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

IN THE MATTER OF:	*	
SUSAN P. DE LEON, VMD LICENSE NO. 4657	*	DOCKET NO. 18-43
OLD COURT ANIMAL HOSPITAL HOSPITAL LICENSE NO. 03-021	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 14th day of March, 2018, is issued by the Maryland State Board of Veterinary Medical Examiners ("Board" or "SBVME") against Susan P. de Leon, VMD, License No. 4657. This Order confirms the intention of Dr. de Leon to waive the right to contest the charge filed by the Board on or about February 23, 2018, in Docket No. 18-43, alleging that Dr. de Leon, as owner and responsible veterinarian at Old Court Animal Hospital (License No. 03-021), violated the Maryland Veterinary Practice Act, Agriculture Article, Sections 2-301 - 2-316, Annotated Code of Maryland, ("Veterinary Practice Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17. Specifically, in Docket No. 18-43, the Board alleged that Dr. de Leon violated COMAR 15.14.01.12-3C by failing to keep expired medications separate and apart from unexpired medications. By letter dated February 26, 2018, Dr. de Leon notified the Board that she wishes to voluntarily waive the right to a hearing and appeal on the charge in Docket No. 18-43 and will pay the $500.00 civil penalty imposed. On March 12, 2018, Dr. de Leon submitted a check for $500.00 to pay the civil penalty in this matter.

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 and related COMAR regulations. 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., § 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. § 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., § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians). Dr. de Leon has no formal prior disciplinary history.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. At all times relevant to this charge, Dr. de Leon was a veterinarian licensed to practice in Maryland since 1996. At the time of the incidents described in this charge, Dr. de Leon was the owner and Responsible Veterinarian of a veterinary hospital known as Old Court Animal Hospital ("Hospital"), located at 1709 Reisterstown Road, Pikesville, Maryland 21208. The Hospital is licensed by the Board as License No. 03-021.

2. On or about April 18, 2016, Board inspector Ellen James ("Ms. James") conducted a routine annual sanitation inspection of the Hospital and found 14 expired medications that had not been packaged and kept separate and apart from the Hospital's unexpired medications. During the April 18, 2016 inspection, Ms. James instructed Hospital staff to check expiration dates on medications once a month.

3. On or about January 17, 2018, Ms. James conducted a routine annual sanitation inspection of the Hospital and found 14 expired medications in exam rooms and treatment rooms that had not been packaged and kept separate and apart from the Hospital's unexpired medications.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's prior 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 14th day of March, 2018, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of Agriculture Article, § 2-310(8), Md. Code Ann., of the Veterinary Practice Act, and COMAR 15.14.01.12-3C, Dr. de Leon is assessed a civil penalty in the amount of $500.00. The Board acknowledges payment of $500.00 received from Dr. de Leon on March 12, 2018.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

David L. Handel, DVM
President