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	*	
ALLAN A. FRANK, D.V.M.	*	DOCKET NO. 00-052
LICENSE NO. 2433	*	

* * * * * * * * * * * * *

CONSENT ORDER

The State Board of Veterinary Medical Examiners ("Board") charged that Allan A. Frank, D.V.M., License No. 2433, 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 $5000 (Md. Code Ann., Agric. Art., §2-310.1).

More specifically, the Board charged that Dr. Frank employed or permitted an individual, who does not hold a license to practice veterinary medicine in this State, to practice veterinary medicine at his hospital, a violation of Agriculture Article, §2-310(7).

FINDINGS OF FACT

1. Dr. Allan A. Frank owns a licensed veterinary hospital in this State, that being, Hunt Valley Animal Hospital, Inc.

2. During the 2000-2001 licensing year, Dr. Frank employed Dr. Bret A. Greenberg as a veterinarian at his hospital, permitting him to practice veterinary medicine at that location.

3. During this period, Dr. Greenberg was not licensed to practice veterinary medicine in this State.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Frank employed or permitted an individual, who does not hold a license to practice veterinary medicine in this State, to practice veterinary medicine at his hospital, a violation of Agriculture Article, §2-310(7).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Frank violated COMAR 15.14.01.11, it is this 16th day of November, 2000, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Frank pay a civil penalty in the amount of Three Hundred Dollars ($300.00).

11/16/2000
Date



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

CONSENT

I, Allan A. Frank, 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 Order, consisting of 3 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 after

consulting with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

11/8/00
Date

Allan A. Frank, ~~D.~~V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 8th day of November, 2000, before me, a Notary Public of the State and City/County aforesaid, personally appeared Allan A. Frank, 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.

Notary Public

My Commission expires: Nov. 13, 2002

ADAM FRANK
BALTIMORE COUNTY MARYLAND
NOTARY PUBLIC

Adam Frank, Notary Public
Baltimore County
State of Maryland
My Commission Expires Nov. 13, 2002