

**STATE OF NEW HAMPSHIRE  
OFFICE OF PROFESSIONAL  
LICENSURE AND CERTIFICATION**

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**BOARD OF VETERINARY MEDICINE**

**In Re: Sandra Brown,  
DVM Lic. #1365**

Docket No.: 2-7/13, 2-8/18, 14-4/18, 1-7/19

**FINAL DECISION  
AND ORDER - 09/16/21**

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**I. ATTENDEES:**

Suzan Watkins, Presiding Officer  
Kirk Smith, Board Member  
Jill Patronagio, Board Member  
Steve Crawford, Board Member  
Judith LeClerc, Board Member  
Winifred Krogman, Board Member  
Christine Senko, Administrator  
Jessica Whelehan, Board Administrator III  
Victoria Davies, Board Administrator II  
Attorney Beth Minich, Counsel for Licensee  
Attorney Angela Linson, Co-Counsel for Licensee  
Sandra Brown, Licensee  
Attorney John Brown, Hearing Counsel  
Attorney Matthew Mavrogeorge, Hearing Co-Counsel

**II. CASE SUMMARY/PROCEDURAL HISTORY:**

During 2018 to 2019, the Board received multiple complaints alleging that Dr. Sandra Brown ("Licensee") had committed multiple acts of misconduct, from violating the terms of the then-existing Board order of suspension he to failing to properly euthanize and dispose of animals. After investigation, the Board commenced an adjudicative proceeding. The Board held a final adjudicative hearing over the course of two days on February 17, 2021, and February 18, 2021. Pursuant to N.H.

Code Admin. R. Den 201 et seq. ("Rules"), Suzan Watkins (Board Chair) was appointed as Presiding Officer.

### **III. SUMMARY OF THE EVIDENCE:**

The Board received the following evidence pursuant to RSA 541-A:33 and Rule 202.10(c):

a. Exhibits were submitted by Hearing Counsel, numbered as follows:

1. Board Order dated October 3, 2017, Docket No. 2-7/13; (HC0001-HC0007)
2. Dr. Stowe Inspection Report, dated December 17, 2017; (HC0008-HC0010)
3. Board Order (authorizing inspection) dated February 7, 2018; (HC0011)
4. Dr. Stowe Inspection Report, dated February 12, 2018; (HC0012-HC0014)
5. Records relating to January 22, 2018 rabies certificate and February 5, 2018 urinalysis; (HC0015-HC0017)
6. Memorandum filed by Investigator Flanagan, dated February 21, 2018; (HC0018-HC0025)
7. Template of letter sent by Licensee to clients following suspension of license; (HC0026)
8. Emails between Dr. Andrea Scasserra and Licensee and Board of Pharmacy Investigator Robert Elder; (HC0027-HC0037)
9. Report of Investigator Vachon on February 15, 2018 interview of Shannon Suprenard; (HC0038-HC0039)
10. Complaint filed by Dr. Stuart Bliss on or about March 3, 2018; (HC0040)
11. Medical Records regarding "Cujo" supplied by Port City Veterinary Referral Hospital; (HC0041-HC0048)
12. Referral records from Licensee's practice to Port City regarding "Cujo;" (HC0049-HC0052)
13. Memoranda regarding telephone communications from Port City; (HC0053-HC0057)
14. Licensee's letter of response to Bliss complaint, dated November 26, 2018; (HC0058-HC0059)
15. Records regarding "Cujo" supplied by Licensee; (HC0060-HC0081)
16. Complaint regarding "Bradley" filed by Rene Dumas on or about July 11, 2018; (HC0082-HC0083)
17. Licensee's letter of response regarding Dumas complaint, dated September 10, 2018; (HC0084-HC0086)
18. Records regarding "Bradley" supplied by Licensee (Exhibits A, A-1, A-2, A-3, B, and C, attached to response letter); (HC0087-HC0100)
19. APU Report of Investigation regarding Docket Nos. 2-7/13 & 14-4/18; (HC0101-HC0112)
20. Dr. Sonnya Dennis Report of Investigation regarding Docket No. 2-8/18; (HC0113-HC0116)
21. Selected portion of audio recording of Licensee interview on October 20, 2020. (HC0117)\*
22. Records for Punkin (HC 0119-HC 0125)

b. Exhibits were submitted by Licensee, numbered as follows:

