

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

IN THE MATTER OF:

FELICIA NEUMAN, DVM
LICENSE NO. 3465

DOCKET NO. 23-66

* * * * *

CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order") dated this 26th day of July, 2023, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and Felicia Neuman, DVM ("Dr. Neuman"), License No. 3465. This Order resolves a case arising from a complaint filed on December 20, 2022, with the SBVME, assigned Docket No. 23-66, alleging that Dr. Neuman did not satisfy 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 July 24, 2023, during a telephone conversation with Board counsel, Dr. Neuman, through her legal counsel, having been advised in writing regarding her due process rights, agreed to resolve this case under the terms and conditions of this Order. By agreeing to the entry of this Order, Dr. Neuman agrees to waive her right to formal proceedings in this case, including the issuance of charges and a hearing and further agrees to the terms and conditions set forth below.

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 not satisfying 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

By agreeing to the entry of this Civil Penalty Final Order, having had the opportunity to seek the advice of legal counsel, Felicia Neuman, DVM (License No. 3465), agrees to the provisions of this Order, acknowledging that the SBVME has sufficient evidence to find, as fact, and to conclude as a matter of law that Dr. Neuman did not satisfy COMAR 15.14.01.10A (Record Keeping) as described below:

1. Dr. Neuman is a veterinarian licensed to practice in Maryland, where she has been licensed since 1988. At the time of the events described herein, Dr. Neuman was a veterinarian at Summit Animal Hospital ("SAH" or "Hospital") (License No. 06-046), located at 1207 Liberty Road, Eldersburg, MD 21784. Dr. Neuman does not have any history of discipline involving record-keeping.
2. This case involves the care and treatment provided to Alvaro, a 9-year-old male Portuguese Water Dog, owned by Anne Dougherty ("Ms. Dougherty" or "Owner").
3. On December 8, 2020, Ms. Dougherty took Alvaro to SAH for a dental cleaning. Dr. Neuman was Alvaro's attending veterinarian.
4. Dr. Neuman performed Alvaro's oral exam and dental scaling. Dr. Neuman's staff members polished and applied fluoride to Alvaro's teeth. Dr. Neuman told her assistant to inform Ms. Dougherty during Alvaro's discharge that she did not find any fractured teeth or deep periodontal pockets during his oral exam.
5. An exam form detailing Alvaro's procedure was not completed immediately after the procedure. In her statement to the Board, Dr. Neuman indicated that she intended to return to Alvaro's record later that same night and complete a full medical record for Alvaro's dental procedure, but due to time constraints and because she was the sole veterinarian at SAH at the time of Alvaro's procedure, this was not done.

6. Ms. Dougherty subsequently filed a complaint with the SBVME against Dr. Neuman arising from the care provided to Alvaro.
7. The Board opened a case, investigated, and reviewed the materials gathered, including the medical records for Alvaro's treatment. After considering the evidence, the Board found that Dr. Neuman did not satisfy the Board's record-keeping regulations. The Board did not identify any other issues that would give rise to disciplinary action.
8. 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. COMAR 15.14.01.10A also sets forth specific information that must be included in the medical record, such as evidence of a physical examination not more than 12 hours before anesthesia or a sedative is administered, the treatment provided, the medication given, and, where applicable, a surgery and anesthesia log. COMAR 15.14.01.10B requires the veterinarian to record information in a timely manner, meaning as soon as practicable after the veterinarian has seen the animal. COMAR 15.14.01C states, "[i]f the veterinarian discovers that the record is incomplete or in error, the veterinarian shall amend the record, being sure to date and initial the amendment."
9. Veterinary medical records provide evidence of a patient's condition, care, and treatment. The records serve multiple vital purposes, including informing subsequent treating veterinarians of a patient's past medical history and serving as the basis for evaluating the care and treatment the veterinarian rendered. A thorough and complete medical record also protects the veterinarian against client allegations of negligence.
10. Dr. Neuman did not prepare a record of Alvaro's dental procedure on December 8, 2020, either at the time of the procedure or later.

Taking the facts and circumstances into consideration, including the nature of the violation(s), the veterinarian's lack of relevant disciplinary history, and 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 26th day of July 2023, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For not satisfying COMAR 15.14.01.10A (Record Keeping) by not preparing a record of the care and treatment provided to Alvaro, a 9-year-old male Portuguese Water Dog owned by Anne Dougherty, on December 8, 2020, Dr. Neuman is assessed a civil penalty of \$300;
- (b) Dr. Neuman shall pay the civil penalty (\$300) within sixty (60) days from the date of this Civil Penalty Final Order by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME – 23-66" sent to the MDA at 50 Harry S. Truman Parkway, Suite 102, Annapolis, MD 21401 – Attn: Nathaniel Boan;
- (c) This Order is a public document.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this
26th day of July, 2023.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



Elizabeth Callahan, DVM
President
State Board of Veterinary Medical Examiners
Maryland Department of Agriculture