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

IN THE MATTER OF:	*	
VETRAD, LLC 350 East Wilson Bridge Road Worthington, OH 43085 Owner	*	DOCKET NO. 24-07
SYNERGY VETERINARY IMAGING PARTNERS, LLC Old Hospital License No. 15-00337 New Hospital License No. 15-00617	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order") dated this 5th day of September 2023, is issued by the Maryland State Board of Veterinary Medical Examiners ("SBVME" or "Board") against VetRad, LLC ("VetRad" or "Owner"), the owner of Synergy Veterinary Imaging Partners, LLC (old Hospital License No. 15-00337, new Hospital License No. 15-00617) ("SVIP" or "Hospital"), located at 500 Perry Parkway, Gaithersburg, MD 20877.

This Order confirms the intention of VetRad to waive the right to formal proceedings in this case, in which it is alleged that VetRad, as Owner of SVIP, violated the Maryland Veterinary Practice Act, Md. Code Ann., Agric. §§ 2-301 - 2-316 ("the Act") and related Code of Maryland Regulations ("COMAR") 15.14.01 – 15.14.17. Before agreeing, the Owner's local representative, Matthew Verbsky, DVM ("Dr. Verbsky") was notified in writing of the due process rights available to VetRad, including the right to receive formal notice of charges, request a hearing, retain legal counsel, and all other rights set forth in Agric. § 2-311. On August 31, 2023, Dr. Verbsky, on behalf of VetRad, informed Board counsel that VetRad would waive its rights to formal charges and a hearing and agree to the entry of this Order.

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 and veterinary hospital owners charged with violating provisions of the Act. 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 hospital owner] . . . [f]ails to comply with Board rules and regulations after receiving a license." Agric. § 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 a veterinarian's license, respectively. Agric. § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the violator's good faith and history of prior violations, as well as the Board's civil penalty standards. Md. Code Ann., State Gov't § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

VetRad, through its local representative, after having the opportunity to seek the advice of legal counsel, voluntarily waived its right to formal charges and a hearing and agreed to pay a civil penalty of $1300. In so doing, VetRad acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that it violated COMAR 15.14.03.01-1 (Licensing Requirements), as follows:

1. In June 2023, Matthew Verbsky, DVM, a representative for VetRad, contacted SBVME staff to update the local representative for SVIP so that the hospital license could be renewed for Fiscal Year 2024.

2. During Dr. Verbsky's conversation with staff, he advised that VetRad had purchased the hospital on October 15, 2021, and operated it continuously after the sale date. Before the sale, the Hospital was owned by Matthew Pack, DVM (License No. 7353). The Board was not notified of the ownership change, and a new hospital license was not issued at the time of the sale.

3. SBVME staff informed Dr. Verbsky that hospital licenses are not transferable and that a new license issued to VetRad, as the owner of SVIP, was required for lawful operation.

4. On June 28, 2023, Dr. Verbsky applied for a hospital license for SVIP in VetRad's name, which was issued the same day and assigned Hospital License No. 15-00617.

5. Section 2-304.1 of the Agriculture Article requires that every veterinary hospital be licensed by the Board. COMAR 15.14.03.01-1 specifies the process and requirements for licensing and operation of veterinary hospitals. COMAR 15.14.03.01-1C states, "[a] person, including the owner, may not operate a veterinary facility unless it has a veterinary hospital license." COMAR 15.14.03.01-1E provides that: "[b]ecause a hospital license is issued in the name

of a particular owner for a particular building or portion of it, **the owner may not transfer this license to either a new owner, including a person leasing or purchasing the owner's veterinary practice, or a different physical structure**." (Emphasis added).

5. VetRad violated this regulation by purchasing SVIP and operating it from October 15, 2021, through June 28, 2023, without obtaining a new hospital license.

Taking all facts and circumstances into consideration, including the nature of the violation, the Owner's lack of prior disciplinary history with the Board as of the date of this Order, the duration of the violation, and the Owner'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 5th day of September 2023, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

a) For the violation of Md. Code Ann., Agric. § 2-304.1, and COMAR 15.14.03.01-1, VetRad, LLC, the owner of Synergy Veterinary Imaging Partners, LLC (License No. 05-00617), is assessed a civil penalty of $1300;

b) The civil penalty is due sixty (60) days from the date of this Order. It should be paid by check payable to the Maryland Department of Agriculture ("MDA") with the notation "SBVME – 24-07" and mailed to MDA at:

Maryland Department of Agriculture
50 Harry S. Truman Parkway, Room 102
Annapolis, Maryland 21401
Attention: Nathaniel Boan; and

c) This Civil Penalty Final Order is a public document.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

Elizabeth Callahan, DVM
President
State Board of Veterinary Medical Examiners
Maryland Department of Agriculture
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