

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

IN THE MATTER OF:

JOHN FOX, DVM
LICENSE NO. 3955

DOCKET NO. 24-05A

* * * * *

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (“Consent Agreement”) dated this 21 day of April 2026, is between the State Board of Veterinary Medical Examiners (“SBVME” or “Board”) and John Fox, DVM (“Dr. Fox”), License No. 3955. This Consent Agreement resolves a case initiated by the Board (assigned Docket No. 24-05A), in which it was alleged that Dr. Fox 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 April 20, 2026, Dr. Fox, having been advised in writing regarding his due process rights and while represented by legal counsel, agreed to resolve this case under the terms and conditions reflected in this Consent Agreement. By signing this Consent Agreement, Dr. Fox agrees to waive his right to formal proceedings in this case, including the issuance of charges and a hearing, 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 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, John Fox, DVM, License Number 3955, 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 he did not satisfy COMAR 15.14.01.07A (Professional Judgment and Practice) and COMAR 15.14.01.10 (Record Keeping) as described below:

1. Dr. Fox is a veterinarian licensed to practice in Maryland, where he has been licensed since 1992.
2. At the time of the events described herein, Dr. Fox was the owner and responsible veterinarian at Western Maryland Animal Hospital ("WMAH" or "Hospital") (License No. 01-007), located at 11024 Old Mt. Savage Rd. NW, LaVale, MD 21502.
3. In September 2025, after reviewing medical records provided by WMAH pursuant to a Board request, the SBVME opened this case and sought additional information about treatment provided to Razzie, 2-year-old male cat owned by Ruth Kennedy ("Ms. Kennedy"), by Dr. Fox and staff from WMAH.
4. Ms. Kennedy began taking Razzie to WMAH for nail trims in February 2021. According to WMAH's medical records, members of WMAH staff (whose identities are not clear in entries in the records), trimmed Razzie's nails multiple times between February 23, 2021, and April 27, 2022. Razzie was never examined by a veterinarian during this time.
5. The records provided by WMAH consist of hand-written notes, and it is unclear when the entries were made or who made them. For example, there are several pages of more formal records for nail trims that contain the date of the visit, client information and a general assessment of the patient. These are dated February 23, 2021, May 31, 2023, and July 11, 2023. On the other hand, in the lower half of the record from February 23, 2021, there are handwritten notes indicating that Razzie received nail trims on the

following dates: May 4, 2021, December 13, 2022, January 26, 2022, and April 27, 2022. Assuming that the notes were added in sequential order, the December 13, 2022, entry likely reflected a visit on December 13, 2021 (not 2022). These notes do not identify the staff members who performed the nail trim, nor do they reflect any other concerns.

6. The handwritten notes on the bottom of the record from February 23, 2021, indicate that on April 27, 2022, Ms. Kennedy took Razzy to WMAH for a nail trim. According to Dr. Fox, no appointment was scheduled for that day, but Razzy was accepted as a walk-in, as had been done in the past.

7. The records further state that “cat needs sedation in order to trim nails – ABSOLUTELY.” This entry is not initialed or signed, so it is unclear who made it. Based on handwriting found elsewhere, the entry appears to have been made by staff member, Tonya Combs, who is not a veterinarian or registered veterinary technician. At the very bottom of the page, there is an additional, barely legible entry, referencing a prescription for what appears to be the medication acepromazine for Razzy. Next to this entry, someone with different handwriting has written, “Dr. Fox.”

8. While the entry at the bottom of the page has been attributed to Dr. Fox, there is no documentation that he performed any examination of Razzy on April 27, 2022, before issuing the prescription.

9. After reviewing the records, the Board asked Dr. Fox to explain the circumstances under which he issued the acepromazine prescription. Dr. Fox provided a response through his legal counsel, indicating that on April 27, 2022, he was busy with appointments. He claims that Razzy had come to WMAH for nail trims several times before April 27, 2022, and had been “difficult to handle.” However, there is no documentation in the Hospital’s medical record that Razzy had exhibited aggressive or challenging behavior before April 27, 2022.

10. According to Dr. Fox’s statement, after learning from Ms. Combs about Razzy’s behavior during the attempted nail trim that day, he performed a “brief assessment in the treatment area before scheduled appointments” and observed that Razzy was “extremely agitated, aggressive, and impossible to examine safely.” Accordingly, he allegedly suggested the use of acepromazine for future visits and wrote a prescription for the medicine. He admitted that he did not perform a complete physical examination before

writing the prescription (or at any time after that) and offered no information about any discussions with Razzy's owner.

