

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

IN THE MATTER OF:

ERIC ALEXANDER, DVM
LICENSE NO. 5837

DOCKET NO. 24-89

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (“Consent Agreement”), dated this 26th day of February 2025, is between the State Board of Veterinary Medical Examiners (“SBVME” or “Board”) and Eric Alexander, DVM (“Dr. Alexander”), License No. 5837. This Consent Agreement resolves a case arising from a complaint filed with the SBVME on March 25, 2024 (assigned Docket No. 24-89), alleging that Dr. Alexander 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 January 22, 2025, Dr. Alexander, having been advised in writing regarding his due process rights, including the right to retain legal counsel, agreed to resolve this case under the terms and conditions reflected in this Consent Agreement. By signing this Consent Agreement, Dr. Alexander waives 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 not satisfying 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 instead 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, any history of prior violations, and 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 entering and signing this Consent Agreement after having had the opportunity to seek the advice of legal counsel, Eric Alexander, DVM, License Number 5837, 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. Alexander did not satisfy COMAR 15.14.01.07A (Professional Judgment and Practice), COMAR 15.14.01.10-1 (Client Consent for Companion Animals and Hospitalized Animals), and COMAR 15.14.01.10 (Record Keeping) as described below:

1. Dr. Alexander is a veterinarian licensed to practice in Maryland, where he has been licensed since 2005.
2. At the time of the events described herein, Dr. Alexander was the responsible veterinarian at Alexander Animal Hospital ("AAH" or "Hospital") (License No. 02-080), located at 160 Richie Highway, Severna Park, MD 21146.
3. Dr. Alexander has a history of discipline by the Board, which includes a censure in 2011 (Docket No. 09-11) involving record-keeping issues when Dr. Alexander did not document a complete physical examination before administering anesthesia. More recently, in 2024, the Board issued a Consent Agreement and Order (Docket No. 23-09) for a professional judgment violation arising from Dr. Alexander's decision to administer a nonsteroidal anti-inflammatory drug to a patient with a history of liver disease without waiting for blood work to be returned. Dr. Alexander paid a \$1000 civil penalty for this violation and completed three hours of continuing education.
4. This case involves care provided to Annabelle, a one-year-old female mixed Labrador Retriever owned by Rachel Amstutz ("Ms. Amstutz" or "Owner").

5. On April 17, 2023, Ms. Amstutz took Annabelle to AAH due to concerns about her limping, which had begun approximately two weeks prior. Dr. Alexander was the attending veterinarian. Dr. Alexander examined Annabelle and suspected a CCL tear. He recommended surgical repair, to which the owner later consented.
6. On June 13, 2023, Ms. Amstutz took Annabelle to AAH for left cruciate ligament repair surgery. Dr. Alexander was Annabelle's attending veterinarian. The transcribed records from the surgery are brief. Dr. Alexander performed a physical examination, noting the patient's weight and that the patient was bright, alert, and responsive, with vitals within normal limits.
7. Dr. Alexander then induced anesthesia and performed the surgery. He prescribed "meds to go home" and recommended that the owner follow written discharge instructions and schedule a re-check examination in two weeks.
8. After Annabelle was discharged, Ms. Amstutz had concerns about follow-up care and attempted to contact Dr. Alexander to discuss them. A staff member from AAH spoke with Ms. Amstutz, but Ms. Amstutz wanted to talk directly with Dr. Alexander.
9. Ms. Amstutz exchanged several emails with Dr. Alexander describing her concerns about Annabelle's care and the lack of communication, to which Dr. Alexander responded. However, Ms. Amstutz was unsatisfied with these communications, so she switched to a different provider, Lake Shore Pet Hospital ("LSPH") (License No. 02-00576), for follow-up care.
10. On July 28, 2023, AAH agreed to provide copies of the treatment records for Annabelle and Ms. Amstutz's other pets for her to pick up. Later, one of Ms. Amstutz's pets damaged the records. However, she did not make Dr. Alexander aware of these problems when they occurred.
11. In early 2024, Ms. Amstutz became concerned that Annabelle was limping on the surgically repaired leg. In anticipation of a re-check appointment, she asked LSPH to obtain a copy of Annabelle's medical records from Dr. Alexander so that they could review the surgery. During the following weeks, Ms. Amstutz made multiple inquiries with LSPH to see if they had received the medical records from AAH.

12. When LSPH requested Annabelle's records from AAH in February 2024, Dr. Alexander instructed LSPH to obtain the records from Ms. Amstutz. He was not aware Ms. Amstutz's set of records had been damaged. In addition, Ms. Amstutz did not believe that all of Dr. Alexander's records, including imaging, had been provided. LSPH and Dr. Alexander communicated about Annabelle's records several times, but LSPH reported to Ms. Amstutz that the records were not provided.

13. On March 25, 2024, Ms. Amstutz filed a complaint with the SBVME, alleging that Dr. Alexander and his staff failed to respond to multiple medical record requests for her animals.

14. The Board opened a case and conducted an investigation. As part of the investigation, Dr. Alexander responded to the SBVME and stated that as of the day of the response, May 25, 2024, he had personally emailed the records for each of Ms. Amstutz's pets to LSPH.

15. The Board continued its investigation, reviewed the case, including the medical records reflecting Dr. Alexander's care and treatment of Annabelle, and made findings. Following its review, the Board identified deficiencies in Dr. Alexander's record-keeping and found that he did not comply with the Board's requirements for obtaining client consent for surgery.

