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

IN THE MATTER OF:	*	
LUCY C. TIDD, DVM	*	DOCKET NO. 16-23B
LICENSE NO. 4475	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 9th day of December, 2015, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Lucy C. Tidd, DVM (Dr. Tidd), License No. 4475. This Order confirms the intention of Dr. Tidd to waive the right to contest the charge filed by the Board on October 16, 2015 in Docket No. 16-23B, alleging that Dr. Tidd violated a certain Code of Maryland Regulation (COMAR). Specifically, in Docket No. 16-23B, the Board alleged that Dr. Tidd violated COMAR 15.14.11.03J Violations, beginning on September 1 through 10, 2015, by permitting Dr. Liza Nusinovich, License No. 7477, to practice veterinary medicine at Dr. Tidd's veterinary hospital; specifically, Germantown Veterinary Clinic, LLC, Hospital License No. 15-070, without a current registration from the Board for fiscal year (FY) 2016. On or about December 7, 2015, Dr. Tidd submitted full payment of the $300 civil penalty assessed by the Board as the only sanction in this matter, and thus voluntarily waived the right to a hearing and appeal on the charge in Docket No. 16-23B. Dr. Tidd has one prior disciplinary matter with the Board.

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 provisions of the Veterinary Practice Act, Agriculture Article Sections 2-301 – 2-316, Annotated Code of Maryland and related regulations, COMAR 15.14.01 – 15.14.17. 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 veterinary practitioner . . . [f]ails to comply with Board rules and regulations after receiving a license." Md. Code Ann., Agric. Art., Section 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, or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Art. Section 2-310.1. In setting the amount of a civil penalty, the Board shall

consider the severity of the violation, the good faith of the violator, and the history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Lucy C. Tidd, DVM, License No. 4475, has submitted payment of the $300 civil penalty assessed by the Board in Docket No. 16-23B, and waived the right to a hearing or appeal of the charge. After having the opportunity to seek the advice of legal counsel, Dr. Tidd voluntarily agreed to the Board's sanction, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that she did violate COMAR 15.14.11.03J Violations, by permitting Dr. Liza Nusinovich, License No. 7477, to practice veterinary medicine without a current registration from the Board for FY 2016, at Dr. Tidd's veterinary hospital, Germantown Veterinary Clinic, LLC, License No. 15-070, located at 19911 Father Hurley Boulevard, in Germantown, Maryland 20874, from September 1 through 10, 2015.

Taking all the facts and circumstances into consideration, including the nature of the violation, the veterinarian's disciplinary history with the Board, and the veterinarian'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 9th day of December, 2015, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of COMAR 15.14.11.03J, Dr. Tidd is assessed a civil penalty in the amount of $300. The Board acknowledges that payment of $300 was received from Dr. Tidd on December 7, 2015.

David L. Handel, DVM
President
Maryland State Board of Veterinary Medical Examiners