11. Dr. Fox's rationale for prescribing acepromazine without an exam was that Razzy's history of aggressive behavior made it unsafe for his staff and him to conduct an examination.

12. Generally, a veterinarian may issue a prescription only if a veterinarian-client-patient-relationship ("VCPR") exists and the veterinarian is willing to dispense the prescription. *See* COMAR 15.14.01.12-1(a).

13. COMAR 15.14.01.03B(14) defines VCPR to mean that all the following conditions exist:

- (a) The veterinarian has assumed responsibility for making clinical judgment regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions.
- (b) The veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal because the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal through either:
 - (i) A physical examination; or
 - (ii) Medically appropriate and timely visits to the location where the animal is kept; and
- (c) The veterinarian is readily available or has arranged for emergency coverage or follow-up evaluation in the event of adverse reaction or the failure of the treatment regimen.

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." A reasonable veterinarian in this State acting in accordance with the standard of care was required to conduct a complete physical examination of a patient to establish a VCPR before issuing a prescription to ensure that the prescription was medically appropriate. In addition, by issuing the prescription without a valid VCPR, Dr. Fox violated COMAR 15.14.01.12.1(a).

15. Dr. Fox also failed to discuss the potential risks associated with acepromazine with Razzy's owner, Ms. Kennedy, which made it impossible for her to give informed consent for Razzy's treatment with this medication. Possible side effects of acepromazine include low blood pressure and, in severe cases, cardiovascular collapse. Moreover, in some patients, the drug can increase aggressiveness and hyperactivity.

16. Acepromazine is also contraindicated for patients with underlying heart disease. While Razzy was a young cat with no documented history of heart disease, Dr. Fox, acting in accordance with the standard of care, should have discussed risks associated with acepromazine use with the client and offered blood work as an option to inform the client's decision making. While it was not known at the time, Razzy did have serious heart issues.

17. Finally, the prescribed medication was not medically appropriate. While widely used in the past, acepromazine is no longer the standard of care medication for addressing anxiety producing situations in cats, because it lacks anxiolytic properties. Gabapentin is a more appropriate option when pre-appointment medications are needed to manage stress associated with veterinary visits. This medication is very safe in cats with minimal side effects. In 2023, Ms. Kennedy transferred Razzy's care to another veterinary practice, where gabapentin was prescribed for stressful situations. The records from that practice state that Razzy was able to have regular nail trims after gabapentin was administered without any documented behavioral challenges.

18. In addition to the standard of care violations, the Board also found deficiencies in Dr. Fox's 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.

19. As outlined herein, WMAH's medical records are incomplete, difficult to understand, and do not reflect the progress and disposition of Razzy's case.

20. While Dr. Fox justified his decision to issue a prescription for acepromazine based on Razzy's aggressive behavior, neither behavioral concerns nor his alleged personal observation of Razzy on April 27, 2022, were documented in the record, as required by the Board's record keeping regulations.

21. Finally, there is no record of any conversations with Ms. Kennedy about this prescription, including benefits, potential risks, and how to use it.

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 15.14.01.07A (Professional Judgment and Practice) in connection with the care provided to Razzy, a 2-year old cat owned by Ruth Kennedy, by prescribing a sedative (acepromazine) to the patient without a VCPR established through a full physical examination, not discussing potential risks associated with the use of the medication or the benefits of blood work to inform the client's decision, and prescribing a medication for managing stress and anxiety that is no longer the standard of care, Dr. Fox shall pay a civil penalty of \$300 (first offense);
- (b) For not satisfying COMAR 15.14.01.10A (Record Keeping) by not recording important information about his observations of Jazzy's behavior, the factual basis for his decision to issue a prescription without having examined the patient, or his communications with Razzy's owner, Dr. Fox shall pay a civil penalty of \$300 (first offense);
- (c) The total civil penalty (\$600) shall be paid 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 – 24-05A" sent to the MDA at 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401 – Attn: Nathaniel Boan; and

(d) This Consent Agreement is a public document.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this
21st day of April 2026.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS


Christine Calvert, DVM (Apr 21, 2026 13:01:08 EDT)

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

CONSENT

I, John Fox, 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 and comprehend this Consent Agreement's language, meaning, and terms.

Date: 04/20/2026

John T. Fox, DVM

John T. Fox, DVM (Apr 20, 2026 15:48:21 EDT)

John Fox, DVM

Fox - 24-05A - Consent Agreement - Final - April 20, 2026

Final Audit Report

2026-04-21

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