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

IN THE MATTER OF THE COMPLAINT OF	*	
THE STATE BOARD OF VETERINARY	*	
MEDICAL EXAMINERS AGAINST	*	
WILLIAM BENSON, D.V.M.	*	DOCKET NO. 00-005
LICENSE NO. 2720	*	

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CONSENT AGREEMENT

This Agreement, dated this 11th day of April, 2000, is between the State Board of Veterinary Medical Examiners ("Board") and William Benson, D.V.M., License No. 2720. The Agreement concerns the Board's allegation that Dr. Benson violated certain laws and regulations governing the practice of veterinary medicine in this State (the "Veterinary Practice Act"). Under the Veterinary Practice Act, 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 Board ... 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).

More specifically, the Board charged that Dr. Benson did not conduct himself in relation to the public, colleagues and clients so as to merit their full confidence and respect, a violation of COMAR 15.14.01.04. This charge was based on the allegation that Dr. Benson used a laser, a device that he had acquired for veterinary use, to remove a portion of a tattoo from Christine M. Easton, a former employee of his hospital. While he is licensed to practice veterinary medicine in this State, Dr. Benson is not licensed to practice medicine.

On 3-28-00, Dr. Benson received a copy of the Charging Document and the Notice of Agency Action by certified mail. In the Board's Notice, Dr. Benson was given the option of either contesting the charge filed against him, or accepting the Board's proposed

sanction, that being: the suspension of his license to practice veterinary medicine for a period of one year, but that all but two weeks of this suspension is stayed; a civil penalty in the amount of $500.00; and probation for five years, subject to the following terms and conditions of probation: (1) that Dr. Benson obey all laws and regulations governing the practice of veterinary medicine in this State; and (2) that Dr. Benson pay the civil penalty that the Board imposed.

FINDINGS OF FACT

On or about April 14, 1999, Dr. William Benson engaged in the unauthorized practice of medicine at the Reisterstown 24 Hour Veterinarian Complex, a veterinary hospital licensed in his name, during office hours. More specifically, Dr. Benson used a laser, a device that he had acquired for veterinary use, to remove a portion of a tattoo from the person of Christine M. Easton, an employee of his hospital. While Dr. Benson is licensed to practice veterinary medicine in this State, he is not licensed to practice medicine.

CONCLUSIONS OF LAW

Dr. Benson engaged in the unauthorized practice of medicine at a veterinary hospital licensed in his name, during office hours, on an employee of his hospital, using a device acquired for veterinary use, and in doing so, did not conduct himself in relation to the public, his colleagues, and the allied professions so as to merit their full confidence and respect, a violation of COMAR 15.14.01.04.

CONSENT

I, William Benson, D.V.M., acknowledge that I have 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 Order, consisting of four (4) pages.

I acknowledge the validity of this Consent Order 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 Order.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order.

I sign this Consent Order without reservation as my voluntary act and deed, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

April 11, 2000
Date

Bill W. Benson, DVM
William Benson, D.V.M.
Respondent

NOTARY

STATE OF Maryland

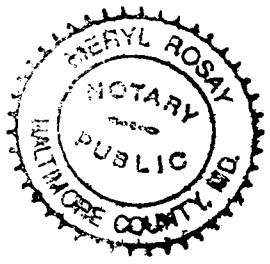
CITY/COUNTY OF Balto.

I HEREBY CERTIFY that on this 11th day of April, 2000, before me, a Notary Public of State and City/County aforesaid, personally appeared WILLIAM BENSON, D.V.M., and made oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Meryl Rosay
Notary Public

My Commission Expires: 5-1-02



ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 27th day of April, 2000, by the State Board of Veterinary Medical Examiners:

ORDERED that beginning Apr. 27, 2000, Dr. William Benson's license to practice veterinary medicine in this State be and is hereby suspended for one year, but that all but two weeks of this suspension is stayed (the specified period as determined by the Board);

ORDERED that Dr. Benson pay a **CIVIL PENALTY** (fine) in the amount of Five Hundred Dollars ($500) within 30 days from the date of this Order;

ORDERED that Dr. William Benson be and that he is hereby placed on **PROBATION** for a period of five (5) years beginning on the date that the Board executes this Order; and be it further

ORDERED that Dr. William Benson is subject to the following **TERMS AND CONDITIONS OF PROBATION:**

(1) Dr. Benson shall obey all laws and regulations governing the practice of veterinary medicine in this State; and

(2) Dr. Benson shall pay the civil penalty that the Board imposed, as specified above.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

4/27/2000
Date

Donald M. Carman, D.V.M.
President, State Board of Veterinary
Medical Examiners
50 Harry S. Truman Parkway
Annapolis, Maryland 21401