- A. Medical Records for Punkin (Owner: Christine Johnson);
- B. Medical Records for Leia (Owners: Derek & Tanya Maclver);
- C. Client Account Register for Sunny (Owners: Jonathan & Dawn Crowe);

- D. Medical Records for Bradley (Owners: Rich & Rene Dumas) and
- E. AVMA Principles of Veterinary Medical Ethics.

c. Testimony was received from:

- 1. Allison Vachon, Investigator
- 2. Todd Flanagan, Investigator
- 3. Dr. David Stowe, DVM
- 4. Dr. Sandra Brown, DVM
- 5. Dr. Tamara Grub, DVM
- 6. Dr. Nancy Halpern, DVM
- 7. Michael Prang
- 8. Ms. Anastazi
- 9. Carlin Burpee

#### **IV. CONDUCT OF THE HEARING AND EVIDENCE PRESENTED:**

The Licensee has held a license as a veterinarian in New Hampshire since 1998. Licensee also holds a license in the State of Maine. Licensee was previously disciplined by this Board, which included a six-month suspension from October 2017 to April 2018 and a prohibition on dispensing or administering controlled substances until December 31, 2021.

During late 2017 and 2018, the Board conducted additional investigations into Licensee's actions, which are the subject of this current action. After completing its investigation and receiving several separate complaints, the Board commenced an adjudicative proceeding and conducted a final adjudicative hearing on February 17, 2021, and February 18, 2021, at which Licensee appeared with counsel. Pursuant to Rule 202.10(f), Hearing Counsel had the burden of proving its case by a preponderance of the evidence. Both Hearing Counsel and Licensee's Counsel agreed to admit all initial evidentiary exhibits, which was allowed by the Board.

The credible evidence presented at the hearing allows the Board to find the following facts. This matter is a consolidated adjudication of multiple allegations of misconduct between 2017 and 2019. Allison Vachon, an investigator at the Department of Justice, testified at hearing that she participated in the investigation in late 2017. Ms. Vachon reviewed Licensee's prior discipline orders, confirmed the

suspension period, and the fact that Licensee was prohibited from dispensing or administering controlled substances until December 31, 2021.

Ms. Vachon testified that, on or about December 17, 2017, she and Dr. David Stowe conducted an inspection of Licensee's New Hampshire office location. Following the inspection, Dr. Stowe generated a report. The December 17, 2017, inspection report noted that Licensee was not physically present at that time, but had hired Dr. Andrea Scasserra as a "relief vet" to see patients at the New Hampshire location. The report further noted that there were multiple appointments in the practice's calendar in November 2017 with the hand-written notation, "Me." Dr. Stowe interpreted "Me" to refer to "Dr. Sandra Brown."

Dr. Stowe documented in his inspection report that he reviewed records of a cat named "Punkin," which had been euthanized. According to Dr. Stowe's review of the records, Licensee had many communications with Punkin's owners, who resided in and were physically located in New Hampshire. Ms. Vachon credibly testified that, as a result, she believed Licensee was practicing in New Hampshire during the time that Licensee's license was suspended, in violation of the prior Board order. Additionally, Dr. Stowe's inspection report also detailed that invoices for the purchase of controlled drugs for the New Hampshire location were billed to Licensee, in violation of the Board's prior order prohibiting Licensee from dispensing or administering controlled substances until December 31, 2021.

