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	*	
MEREDITH A. MIKLOZEK, D.V.M.	*	DOCKET NO. 00-022
LICENSE NO. 2098	*	

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CONSENT AGREEMENT

This Agreement, dated this 22nd of June, 2000, is between the State Board of Veterinary Medical Examiners ("Board") and Meredith A. Miklozek, D.V.M., License No. 2098. The Board has charged that Dr. Miklozek has 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).

The Board has filed charges against Dr. Miklozek alleging that she violated Agriculture Article §2-304.1, Annotated Code of Maryland, and COMAR 15.14.03.01-1. Section 2-304.1 of the Agriculture Article, in its most pertinent part, provides: "Every veterinary hospital shall be licensed by the Board"; and COMAR 15.14.03.01, in its more pertinent part, provides: "A person . . . may not operate a veterinary hospital unless it has a valid hospital license." More specifically, in its charging document, the Board charged Dr. Miklozek as follows:

From July 1, 1999 to April 19, 2000, Dr. Meredith Miklozek operated a veterinary hospital known as Diamond Veterinary Hospital, at 17000 Longdraft Road, Gaithersburg, MD 20878. During this time period, the facility did not have a valid veterinary hospital license.

Dr. Miklozek did not obtain a veterinary hospital license for this facility until April 20, 2000.

On or about May 18, 2000, Dr. Miklozek received notice of the charge by certified mail, and has chosen to accept this charge.

FINDINGS OF FACT

Pursuant to the stipulation entered into between the Administrative Prosecutor and Dr. Miklozek, the Board's factual findings in this matter are as follows:

1. From July 1, 1999 to April 19, 2000, Dr. Meredith Miklozek operated a veterinary hospital known as Diamond Veterinary Hospital, at 17000 Longdraft Road, Gaithersburg, MD 20878;

2. During this time period, the facility did not have a valid veterinary hospital license; and

3. Dr. Miklozek obtained a veterinary hospital license for this facility on or about April 20, 2000.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Miklozek is guilty of operating the above-noted facility as a veterinary hospital when it did not have a valid hospital license, a violation of Md. Code Ann., Agric. Art. §2-304.1 and COMAR 15.14.03.01-1.

Meredith A. Miklozek, D.V.M.
Respondent

Donald M. Carman, D.V.M.
President, State Board of Veterinary Medical Examiners

CONSENT

I, Meredith A. Miklozek, 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 Agreement, consisting of three (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, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

6-14-2000
Date

Meredith A. Miklozek, DVM
Meredith A. Miklozek, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery Co.

I HEREBY CERTIFY that on this 14 day of June, 2000, before me, a Notary Public of the State and City/County aforesaid, personally appeared MEREDITH A. MIKLOZEK, D.V.M., and made oath in due form of law that the foregoing Consent Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission Expires: May 1, 2004

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ORDER

Having determined that Meredith A. Miklozek, in violation of Md. Code Ann., Agric. Art. §2-304.1 and COMAR 15.14.03.01-1, operated a veterinary hospital known as Diamond Veterinary Hospital, at 17000 Longdraft Road, Gaithersburg, MD 20878, from July 1, 1999 to April 19, 2000, when that facility did not have a valid veterinary hospital license , it is this 22nd of June, 2000, by the State Board of Veterinary Medical Examiners, **ORDERED:**

That Dr. Miklozek pay a civil penalty in the amount of three hundred dollars ($300.00) within 30 days from the date of this Order.

Donald M. Carman, D.V.M.
President
State Board of Veterinary
Medical Examiners