16. COMAR 15.14.01.10-1 (Client Consent for Companion Animals and Hospitalized Animals) requires ". . . for a non-emergency presentation, that a veterinarian inform the client in a manner that is understandable by a reasonable person, of the diagnostic and treatment plan . . ." In addition, the regulation states that the veterinarian **shall** ". . . provide a written estimate of the charges for veterinary services and obtain the client's signature indicating acknowledgment and approval . . ." before a veterinarian performs surgery or hospitalizes a companion animal. (emphasis added).

17. The records Dr. Alexander provided to the Board did not contain the required written estimate of charges for Annabelle's surgery or Ms. Amstutz's signature acknowledging and approving the charges and treatment plan. The transcribed medical records include an entry from May 30, 2023, which documents a conversation with Ms. Amstutz in which a cost estimate of \$2000 for the CCL repair was provided. However, it does not appear that this information was ever offered in writing, as required.

18. The Board also found significant deficiencies in Dr. Alexander's medical record-keeping. COMAR 15.14.01.10A (Record Keeping) requires, for a companion pet 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. (emphasis added). COMAR 15.14.01.10A(7) requires that the record include documentation of the animal's condition, as evidenced through a physical examination not more than twelve hours before administering anesthesia, injectable sedative, or injectable tranquilizing agent. COMAR 15.14.01.10A(8) provides that if medication is given, the record must contain the amount in milligrams or the volume and concentration of the medication used, as well as the frequency and route of administration. COMAR 15.14.01.10A(10) specifies that the medical record shall include a surgery and anesthesia log, if applicable.

19. Dr. Alexander did not record his physical exam findings before Annabelle's surgery on June 13, 2023, as required by the regulations, including temperature, pulse, and respiration values. Instead, the patient's vitals are noted as "WNLs," meaning within normal limits, which, without any reference to the range of normal values, does sufficiently document the client's condition. Moreover, there is no documentation of his examination of other systems. The records also contain no units of measures for the doses of medication, as required by COMAR 15.14.01.10A(8). In addition, there is no anesthesia log or procedure report as required by COMAR 15.14.01.10A(10) for Annabelle's surgery.

20. Dr. Alexander also did not document his communications with Ms. Amstutz, including their discussions about pre-surgical bloodwork or diagnostics, such as radiographs, offered and declined by the client, and the discharge instructions for post-operative care. His records reflecting Annabelle's appointment before surgery fail to document that he considered and addressed the patient's pain.

21. While the Board did not conclude that Dr. Alexander should be disciplined for failing to provide records in response to LSPH's request in February 2024, his records for Annabelle's treatment were handwritten and illegible. Dr. Alexander should have transcribed the illegible records before providing them to Ms. Amstutz and LSPH.

Considering the facts and circumstances, including the nature of the violation(s), the veterinarian's 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 ORDERED by the State Board of Veterinary Medical Examiners that:

- (a) For not satisfying COMAR 15.14.01.10-1 (Client Consent for Companion Animals and Hospitalized Animals) by providing the client with a written statement of charges for the orthopedic surgery performed on Annabelle, a 1-year-old female mixed Labrador Retriever owned by Rachel Amstutz, or obtaining written client consent, Dr. Alexander is assessed a civil penalty of \$300 (first offense);
- (b) For not satisfying COMAR 15.14.01.10A (Record Keeping) by not recording physical examination findings, including temperature, pulse, and respiration in the record, not documenting history or notes of client communications, not documenting the units of measure for medications prescribed, not providing the client with legible records when she requested them, and not preparing an anesthesia log for Annabelle's surgery, Dr. Alexander is assessed a civil penalty of \$1000;
- (c) Dr. Alexander shall pay the total civil penalty (\$1300) 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 – 24-89" sent to the MDA at 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401 – Attn: Nathaniel Boan;
- (d) As an additional requirement of this Consent Agreement, Dr. Alexander shall complete six hours of continuing education ("CE"), consisting of the Legal Requirements of Medical Records course found at drip.vet, or an equivalent course pre-approved by the Board. To obtain pre-approval for an alternative course, Dr. Alexander shall submit

the CE proposed to satisfy this agreement to the Board before completion by emailing Nathaniel Boan, Executive Director, at Nathaniel.boan@maryland.gov with descriptive information about each course proposed to be taken. Descriptive information may be provided through a link to each course or by attaching a syllabus to the email;

- (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 was given. This CE may not be counted toward the 18 credit hours required annually for re-registration of the veterinary license; and

- (f) This Consent Agreement is a public document.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 26th day of February 2025.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



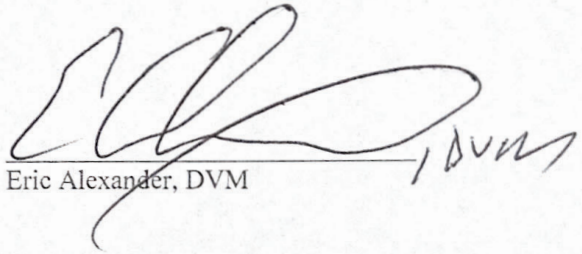
Patricia Crankshaw-Quimby, CAWA
Vice-President
State Board of Veterinary Medical Examiners
Maryland Department of Agriculture

CONSENT

I, Eric Alexander, 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 to issue and enforce this Consent Agreement. To resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of eight (8) 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 fully understand this Consent Agreement's language, meaning, and terms.

Date:

2/23/2025


Eric Alexander, DVM