Next, Todd Flanagan, an investigator at the Department of Justice, testified that he conducted an inspection of Licensee's New Hampshire practice on February 12, 2018. Mr. Flanagan subsequently generated a report. Mr. Flanagan testified that, at the time of his 2018 inspection, Dr. Scasserra was not at the office, as she and Licensee had just "parted ways" due to differences in how they ran their veterinarian practices. During the inspection, Mr. Flanagan discovered a letter from Licensee addressed to New Hampshire clients, requesting that her clients meet Licensee at her mobile unit in Maine.

Mr. Flanagan testified that he also discovered records regarding a patient, "Sunny," who had been examined and given a rabies vaccine on January, 22, 2018. The records were signed by Licensee. Additionally, Licensee's signature was accompanied by her license number, #1365, which was suspended at the time. Mr. Flanagan also testified that Licensee referred two New Hampshire patients to different hospitals while her license to practice veterinary medicine in New Hampshire was suspended.

Dr. David Stowe testified during Hearing Counsel's case-in-chief. Dr. Stowe assisted Ms. Vachon with the investigation into Dr. Brown, and specifically, the December 2017 inspection. Dr. Stowe affirmed the facts and findings in his December 2017 inspection report. Dr. Stowe testified that, during his investigation, he found that Licensee engaged in multiple client communications with Punkin's owners while they resided in New Hampshire. Dr. Stowe conducted a follow-up inspection on February 12, 2018, and concluded that Licensee was dispensing drugs at her clinic in New Hampshire. According to Dr. Stowe, Licensee's January 22, 2018, vaccination of Sunny and the subsequent urinalysis on February 5, 2018, demonstrated that Licensee practiced in New Hampshire, in violation of the Board's prior order. Dr. Stowe also concluded that Licensee practiced veterinary medicine in March 2018, based on a review of records concerning a patient previously treated by Dr. Bliss, during which Licensee reassessed "Cujo" and demanded a refund from Dr. Bliss.

Dr. Stowe further testified concerning the complaint of improper euthanasia of a dog, "Bradley." According to Dr. Stowe, Licensee failed to conduct the euthanasia as humanely and quickly as she should have done, and that Licensee used non-standard drugs such as potassium chloride (KCI). Licensee also conducted the euthanasia without sufficient anesthetic, causing her to have to walk out to her mobile unit and delay an already stressful situation. Further, Licensee did not complete paperwork correctly, leading Bradley to receive a group cremation—not an individual cremation as requested,

thereby denying the client's right to receive their beloved Bradley's ashes. Dr. Stowe opined that these constituted deviations from the standard of care and amounted to professional misconduct.

Licensee, Dr. Sandra Brown, testified that she is a "solo, rural mixed-animal mobile veterinarian." Licensee has been licensed in New Hampshire and Maine since 1998, but she currently only has a valid license in Maine. Licensee clarified that she hired Dr. Scasserra as a relief vet, since Dr. Scasserra was licensed in New Hampshire and had a valid DEA registration to allow her to receive and dispense controlled drugs at Licensee's New Hampshire office location. Licensee explained that Dr. Scasserra would submit the orders for controlled drugs, and only Dr. Scasserra retrieved the drugs and put them in a lock box on the premises. Further, only Dr. Scasserra had access to controlled drug lock box.

Licensee testified that, during her 2017 and 2018 suspension, Licensee continued to practice in Maine. According to Licensee, she would only see clients at their homes in Maine, or in her mobile unit (a converted ambulance) in Maine. Licensee explained that the multiple notations in her medical records to "Me," meant the State of Maine. Licensee denied participating in office visits in New Hampshire during her period of suspension. However, Licensee acknowledged treating New Hampshire patients in Maine and further communicating with New Hampshire patients located in New Hampshire during her course of care. Licensee acknowledged that the majority of her clients were located in New Hampshire. However, according to Licensee, she used due diligence to ensure she was not practicing in New Hampshire during the period of her suspension.

Licensee testified that her examination and vaccination of Sunny occurred at the client's home in Lovewell, Maine. According to Licensee, she administered the vaccine appropriately, but "accidentally" used her New Hampshire license number, not her Maine license number. Similarly, Licensee explained that she reviewed and interpreted the urine screen results for Sunny while in Maine.

