

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

IN THE MATTER OF:

JAMES CAMILLIERE, DVM
LICENSE NO. 3806

DOCKET NO. 22-116A

* * * * *

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 24th day of May 2023, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and James Camilliere, VMD ("Dr. Camilliere"), License No. 3806. This Consent Agreement resolves a case arising from a complaint filed on May 30, 2022, with the SBVME, assigned Docket No. 22-116A, alleging that Dr. Camilliere 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, as set forth herein.

On May 11, 2023, Dr. Camilliere, through counsel, having been advised in writing regarding his due process rights, agreed to resolve this case under the terms and conditions reflected in this Consent Agreement. By signing this Consent Agreement, Dr. Camilliere agrees to waive his right to formal proceedings in this case, including the issuance of charges and a hearing. He 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. 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

James Camilliere, DVM, License Number 3806, by signing this Consent Agreement, having had the opportunity to seek the advice of legal 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. Camilliere did not satisfy COMAR 15.14.01.07 (Professional Judgment and Practice) as described below:

1. Dr. Camilliere is a veterinarian licensed to practice in Maryland, where he has been licensed since 1990. At the time of the events giving rise to this case, Dr. Camilliere was working as a veterinarian at Banfield Pet Hospital #0359 ("BPH" or "Hospital") (License No. 02-042), located at 2601 Housely Road, Annapolis, MD 21401. Dr. Camilliere has no history of formal disciplinary action.
2. This case involves care and treatment provided to Max, a 14-year-old Maltese owned by Keona Brooks ("Ms. Brooks" or "owner").
3. On June 7, 2021, Ms. Brooks took Max to BPH for preventative care and a comprehensive exam. Another BPH veterinarian, Sarah Breedlove (License No. V-08538) was Max's attending veterinarian. As part of the services provided to Max, Dr. Breedlove ordered bloodwork.
4. Max's bloodwork showed mildly elevated BUN (36 mg/dl) with a creatinine level of 1.6 mg/dl., which is in the upper limit of normal.
5. Max presented back to Dr. Breedlove on January 14, 2022, for preventative care. Dr. Breedlove examined Max, administered Lyme and leptospirosis vaccines, and performed a fecal, which revealed that Max had hookworms. Dr. Breedlove prescribed pyrantel pamoate. During this visit, Ms. Brooks advised Dr. Breedlove that she was feeding Max a homemade diet due to his sensitive stomach. Dr. Breedlove recommended that Ms. Brooks consult a veterinary nutrition website to ensure Max's diet was well-balanced. Ms. Brooks also told Dr. Breedlove that Max had been reverse sneezing. Dr. Breedlove counseled Ms. Brooks on the causes of reverse sneezing and

the possibility that it could mimic a collapsing trachea. Dr. Breedlove advised Ms. Brooks to watch videos of reverse sneezing so she could distinguish between the two and seek treatment if necessary.

6. On February 19, 2022, Ms. Brooks contacted a Banfield telehealth veterinarian, concerned that Max had been sleeping more than usual. The telehealth veterinarian noted that age, pain from arthritis, or underlying disease could cause increased fatigue. The veterinarian recommended an in-person visit for an exam, bloodwork, and a possible NSAID trial.

7. On February 28, 2022, as recommended by the telehealth veterinarian, Ms. Brooks took Max to BPH, where Dr. Camilliere became Max's attending veterinarian. According to BPH's medical records, at the time of that visit, Ms. Brooks reported that Max was lethargic and had recently been sleeping more than usual. Ms. Brooks also noted that she suspected that Max had arthritis. During the visit, Ms. Brooks did not complain about urinary problems, inappetence, weight loss, or behavioral issues, but she did request that Dr. Camilliere perform bloodwork.

8. Dr. Camilliere performed a physical exam and noted that Max had an enlarged prostate. Dr. Camilliere palpated Max's abdomen and kidneys were palpated within normal limits. Dr. Camilliere recommended Galliprant for Max's arthritis, a Non-Steroidal Anti-Inflammatory Drug ("NSAID"). According to Dr. Camilliere, his physical examination findings did not warrant new bloodwork, despite the owner's request. However, he advised Ms. Brooks to have bloodwork performed at Max's next preventative care appointment when Max's wellness plan was due for renewal. Dr. Camilliere did not review Max's bloodwork from June 7, 2021, before prescribing Galliprant.

9. On April 13, 2022, Ms. Brooks took Max to BPH because he was reverse sneezing and urinating in the house. Dr. Breedlove was Max's attending veterinarian. Upon physical exam, Dr. Breedlove could not record Max's respiration rate due to his reverse sneezing. Dr. Breedlove recommended that Ms. Brooks give Max Benadryl for his reverse sneezing. Ms. Brooks reported that Max began urinating inside the house after she moved to a new home. Dr. Breedlove suspected a behavioral or territorial cause for Max's inappropriate urination rather than a clinical diagnosis. Dr. Breedlove and Ms. Brooks discussed putting Max back on dry food.

10. On May 20, 2022, Ms. Brooks took Max to EMMAvet-Veterinary Urgent Care in Alexandria, Virginia, because Max was anorexic and ate 0-2 times a day. Max had diarrhea two days that week and had been vomiting for three weeks. Max had significant weight loss and low energy. In addition, Ms. Brooks reported that he had been

drinking more water than usual. The night before that visit, Max began having nasal discharge. The attending veterinarian examined Max and noted that Max's kidneys were palpable, bilaterally symmetric, and smooth. Max weighed 4.9 lbs., and his body score was 1/9. The veterinarian recommended bloodwork, and Ms. Brooks consented.

