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

IN THE MATTER OF: *

ALVINA COOK, D.V.M. *
LICENSE NO. 1434

*

DOCKET NO. 05-050

ACCOKEEK ANIMAL HOSPITAL *
14803 Indian Head Highway
Accokeek, MD 20617 *

Hospital License No. 16-053 *

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CONSENT AGREEMENT

This Consent Agreement, dated this 22nd day of September, 2006, is between the State Board of Veterinary Medical Examiners ("Board") and Alvina Cook, D.V.M. ("Dr. Cook"), License No. 1434, the owner of Accokeek Animal Hospital, Hospital License No. 16-053. The Agreement concerns the charges that the Board filed against Dr. Cook alleging that her hospital failed to comply with certain sanitation requirements for veterinary hospital facilties.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes taking disciplinary actions against owners of veterinary hospitals for violating the sanitation requirements that the Board has established for such facilities. The Board "may suspend or revoke a license for failure to maintain the facility properly." Md. Code Ann., Agric. Art., §2-304.1(c); and in lieu of, or in addition to, suspending a 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. Cook, 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. Cook was, and is, a veterinarian licensed to

practice veterinary medicine in the State of Maryland; and was the owner of the Accokeek Animal Hospital located at 14803 Indian Head Highway, Accokeek, Maryland 20607.

2.) On or about July 27, 2005, Robin Roscher, a Board inspector, inspected the veterinary facility and noted that the lab/pharmacy area was cluttered. Ms. Roscher also inspected the kennel area and observed that it was unsanitary. Ms. Roscher informed Dr. Cook about the concerns she had regarding the hospital's sanitary condition, and told Dr. Cook that she would return in 30 days to reinspect the facility.

3.) On or about September 20, 2005, Ms. Roscher returned to the hospital facility, but could not reinspect it because the facility was closed.

4.) On or about October 26, 2005, Ms. Roscher once more returned to the hospital facility to reinspect it. At this time, she again found that the lab/pharmacy area was cluttered and unorganized. Specifically, Ms. Roscher observed various items piled on the counters, preventing the counters from being cleaned and sanitized.

5.) During this inspection, Ms. Roscher also observed that the kennel area was dirty. Specifically, she observed large accumulations of hair around the animal cages and in the corners of the room. In addition, Ms. Roscher noted that the kennel area was unorganized and cluttered. Specifically, she observed food, bedding, and other miscellaneous items being stored in the kennel - some of which were directly on the floor.

CONCLUSIONS OF LAW

Based upon these Findings of Fact, the Board makes the following Conclusions of Law:

1.) On or about October 26, 2005, Dr. Cook, the owner of the Accokeek Animal Hospital, failed to keep areas of her hospital neat and clean (to wit: the kennel area and the lab/pharmacy area), a violation of COMAR 15.14.03.02B.

2.) On or about October 26, 2005, Dr. Cook kept food and bedding in an animal room

(to wit: the kennel area), rather than kept in a separate room stored off the floor (*e.g.* on pallets, racks, or carts), as required under COMAR 15.14.03.06.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Cook violated the Veterinary Practice Act, it is this 22nd day of September, 2006, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Cook is assessed a Civil Penalty in the amount of Five Hundred Dollars (2 charges x $250.00), and that she pay this penalty to the Board within thirty (30) days from the date of this Consent Agreement.

9/22/06
Date

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

CONSENT

I, Alvina Cook, 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.

September 13, 2006
Date

Alvina Cook, D.V.M.
Alvina Cook, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Prince Georges

I HEREBY CERTIFY that on this 13th day of September, 2006, before me, a Notary Public of the State and City/County (Charles) aforesaid, personally appeared Alvina Cook, 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 Phyllis J. Nelson

My Commission expires: 9/1/2010