Licensee also provided testimony concerning a patient, "Cujo." According to Licensee, Cujo was Dr. Scasserra's patient and had undergone a procedure that did not go well. While Dr. Scasserra referred the clients to another veterinary hospital, Licensee acknowledged taking the actions of reassessing Cujo, who was located in New Hampshire, while she did not have an active license. Licensee also admitted to intervening in the management of Cujo's case, contacting Dr. Bliss with a plea for financial relief in Cujo's case. While Licensee viewed these actions as completely appropriate during the hearing, the Board disagrees and finds this demonstrates Licensee engaged in the practice of veterinary medicine during the period of time that her license was suspended.

Licensee gave a detailed account of the euthanasia of the dog, Bradley. According to Licensee, the client had asked for a Saturday appointment and Licensee accommodated them. She stated that the euthanasia was routine and the protocols were appropriate. Licensee used a topical Lidocaine cream, but still had trouble placing a catheter on Bradley, as he was in poor health and dehydrated. As a result, Licensee went to her vehicle, obtained Dextometer, and sedated Bradley. There were no signs of pain or distress. Licensee then administered propofol and KCl in order to anesthetize and then humanely euthanize Bradley. Bradley passed away in the loving arms of his owners, who were not experiencing any distress at that time. Licensee relayed that the clients wanted to grieve more, so she left their home to attend to personal matters and then returned to collect Bradley's body. Licensee testified further that she was not feeling well afterwards. Licensee admitted to incorrectly completing the paperwork, resulting in Bradley receiving a group cremation. Licensee testified that she apologized to her clients, refunded the entire amount of money, and offered to make a charitable donation, but her clients refused. The Board construes Licensee's actions with regard to Bradley as being part of a course of conduct involving poor record keeping for which Licensee has been cited in previous Board actions.

Regarding the alleged misuse of rabies tags, Licensee attempted to provide an explanation. Licensee fostered a litter of puppies at her home. She used expired color-coded rabies tags to identify the puppies with her name/address/phone number. Licensee acknowledged that she had not vaccinated them, but stated that she had no intent to deceive anyone. Licensee explained she intended to remove the tags before the puppies were given to anyone else. Licensee agreed that it would have been better to use named identification tags instead of rabies tags. Nonetheless, Licensee asks this Board to overlook her false labeling of the litter of puppies on the basis that no one was deceived, the puppies never left her property while they were in her control, and the puppies bit no one. The Board finds these explanations demonstrate Licensee's complete lack of regard for compliance with board rules and minimum standards of practice.

Licensee called Dr. Tamara Grub to testify on her behalf as an expert veterinarian in the areas of pain management and anesthesia. Dr. Grub testified that she reviewed all the records pertaining to the euthanasia of Bradley. Based on her review, the protocols and each of the drugs that Licensee used were very appropriate. Additionally, the "off-label" use of KCl was permissible under the circumstances. Dr. Grub testified that the euthanasia of Punkin was humane and appropriate.

Licensee also called Dr. Nancy Halpern, who is both a veterinarian and an attorney to offer testimony as an expert witness. Dr. Halpern reviewed the records in this matter and concluded that Licensee did not control, prescribe, or dispense controlled drugs in violation of her suspension, since Licensee had Dr. Scasserra present as relief veterinarian. Additionally, Dr. Halpern, who has never practiced law or veterinary medicine in New Hampshire, opined that the term "practicing" is so ambiguous that the Board cannot possibly hold Licensee liable for her cross-border practice during her suspension. Dr. Halpern further opined that Licensee's act of reaching out to Dr. Bliss to ask for financial consideration was appropriate, that this did not constitute practicing, and simply amounted to



“free speech” in a professional sense. According to Dr. Halpern, Licensee did not violate Board practice acts or rules in this case.

