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

IN THE MATTER OF:	*	
ARMILANIE ESCANO, DVM License No. 6844 Owner	*	DOCKET NO. 24-10
SYKESVILLE VETERINARY CLINIC Hospital License No.06-00605	*	
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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order ("Order"), dated this 6th day of September, 2023, is issued by the Maryland State Board of Veterinary Medical Examiners ("SBVME" or "Board") against Armilanie Escano, DVM ("Dr. Escano " or "Owner"), the owner of Sykesville Veterinary Clinic (new Hospital License No. 15-00617) ("SVC" or "Hospital"), located at 20 Liberty Road, Suite C, Sykesville, MD 21784.

This Order confirms the intention of Dr. Escano to waive the right to formal proceedings in this case, in which it is alleged that Dr. Escano, as the owner of SVC, 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, Dr. Escano received written notice of available due process rights, 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 September 1, 2023, Dr. Escano, having been advised of his rights, informed Board counsel by email that he would waive his 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

Armilanie Escano, DVM, 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 $650. In so doing, Dr. Escano acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that they violated COMAR 15.14.03.01-1 (Licensing Requirements), as follows:

1. Armilanie Escano, DVM ("Dr. Escano " or "Owner") (License No, 6844) is a veterinarian licensed in Maryland since 2011.

2. On March 27, 2023, Board Inspector Ellen James ("Ms. James") inspected Sykesville Veterinary Clinic ("SVC" or "Hospital") (old License No. 06-023). During this visit, Inspector James identified some issues of concern that required follow-up.

3. Subsequently, when inquiring about the issues identified, Inspector James learned that Dr. Escano had purchased SVC in October of 2022 from another veterinarian.

4. Inspector James informed Dr. Escano that veterinary hospital licenses do not transfer to a new owner; therefore, SVC was being operated in violation of the Act without a valid license.

5. On May 31, 2023, Dr. Escano applied for a hospital license in his name, which was issued the same day, and assigned Hospital License No. 06-00605.

6. 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. Dr. Escano violated this regulation by purchasing SVC and operating it from October 5, 2022, through May 31, 2023, without obtaining a new hospital license in his name as owner of the Hospital.

Taking all facts and circumstances into consideration, including the nature of the violation, the veterinarian's lack of prior disciplinary history with the Board as of the date of this Order, the duration of the violation, and his 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 6th 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, Armilanie Escano, DVM, License No. 6844, the owner of Sykesville Veterinary Clinic (License No. 06-00605), is assessed a civil penalty of $650;

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 – 24-10" 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
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