

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

IN THE MATTER OF:

JOHN TRUJILLO, DVM  
LICENSE NO. 4180

DOCKET NO. 23-79B

\* \* \* \* \*

**CONSENT AGREEMENT AND ORDER**

This Consent Agreement and Order ("Consent Agreement"), dated this 5<sup>th</sup> day of March 2024, is between the State Board of Veterinary Medical Examiners ("SBVME" or "Board") and John Trujillo, DVM ("Dr. Trujillo"), License No. 4180. This Consent Agreement resolves a case arising from a complaint filed on February 15, 2023, which the SBVME, assigned Docket No. 23-79B, alleging violations of 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 February 6, 2024, Dr. Trujillo, through legal 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. Trujillo 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 adopted under 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**

John Trujillo, DVM, License No. 4180, 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. Trujillo did not satisfy COMAR 15.14.01.10 (Record Keeping), as described below:

1. Dr. Trujillo is a veterinarian licensed to practice in Maryland since 1993. At the time of the events described herein, Dr. Trujillo was the owner and responsible veterinarian at Pickles Animal Hospital (d/b/a Light Street Animal Hospital) ("LSAH" or "Hospital") (License No. 03-030) located at 1601 Light Street, Baltimore, MD 21230.
2. Dr. Trujillo has a history of discipline by the Board. In Docket No. 2004-70, the Board entered a Consent Agreement, finding that Dr. Trujillo violated the Board's record-keeping regulations by failing to prepare a sufficiently detailed anesthesia log and not documenting a patient's progress. Dr. Trujillo was assessed and paid a \$500 civil penalty.
3. Dr. Trujillo was given an Order of Censure in Docket No. 2006-44 for record-keeping issues, including his failure to document a physical examination, differential diagnosis or treatment plan, and monitoring of patient progress.
4. Dr. Trujillo was disciplined again in Docket No. 2008-80 by way of a Consent Agreement finding that Dr. Trujillo violated the Board's record-keeping standards by failing to create an adequate surgical log indicating suture material and type of wound enclosure during an ovario-hysterectomy. The sanctions included a \$500 civil penalty, a one-week stayed suspension, and six months of probation.
5. This case involves the care provided to Brixton, a 9-month-old Great Dane puppy owned by Krista Michael ("Ms. Michael" or "Owner"). Ms. Michael also owned another dog, Blaize, a 10-year-old male Great Dane.

6. On February 2, 2023, Ms. Michael took her older dog, Blaize, to LSAH for coughing, wheezing, and concern about the flu outbreak. Robert Tishman, DVM ("Dr. Tishman") (License No. 4396), was the veterinarian who examined Blaize that day.
7. According to Dr. Tishman, on presentation, Blaize was stable, afebrile, and not in respiratory distress. Blaize's lungs were clear. Dr. Tishman suspected that Blaize had kennel cough, and he prescribed doxycycline and cough tabs. Dr. Tishman recommended a recheck exam if Blaize's cough did not stop in the next few days or if there were any concerns.
8. On February 3, 2023, the day after Blaize's visit with Dr. Tishman, Ms. Michael called LSAH shortly before closing time because her puppy, Brixton, was coughing. Ms. Michael spoke with an LSAH receptionist and expressed concern that Brixton might also have kennel cough. At the time of this call, no veterinarians were on the premises. After speaking with Ms. Micheal, the receptionist contacted Dr. Trujillo, the owner and responsible veterinarian at LSAH, by telephone to relay Ms. Michael's concerns. According to Dr. Trujillo, after familiarizing himself with Blaize's and Brixton's symptoms and confirming that Brixton was eating and drinking, he prescribed doxycycline and "cough tabs" for Brixton. This prescription order is reflected in LSAH's records, along with Dr. Trujillo's instruction that Brixton would need to be examined if his symptoms did not improve within 48 hours or if his cough worsened.
9. On February 15, 2023, Ms. Michael dropped off Brixton at LSAH because the puppy had respiratory symptoms that were not improving. Ms. Michael was understandably concerned about Brixton because her older dog, Blaize, had become very sick and had been euthanized days earlier. Dr. Tishman examined Brixton and found he had harsh, bilateral lung sounds but pink mucous membranes. He was not able to perform a complete physical exam because Brixton was aggressive and growling. Dr. Tishman did not believe that Brixton was in respiratory distress. When Dr. Tishman attempted to take chest radiographs, Brixton again became aggressive. Because of Brixton's respiratory issues, Dr. Tishman did not want to sedate him for a chest radiograph. Attempts to place a muzzle on Brixton for bloodwork were unsuccessful. Dr. Tishman prescribed two antibiotics for Brixton (clavamox and baytril) and left instructions for him to be seen for a re-check in 4 to 5 days.