Finally, Licensee presented the testimony of several “character” type witnesses. These witnesses extolled the virtues of Licensee as a kind person and animal lover who goes above and beyond by doing house calls and being accessible to her clients. While the emotional weight of such testimony was substantial, the Board assigns less evidentiary weight to these witnesses, as their testimony was not particularly relevant to the actual allegations that are pending in this matter.

In closing, Licensee argued that this is a complicated case, which comes down to the definition of “practicing.” Licensee argues that, since “practicing” is ill defined, Licensee should not be disciplined. With regard to the other allegations, Licensee argues that there is no direct evidence of any violations of the Board’s practice act and/or rules, only “questions” or concerns, which cannot prove the allegations. Hearing Counsel argued that this is not a complicated case, and further, there is overwhelming evidence that Licensee practiced under her New Hampshire license during her period of suspension. Hearing Counsel argued in conclusion that this is a public safety case, that Licensee has been disciplined before and that the Board should consider more harsh discipline, including possible revocation.

**V. DISCUSSION AND FINDINGS OF FACTS / CONCLUSIONS OF LAW:**

After reviewing all of the evidence, and taking into account the presentation and demeanor of all the witnesses, the Board finds, by a preponderance of the evidence, that the Licensee has committed professional misconduct. The Board finds that Licensee practiced under her New Hampshire license while continuing to treat New Hampshire patients. Licensee’s course of care for these patients included extensive, ongoing communications with patients physically located in New Hampshire. Although Licensee cannot control where her clients reside, the Board found enough of a physical nexus between

Licensee's actions and the state of New Hampshire to conclude that she continued to practice and materially participated in veterinary treatment in New Hampshire while suspended.

The Board further finds that there is ample evidence, including through Licensee's own admission, that demonstrates Licensee grossly deviated from the standards of care with regard to the assessment/referral of Cujo, Bradley's botched cremation, her incorrect use of rabies tags, and her threats to report Dr. Bliss, and that she committed professional misconduct as a result. As part of this decision, the Board makes the following findings of fact and conclusions of law:

- A. On or about October 2017 to April 2018, Licensee was a suspended veterinarian in the State of New Hampshire and a licensed veterinarian in the State of Maine. After April 2018, Licensee was a licensed veterinarian in the State of New Hampshire.
- B. Pursuant to RSA 332-B:2 and 332-B:14(II)(c), Licensee committed professional misconduct by continuing to practice veterinary medicine in the State of New Hampshire, contrary to her suspension order.
- C. Pursuant to RSA 332-B:14(II)(c), there is insufficient evidence to show that Licensee engaged in professional misconduct by prescribing and/or possessing controlled substances at her practice premises, contrary to her suspension order.
- D. Pursuant to RSA 332-B:14(II)(c) or (j), or Rule 405.01, there is insufficient evidence to show that Licensee engaged in professional misconduct by allowing an unsupervised veterinary assistant to perform urinalysis on an animal, contrary to her suspension order.
- E. Pursuant to RSA 332-B:14(II)(c), Licensee committed professional misconduct by re-assessing Cujo's treatment and condition, and by demanding a refund from Dr. Bliss.
- F. Pursuant to RSA 332-B:14(II)(g), Licensee committed professional misconduct by willfully and repeatedly continuing to practice in violation of her suspension order.
- G. Pursuant to RSA 332-B:14(II)(c), there is insufficient evidence to show that Licensee engaged in professional misconduct by failing to follow appropriate euthanasia protocols and/or failing to adequately anesthetize an animal prior to euthanasia.
- H. Pursuant to RSA 332-B:14(II)(d), Licensee committed professional misconduct by failing to properly designate the disposition of a euthanized animal's remains.
- I. Pursuant to RSA 332-B:14(II)(d), there is insufficient evidence to show that Licensee engaged in professional misconduct by failing to refer a client to another practitioner because Licensee was not in a position to provide appropriate euthanasia services.

