

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

IN THE MATTER OF: Dr. Melissa Eslahi

CONSENT AGREEMENT

Comes now Dr. Melissa Eslahi D.V.M., (hereinafter "Dr. Eslahi"), and the West Virginia Board of Veterinary Medicine (hereinafter "Board"), by Wanda Goodwin for the purpose of agreeing to disciplinary action which shall be taken against Dr. Eslahi , by the Board, pursuant to West Virginia Code §30-10-11.(f).

As reflected in this document, the parties have reached an agreement concerning the proper disposition of this matter, and the Board approving such agreement, does hereby find and order as follows:

FINDINGS OF FACT

1. The Board is a state entity created by W. Va. Code §30-10-1, et seq., and is empowered to regulate the practice of veterinary medicine, pursuant to W. Va. Code §30-10-3.
2. Dr. Eslahi holds a veterinary license issued by the Board, enabling her to practice veterinary medicine in the State of West Virginia. Her West Virginia veterinary license number is #9911.
3. Dr. Eslahi allegedly violated the standards of proper professional conduct in the case of the dog belonging to Ms. Vikki Watson by:

a) Admitting the dog into the hospital, after having torn out her sutures, and leaving the animal unsutured and unsupervised overnight, resulting in the animal's exsanguination and death.

CONCLUSIONS OF LAW

1. The Board has the power to place on probation, suspend a license, limit or restrict a license, revoke any license issued by the Board, or set fines pursuant to W. Va. Code §30-1-8 and §30-10-4.

2. The West Virginia veterinary practice act states in §30-10-11 "By a concurrence of four members, the Board may suspend for a certain time or revoke the license of or otherwise discipline, for...

(f) Incompetence, gross negligence or other malpractice in the practice of veterinary medicine.

3. The Board finds, as specified in the Findings of Fact 3(a), that Dr. Eslahi has violated the standards of care for failing to provide needed veterinary services immediately upon admittance, to Ms. Vikki Watson's pet.

CONSENT

Dr. Eslahi, by affixing her signature hereon, agrees to the following:

- 1) She is aware of her right to pursue this matter through the appropriate administrative and/or court channels, but intelligently, knowingly and voluntarily waives her right to do so.

- 2) She consents to the entry of the following Order, affecting her license to practice veterinary medicine in the State of West Virginia.
- 3) She recognizes that this document is a reprimand, due to her unprofessional conduct.
- 4) She recognizes that this document is a public record.
- 5) Should proper cause arise or laws require, federal and state authorities shall be notified of this settlement via consent Agreement.

The Board recognizes that this agreement is a compromise of a disputed claim, and is not an admission of liability or culpability.

ORDER

Dr. Eslahi, by affixing her signature hereon, agrees to the following:

1. Dr. Eslahi shall apply to the West Virginia Board of Veterinary Medicine, prior to enrolling in a continuing education course in surgery and/or surgical management, to determine if such course is acceptable in fulfilling her requirement for completion of twenty (20) hours of classroom

continuing education course(s), which such course or courses shall be in addition to the eight (8) hours of c.e. required for annual veterinary license renewal. These hours must be completed and confirmed by the Board, no later than December 31, 2001.

2. Following such course or courses required to satisfy the requirements of this Consent Agreement, Dr. Melissa Eslahi shall submit sworn confirmation of her attendance in such instruction.
3. Dr. Eslahi shall sign and return this document to the Board, no later than December 31, 2000, or face the possibility of further disciplinary action.

ENTERED this 26th day of December, 2000.

Mel Eslahi, DVM

Dr. Melissa Eslahi

Ann M. Sprague

Witness

Paula Goodwin

WEST VIRGINIA BOARD OF VETERINARY MEDICINE