11. Max's bloodwork revealed high BUN, alkaline phosphate, and sodium levels. The veterinarian diagnosed Max with renal failure. After discussing treatment options, Ms. Brooks elected to euthanize Max.

12. On May 30, 2022, Ms. Brooks submitted a complaint to the SBVME against Dr. Camilliere. Among other things, Ms. Brooks alleged that Max's kidney failure should have been detected sooner.

13. After considering the evidence gathered during the investigation, the Board concluded that the care provided to Max by Dr. Camilliere did not satisfy the standards applicable to veterinarians in this State.

14. 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."

15. Dr. Camilliere did not satisfy the applicable standard in his care and treatment of Max by failing to recommend bloodwork before prescribing an NSAID and by failing to review Max's earlier bloodwork to assess potential kidney disease. While veterinary prescriptions of NSAIDs for dogs and cats are common, side effects may occur. As a group, NSAIDs may affect the kidneys, liver, and gastrointestinal tract. Reported side effects are usually mild; however, serious side effects include gastrointestinal ulcers and perforations, as well as kidney and liver problems. For this reason, prescribing veterinarians should consider kidney function when prescribing NSAIDs.

16. The Food and Drug Administration ("FDA") has a resource for veterinarians advising clients about pain control and NSAIDs in dogs and cats. That guidance states explicitly that:

NSAID therapy can also unmask hidden disease that was previously undiagnosed due to the absence of apparent clinical signs. Dogs and cats with underlying kidney disease, for example, may experience worsening of their kidney function while on an NSAID. Dogs and cats at greatest risk for developing side effects from NSAID therapy are those that are dehydrated, on concomitant diuretic therapy, have recently been treated with a corticosteroid, or have pre-existing kidney, heart, or liver dysfunction.

...

Veterinarians are in the best position to advise pet owners on the safe use of an NSAID. Before administering an NSAID to a dog or cat, the veterinarian should recommend blood and urine tests. The results of these tests could be critical in deciding if the drug is safe to use in the patient.

See FDA guidance, attached as Exhibit A (emphasis added).

17. Generally, BUN and creatinine levels do not increase in an animal's lab work until 2/3 to 3/4 of the kidney function has been lost. In this case, Max's bloodwork values from June 7, 2021, suggested that Max may have been suffering from kidney disease at that time.

18. There are well-established and continually updated guidelines from the International Renal Interest Society ("IRIS") to assist veterinarians in diagnosing and treating patients with kidney disease. Under the IRIS guidelines, a creatinine level of 1.6 falls within the range of 1.4-2.0, which the IRIS classifies as stage 2 kidney disease. Clinical signs can be mild or absent in this stage.

19. The IRIS guidelines provide that management of Stage 2 canine patients should include discontinuing all potentially nephrotoxic drugs, if possible, which would include NSAIDs like Galliprant.

20. Given Max's advanced age and prior lab work results suggesting Stage 2 kidney disease, Dr. Camilliere, acting within the standard of care, should have repeated or recommended repeating bloodwork before prescribing Galliprant for Max in February of 2022.

Taking the facts and circumstances into consideration, including the nature of the violation(s); the veterinarian's lack of formal disciplinary history; and his 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

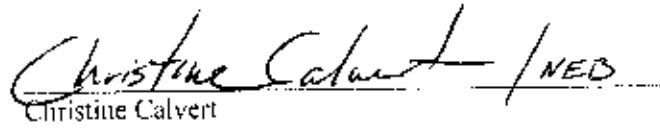
Based on the foregoing Findings of Fact and Conclusions of Law, it is this 24th day of May 2023, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For not satisfying COMAR 15.14.01.07 (Professional Judgment) in the care and treatment provided to Max, a 14-year-old Maltese owned by Keona Brooks, by not recommending or ordering bloodwork before prescribing the NSAID, Galliprant, in a patient with prior bloodwork suggestive of kidney disease, James Camilliere, DVM, License No. 3806, is assessed a civil penalty of \$900:

- (b) Dr. Camilliere shall pay the civil penalty (\$900) 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 22-116A" sent to the MDA at 50 Harry S. Truman Parkway, Suite 102, Annapolis, MD 21401 to the attention of Nathaniel Boan;
- (c) As an additional requirement of this Consent Agreement, Dr. Camilliere shall complete six (6) hours of continuing education ("CE"), pre-approved by the Board, in renal disease or internal medicine;
- (d) The veterinarian or the veterinarian's counsel shall send requests for pre-approval of CE to Nathaniel Boan, Executive Director, at Nathaniel.boan@maryland.gov and include detailed information about the course proposed, including a link syllabus or other description of the material to be covered;
- (e) The CE shall be completed, and verification of completion provided to the Board within sixty (60) days from the date of this Order, with verification sent by email to Nathaniel Boan, Executive Director, at nathaniel.boan@maryland.gov. 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 completed. 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 document.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 24th day of May 2023.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

A handwritten signature in cursive script, reading "Christine Calvert / NED", written over a horizontal line.

Christine Calvert

Member

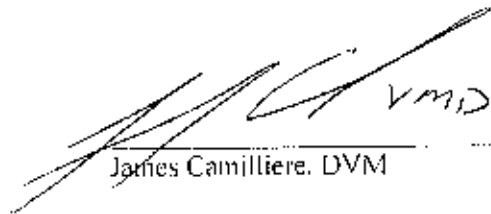
State Board of Veterinary Medical Examiners

Maryland Department of Agriculture

CONSENT

I, James Camilliere, DVM, 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 six (6) pages, including this Consent. I sign this Consent Agreement without reservation as my voluntary act and deed after consulting with counsel. I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

Date: 23 MAY 2023

 VM, D
James Camilliere, DVM