

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

WEST VIRGINIA BOARD OF
VETERINARY MEDICINE,
Complainant,

v.

Case Nos. 0414B
0414C

PAMELA HARROLD,
Veterinarian License Number: 9412,
Respondent.

CONSENT AGREEMENT AND ORDER

After due investigation of a written complaint, the West Virginia Board of Veterinary Medicine (Board) determined that there was probable cause to believe that Pamela Harrold (Respondent) has exhibited unprofessional and unethical conduct in the practice of veterinary medicine, in violation of the provisions of W. Va. Code ' 30-10-1 *et seq.* and the Rules of the Board, W. Va. Code R. 26-1-1 *et seq.* The Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State.

Now, in lieu of hearing, the parties have reached an agreement for the resolution of Case Numbers 0414B and 0414C. The parties agree to entry of the following Order in disposition of this matter.

FINDINGS OF FACT

The Board adopts the following findings in this matter:

1. That Pamela Harrold is a licensee of the Board with license number 9412 and is subject to the license requirements of said Board. Moreover, Dr. Harrold is the owner of Long Run Pet Hospital.

2. The Board is a regulatory board created for the purpose of regulating the practice of veterinary medicine. W. Va. Code ' 30-10-1 *et seq.*

3. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual's veterinary medicine license because of authority granted to it by W. Va. Code ' ' 30-10-5 and 30-10-19.

4. That on or about April 9, 2014, the Board received two written complaints from two separate individuals regarding the Respondent's practice of choosing injection sites for vaccines, the maintenance of medical records, and use of pain medications.

5. That the first written complaint alleged that the Respondent's choice of injection site for vaccines contributed, if not caused, her cat developing Injection Site Sarcoma. The tumor developed in an area which did not permit amputation, and the Complainant alleges that if the Respondent had followed proper vaccine protocols on injection sites the tumor may have developed in an area where amputation would have been an option.

6. That the second allegation in this first complaint was that the Respondent did not properly develop medical records which accurately documented all procedures performed on the patients. When the Complainant requested her animal's medical records there were procedures that she knew were performed; however, they had not been charted by the Respondent. Moreover, the Complainant as a former employee of the Respondent, has knowledge of other medical records lacking in proper documentation of procedures performed by the Respondent.

7. That the second complaint was submitted by another of the Respondent's former employees. The Complainant alleges that Respondent's failure to adhere to proper vaccine protocols on injection sites leads to placing the animals the Respondent treats in jeopardy. That the second and third allegations of this complaint are that the Respondent fails to use any pain medication during surgical procedures and fails to properly maintain medical records by not charting procedures performed.

8. That this Complainant had no complaints regarding treatment of any of her animals.

9. Respondent did file a timely response to these allegations, and states that there is much debate in the veterinary community regarding vaccine injection site placement and its relationship with the development of sarcoma in felines; however, the Respondent states that she now uses a rotating injection site practice. As far as the medical records, the Respondent states that she does properly maintain medical records for all her patients.

10. That those acts described in Paragraphs 1 through 9 above, demonstrate that the Respondent failed to maintain proper medical records for patients. If these events are proven to be

true, the actions would constitute conduct, practices or acts in violation of W. Va. Code 30-10-19(g)(3) and W. Va. Code R. § 26-4-4.9

CONCLUSIONS OF LAW

1. That the Board has jurisdiction to take disciplinary action against Respondent.
2. That based upon the allegations of unprofessional or unethical conduct set out above in the *Findings of Fact* section, the Board is authorized to suspend, revoke or otherwise restrict the license of the Respondent to practice veterinary medicine, pursuant to W. Va. Code ' 30-10-19.
3. That the Board has defined unprofessional conduct by adopting the standards of practice at W. Va. Code R. § 26-4-1 *et seq.* and violations of these standards of practice may be grounds for disciplinary action by the Board pursuant to W. Va. Code ' 30-10-19(g)(3).
4. That the Board served a *Complaint* upon the Respondent pursuant to the laws and regulations of West Virginia.
5. That the Respondent's actions constitute conduct, practices or acts in violation of W. Va. Code 30-10-19(g)(3) and W. Va. Code R. § 26-4-4.9.

CONSENT OF LICENSEE

I, Pamela Harrold, by affixing my signature hereto, acknowledge the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.

3. That I acknowledge that I am aware that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights regarding this matter, but intelligently, knowingly and voluntarily waive such rights.

4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. That I admit that my actions were a violation of the Board's governing statute and rules.

The Respondent, Pamela Harrold, by affixing her signature hereon, agrees to the following:

ORDER

On the basis of the foregoing, the Board does hereby ORDER and DECREE that:

1. Respondent is hereby REPRIMANDED for her actions in this matter and placed on probation for a period of one (1) year for her actions in this matter.
2. Respondent shall complete three (3) hours of Board approved continuing education in the area of medical record keeping practice within six (6) months from the entered date of this *Consent*

Agreement and Order. These three (3) hours may be obtained either in person or on-line; however, these three (3) hours are in addition to the standard requirement of eighteen (18) contact hours that a licensee must complete for license renewal.

3. Respondent shall reimburse the Board for the costs of these proceedings, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case. This reimbursement shall be paid within twelve (12) months from the entered date of this *Consent Agreement and Order*.

4. Any violation of this *Consent Agreement and Order*; or failure to adhere to its terms may result in further disciplinary action against the Respondent, including the immediate suspension of the Respondent's license.

5. The Board is bound by agreement and by law to report the results of all disciplinary actions, including the instant matter, for posting in the AAVSB Veterinary Practitioners Disciplinary Database.

6. That this document is a public record as defined in W. Va. Code ' 29B-1-2(4).

7. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

In recognition of this *Consent Agreement and Order* and these terms, we hereby affix our signatures.

WEST VIRGINIA BOARD OF
VETERINARY MEDICINE

By: John R Wilson
DR. JOHN WILSON
PRESIDENT

Entered: 9-18-2014
DATE

Reviewed and agreed to by:

Pamela Harrold, DVM
Pamela Harrold, Respondent

9-11-14
DATE