Nathaniel Boan, at 50 Harry S. Truman Parkway, Annapolis, MD 21401;
- (d) As an additional requirement of this Consents Agreement, Dr. Echols shall complete twelve (12) hours of continuing education ("CE"), submitted to and approved by the Board in advance to ensure that it will satisfy the requirements of this agreement.

Requests for pre-approval of CE shall be submitted to the Board via Nathan Boan, Executive Director, at Nathaniel.boan@maryland.gov. Requests for pre-approval should include the syllabus of each course proposed, a hyperlink, or other information that provides detailed information about the subject matter covered. Of the twelve hours of CE, six shall be in record keeping, consisting of the Veterinary Medical Record Keeping course offered online at drip.net or an approved equivalent, and six shall be in liver disease or internal medicine; and

- (e) The CE shall be completed, and verification of completion provided to the Board within ninety (90) days from the date of this Order. Verification should be sent by email to Nathaniel Boan, Executive Director. Proof from the CE provider shall include the veterinarian's name, the number of hours of CE completed, the topics covered, and the date(s) the CE was given. This CE will not count toward the 18 credit hours required annually for re-registration of the veterinary license. To verify completion of the annual CE requirements and the CE required by this Consent Agreement, the Board may conduct an audit of the veterinarian's CE records for relevant years; and
- (f) This Consent Agreement is a public order.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this
10th day of December, 2022.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERSHandwritten signature of Christine Calvert in black ink, followed by the text "/NEB".

Christine Calvert, D.V.M.

Member

State Board of Veterinary Medical Examiners

Maryland Department of Agriculture

CONSENT

I, Jamila Y. Echols, 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 to issue and enforce this Consent Agreement. To resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of seven pages, including this Consent. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

Date: 12.6.2022

Handwritten signature of Jamila Y. Echols in black ink, written over a horizontal line.

Jamila Y. Echols, D.V.M.