

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

IN THE MATTER OF:

SCHUYLER MALACHI, D.V.M.
LICENSE NO. 4791

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DOCKET NO. 06-005

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CONSENT AGREEMENT

This Consent Agreement, dated this 24th day of March, 2006, is between the State Board of Veterinary Medical Examiners ("Board") and Schuyler Malachi, D.V.M., License No. 4791. The Agreement concerns the charges that the Board filed against Dr. Malachi alleging that she practiced veterinary medicine in this State during a time period that she was not registered as a licensed veterinarian in this State, a violation of Agriculture Article, §2-313, Annotated Code of Maryland.

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

1. On or about December 6, 2005 through December 22, 2005 of the 2005-6 Licensing Year (July 1, 2005 through June 30, 2006), Dr. Malachi practiced veterinary medicine at the Silver Spring Animal Hospital located at 1915 Seminary Road, Silver Spring,

Maryland 20910. During this time period, however, Dr. Malachi was not registered to practice as a licensed veterinarian in this State.

2. For the (previous) 2004-5 Licensing Year (July 1, 2004 through June 30, 2005), Dr. Malachi was registered as a licensed veterinarian in this State, and for a portion of this time, practiced veterinary medicine at the Takoma Park Animal Clinic located at 7330 Carroll Avenue, Takoma Park, Maryland 20912. In February 2005, Dr. Malachi left the Takoma Park Animal Clinic and began working at a veterinary clinic located in Washington, D.C.

3. On June 30, 2005, Dr. Malachi's registration for the 2004-5 Licensing Year expired. She failed to take steps on or before that date to renew it.

4. On or about December 22, 2005, Ms. Robin Roscher, an Inspector with the Board, conducted an inspection of the Silver Spring Animal Hospital and observed that Dr. Malachi was working as a veterinarian at that facility, but had not posted her registration. After checking the Board's current roster of registered licensed veterinarians, Ms. Roscher discovered that Dr. Malachi had not renewed her registration for the 2005-6 Licensing Year (July 1, 2005 through June 30, 2006).

5. Dr. Malachi has since taken steps to renew her registration for the 2005-6 Licensing Year.

CONCLUSIONS OF LAW

Based upon these Findings of Fact, the Board makes the following Conclusion of Law: On or about December 6, 2005 and through December 22, 2005, Dr. Malachi practiced veterinary medicine at the Silver Spring Animal Hospital located 1915 Seminary Road, Silver Spring, Maryland 20910 but, during this time period, was not registered as a licensed veterinarian in this State, a violation of Agriculture Article, §2-313, Annotated Code of Maryland.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Malachi violated the Veterinary Practice Act, it is this 24th day of March, 2006, by the State Board of Veterinary Medical Examiners, **ORDERED:**

That Dr. Malachi is assessed a Civil Penalty in the amount of One Hundred Dollars (\$100.00) and that she pay this penalty to the Board within thirty (30) days from the date of this Consent Agreement.

3/24/06
Date



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

CONSENT

I, Schuyler Malachi, 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 3 pages.

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.

3.22.2006
Date


Schuyler Malachi, D.V.M.
Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF Prince Georges

I HEREBY CERTIFY that on this 22 day of March, 2006, before me, a Notary Public of the State and City/County aforesaid, personally appeared Schuyler Malachi, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was her voluntary act and deed.

AS WITNESS my hand and notarial seal.


Notary Public

My Commission expires: _____
LINDA A. FISHER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires February 1, 2008

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
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CONCLUSIONS OF LAW

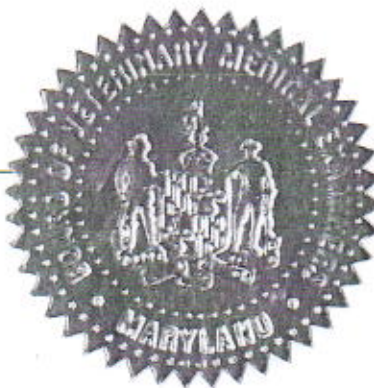
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Chris H. Runde, D.V.M.
Chris H. Runde, D.V.M.
President
State Board of Veterinary
Medical Examiners

CONSENT

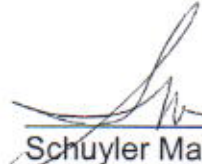
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3.22.2006
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Schuyler Malachi, D.V.M.
Respondent

NOTARY

STATE OF Maryland
CITY/COUNTY OF Prince Georges

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AS WITNESS my hand and notarial seal.



Notary Public

My Commission expires: _____
LINDA A. FISHER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires February 1, 2008