10. According to Ms. Michael, because LSAH could not perform diagnostics on Brixton, she took him to Pet + ER. Upon arrival, Brixton had normal respiration and clear lung sounds. The attending veterinarian sedated Brixton and performed initial bloodwork and chest radiographs. Brixton's diagnostics were normal.. At Ms. Michael's request, Brixton was hospitalized overnight on intravenous fluids and antibiotics. The following day, on February 16, 2023, the attending veterinarian noted that Brixton had no respiratory issues overnight and was eating. Brixton was discharged from Pet + ER later that evening on the same antibiotics as prescribed by Dr. Tishman.

11. On February 15, 2023, Ms. Michael submitted a complaint to the SBVME arising from Brixton's care.

12. The Board opened a case and investigated the complaint. During the Board investigation, Dr. Trujillo provided a more detailed explanation of the circumstances under which he authorized Brixton's prescriptions. After this statement was provided and the medical records were reviewed, the Board opened this case against Dr. Trujillo. After considering the evidence gathered during the investigation, the Board concluded that Dr. Trujillo violated the Board's record-keeping regulations by failing to document the owner's phone call and to ensure that the circumstances leading to Brixton's prescription were recorded in the medical record.

13. 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. The medical records provided to the SBVME by LSAH for Brixton's care do not document Ms. Michael's call about Brixton's cough in early February 2023 or the circumstances underlying Dr. Trujillo's decision to prescribe antibiotics, making it impossible to understand why a prescription was issued without a physical examination of the patient.

Taking the facts and circumstances into consideration, including the nature of the violation(s), the veterinarian's disciplinary history for similar violations, his acceptance of responsibility, and his 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 hereby ORDERED, by the State Board of Veterinary Medical Examiners, that:

- (a) For violating COMAR 15.14.01.10A (Record Keeping) by not recording facts related to a telephone call from Ms. Michael, Brixton's owner, noting that Brixton was coughing and requesting a prescription, and the circumstances underlying Dr. Trujillo's subsequent decision to issue a prescription, Dr. Trujillo is assessed a civil penalty of \$3000, with \$2000 stayed;
- (b) Dr. Trujillo shall pay the non-stayed civil penalty (\$1000) 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 – 23-79B" sent to the MDA at 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401 to the attention of Nathaniel Boan; and
- (c) As an additional requirement of this Consent Agreement, Dr. Trujillo shall complete six hours of CE in record keeping, consisting of the Legal Requirements of Medical Records course found at [drip.vet](http://drip.vet), or another satisfactory equivalent pre-approved by the Board. To obtain Board approval, the veterinarian shall send information about each course proposed to be taken along with attachments or links to course descriptions and syllabi by email to the Board's Executive Director, Nathaniel Boan ("Mr. Boan"), at [Nathaniel.boan@maryland.gov](mailto:Nathaniel.boan@maryland.gov);
- (d) The CE shall be completed, and verification of completion provided to the Board within sixty (60) days from the date of this Consent Agreement. Verification should be sent by email to Mr. Boan. 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 audit CE records for relevant years;

- (e) If the civil penalty is not paid and the CE not completed in accordance with the terms and conditions stated above, the stayed portion of the civil penalty will become unstayed and be due and payable immediately;
- (f) Before this Consent Agreement was finalized, Dr. Trujillo completed and provided documentation of completion of the record-keeping CE referred to above, so the stayed portion of the civil penalty will remain stayed as long as the civil penalty is paid as provided in Paragraph (b) above; and
- (g) This Consent Agreement is a public order.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 5<sup>th</sup>  
day of March, 2024.

STATE BOARD OF VETERINARY  
MEDICAL EXAMINERS

 / NEB

Christine Calvert, DVM  
Vice-President  
State Board of Veterinary Medical Examiners  
Maryland Department of Agriculture

CONSENT

I, John Trujillo, 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 seven (7) pages. 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 this Consent Agreement's language, meaning, and terms.

Date:

3-4-24

  
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John Trujillo, DVM