

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



IN THE MATTER OF:

KENNETH E. FOX, D.V.M.
LICENSE NO. 4835

GLYMONT ANIMAL HOSPITAL
4618 Indian Head Highway
Indian Head, MD 20640

Hospital License No. 08-002

DOCKET NO. 06-017

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CONSENT AGREEMENT

This Consent Agreement, dated this 14th day of December, 2006, is between the State Board of Veterinary Medical Examiners (ABoard@) and Kenneth E. Fox, D.V.M., License No. 4835 (ADr. Fox@), the owner of Glymont Animal Hospital, Hospital License No. 08-002. The Agreement concerns the charges that the Board filed against Dr. Fox alleging that he owned and operated a veterinary hospital known as Glymont Animal Hospital from December 1, 2005 to February 23, 2006, without a valid hospital license.

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 the provisions of the Veterinary Practice Act and regulations adopted thereunder. The Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee ... if the veterinarian ... [f]ails to comply with [the Veterinary Practice Act and] Board rules and regulations after receiving a license" (Md. Code Ann., Agric. Art., '2-310(8)); and in lieu of, or in addition to, suspending a veterinarian's license, the Board may impose a civil penalty of not more than \$5,000 (Md. Code Ann., Agric. Art., '2-310.1).

FINDINGS OF FACTS

Dr. Fox, by entering into and signing this document, acknowledges that the Board could produce evidence establishing the following Findings of Fact:

1. At all times relevant to the charges, Dr. Fox was, and is, licensed to practice veterinary medicine in the State of Maryland; and owns and operates a veterinary hospital known as Glymont Animal Hospital, located at 4618 Indian Head Highway, Indian Head, Maryland, 20640.
2. From December 1, 2005 to February 23, 2006 (to wit: the Fiscal Year 2005-6 Licensing period), Dr. Fox operated the above-referenced facility as a veterinary hospital. Dr. Fox, however, did not have a license from the Board to operate this facility as a veterinary hospital for this time period.
3. Subsequently, on February 24, 2006, Dr. Fox did obtain a license from the Board to operate this facility as a veterinary hospital.

CONCLUSIONS OF LAW

Based upon these Findings of Fact, the Board makes the following Conclusion of Law: From December 1, 2005 to February 23, 2006, (to wit: the Fiscal Year 2005-6 Licensing period), Dr. Fox owned and operated a veterinary hospital known as Glymont Animal Hospital, located at 4618 Indian Head Highway, Indian Head, Maryland, without a valid hospital license from the Board, and in so doing, violated Agriculture Article, '2-304.1, Annotated Code of Maryland.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Fox violated the Veterinary Practice Act, it is this 14th day of December, 2006, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Fox is assessed a Civil Penalty in the amount of Two Hundred Fifty Dollars and that he pay this penalty to the Board within thirty (30) days from the date of this Consent Agreement.



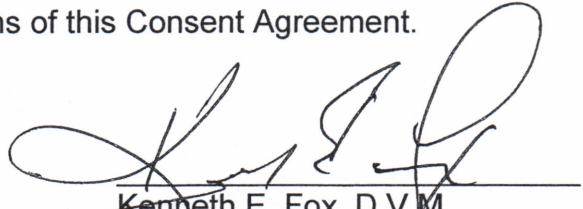
Chris H. Runde, D.V.M.
President
State Board of Veterinary Medical Examiners

CONSENT

I, Kenneth E. Fox, D.V.M., acknowledge that I had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge that the Board, by a preponderance of the evidence, could prove the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree to accept and submit to the foregoing Consent Agreement, consisting of three pages (that ends with this signed Consent statement). I acknowledge the validity of this Consent Agreement as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal from this Consent Agreement.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Agreement. I sign this Consent Agreement without reservation as my voluntary act and deed after having an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

DEC 6, 06
DATE


Kenneth E. Fox, D.V.M.
Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF Charles

I HEREBY CERTIFY that on this 6 day of December, 2006, before me, a Notary Public of the State and City/County aforesaid, personally appeared Kenneth E. Fox, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.



Notary Public

My Commission expires: Sept 23, 2009