

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

IN THE MATTER OF:

DAREN M. ROA, DVM

DOCKET NO. 15-68

LICENSE NO. 4903

\* \* \* \* \*

CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 28 day of September 2016, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Daren M. Roa, DVM (Dr. Roa), License No. 4903. This Order confirms the intention of Dr. Roa to waive the right to contest the charges filed by the Board on June 8, 2016 in Docket No. 15-68, alleging that as one of the responsible veterinarians at Chesapeake Veterinary Surgical Specialists, located at 808 Bestgate Road, Annapolis, Maryland 21401, the hospital violated Code of Maryland Regulation (COMAR) 15.14.01.10 relating to record keeping on May 20, 2015. Dr. Roa agreed to pay \$300.00 in a civil penalty to resolve this matter and waived his right to a hearing in Docket No. 15-68.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act, Agriculture Article Sections 2-301 - 2-316, Annotated Code of Maryland and related COMAR regulations 15.14.01 - 15.14.17. As part of its authority, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee . . . if the veterinarian or veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a license[.]" Md. Code Ann., Agric. Art., Section 2-310(8). In addition, the Board may impose a civil penalty of not more than \$5,000 for a first offense, or \$10,000 for a second or subsequent offense in lieu of or in addition to suspending, or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Art. Section 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, and the history of prior violations, as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art., Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

Daren M. Roa, DVM, License No. 4903, while generally and specifically denying any liability in this matter, has offered to submit payment of \$300.00 in a civil penalty assessed by the Board in Docket No. 15-68, and has waived the right to a hearing or appeal of the charges in order to resolve this matter. After having the opportunity to seek advice of legal counsel, Dr. Roa acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that as one of the responsible veterinarians for Chesapeake Veterinary Surgical Specialists, located at 808 Bestgate Road, Annapolis, Maryland 21401, the hospital did violate COMAR 15.14.01.10 relating to record keeping for "Bentley," a five-year old neutered male English Bulldog owned by Debra Hollenshade, and specifically as to vital sign monitoring on May 20, 2015. Dr. Roa has no prior disciplinary history with the Board.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's lack of any disciplinary history with the Board, and the veterinarian's good faith effort to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 28<sup>th</sup> day of September, 2016, by the Maryland State Board of Veterinary Medical Examiners, ORDERED that for the record keeping violation of COMAR 15.14.01.10, Daren M. Roa, DVM License No. 4903, is assessed a civil penalty in the total amount of \$300.00. Dr. Roa shall make payment by check within 30 days of the date of this Order to the "Maryland Department of Agriculture," 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401, with the notation "SBVME - 15-68."



Heather M. Hendler, VMD

Vice President

Maryland State Board of Veterinary Medical Examiners