- J. Pursuant to RSA 332-B:14(II)(d) and Vet 701.01, Licensee committed professional misconduct by failing to keep adequate medical records.
- K. Pursuant to RSA 332-B:14(II)(c) and RSA 436:102, Licensee committed professional misconduct by intentionally placing expired rabies tags on the collars of unvaccinated puppies she was fostering within her home. Licensee's poor judgment could have led to delay, confusion, or other harm to the public.
- L. Pursuant to RSA 332-B:14(II)(n), Licensee committed professional misconduct by administering a rabies vaccination to a dog in Maine, but placing her New Hampshire clinic address and veterinary license number on the certificate of vaccination. This also is another example of inaccurate record keeping and a course of conduct by Licensee.
- M. Pursuant to RSA 332-B:14(II)(c), Licensee committed professional misconduct by intentionally misrepresenting her license status as valid, when she interviewed for a job in the State of Maine.
- N. Pursuant to RSA 332-B:14(III)(a), and upon a finding of professional misconduct under section (II) above, the Board hereby REPRIMANDS Licensee.
- O. Pursuant to RSA 332-B:14(III)(b), and upon a finding of professional misconduct under section (II) above, the Board hereby SUSPENDS Licensee's license to practice veterinary medicine for six months from the date of this Order.
- P. Pursuant to RSA 332-B:14(III)(b), and upon a finding of professional misconduct under section (II) above, the Board hereby RESTRICTS Licensee's license to practice veterinary medicine upon reinstatement of her license according to the following terms:
1. Licensee shall be subject to medical records audits every other month for two years after her license is reinstated following suspension;
  2. Licensee shall provide the Board with documentation of all controlled drug prescribing, including invoices on a quarterly basis for the next (2) two years;
  3. Licensee shall be subject to unannounced inspections of her premises or other veterinary practice in New Hampshire by the Board or its authorized representative for a period of four years after her license is reinstated following suspension;
- Q. Pursuant to RSA 332-B:14(III)(d), and upon a finding of professional misconduct under section (II) above, the Board hereby orders Licensee to complete twelve (12) hours of continuing education relating to medical record keeping, and/or handling, dispensing and prescribing controlled substances.
- R. Pursuant to RSA 332-B:14(III)(e), and upon a finding of professional misconduct under

section (II) above, the Board hereby assesses an administrative fine in the amount of \$2000.00 against Licensee.

S. Pursuant to RSA 332-G:11, and upon a finding of professional misconduct under RSA 332-B:14 (II) above, the Board determines that Licensee should be liable for the reasonable costs of investigative and prosecution in this matter. Therefore, Licensee shall be required to pay said costs in the amount of \$4,000.00.

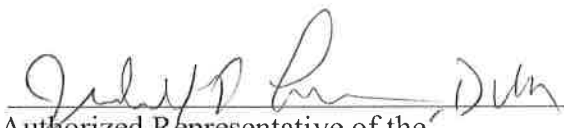
T. Pursuant to RSA 332-B:14(III) and Rule 402.01(g), the Board, in imposing the above-referenced sanctions, considered the following factors: the moderate nature of the Licensee's offenses, the Licensee's significant prior discipline record, the Licensee's negligent state of mind at the time of the offense, the Licensee's moderate lack of acknowledgement of wrongfulness, the Licensee's mild lack of willingness to cooperate with the Board, the clear purpose of the statute to protect patients, the potential harm to the public if this were to go unpunished, and the extensive nature and scope of the enforcement activities required as a result of the offense.

U. Pursuant to RSA 332-B:14(III) and Rule 402.01(a), the Licensee is subjected to the above-referenced discipline as the minimum sanction that the Board believes will, based on the facts and circumstances of this particular case, both protect the public and deter Licensee and any other licensee from engaging in such misconduct in the future.

**VI. CONCLUSION AND DECISION:**

Pursuant to RSA 332-B:14, the Board hereby REPRIMANDS Dr. Sandra Brown, SUSPENDS her license for a period of six (6) months from the date of this order, and subjects her to further discipline as outlined above.

DATED: 12/14/21

  
Authorized Representative of the  
Board of Veterinary Medicine-  
New Hampshire Office of  
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