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	*	
MARY L. TUZO, D.V.M.	*	DOCKET NO. 00-058
LICENSE NO. 5093	*	

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

DECISION AND ORDER

The State Board of Veterinary Medical Examiners ("Board") is the State licensing authority that oversees the practice of veterinary medicine in Maryland. Under the Veterinary Practice Act, the Board may prescribe reasonable standards for the practice of veterinary medicine, including conduct and ethics. The Board also may discipline a veterinarian who it finds guilty of violating a law or regulation governing the practice of veterinary medicine in this State. More specifically, the Board may "suspend, or revoke [the veterinarian's] license, and censure or place [the veterinarian] on probation" (Md. Code Ann., Agric. Art. §2-310); 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).

On January 25, 2001, the Board conducted a hearing on the charge that Dr. Mary L. Tuzo practiced veterinary medicine in Maryland during a period in which she was not registered, a violation of Agriculture Article, §2-313, Annotated Code of Maryland, and COMAR 15.14.01.11. Dr. Tuzo appeared at the hearing, did not contest the charge; she did, however, contest the proposed sanction.

Dr. Donald M. Carman, the Board's President, presided over the hearing. The following Board members also were in attendance: (1) Dr. Willard L. Hawkins; (2) Dr. Reggie Cox; (3) Dr. James R. McClellan; (4) Dr. John P. O'Mara; (5) Mr. Iven J. Rathbone; and (6) Ms. Judith Cox. Craig Nielsen, Assistant Attorney General, served as counsel to the Board.

Thomas F. Filbert, Assistant Attorney General, was the presenter of evidence.

FINDINGS OF FACT

Per stipulation between the Board's counsel and Dr. Tuzo, the Board finds:

1. In 1999, Dr. Tuzo obtained her license to practice veterinary medicine in this State, and registered for the 1999-2000 licensing year.

2. In April 2000, the Board mailed a registration application for the 2000-2001 licensing year to Dr. Tuzo at: 720 Houcksville Road, Hampstead, MD 21074. This was the most recent address that Dr. Tuzo had provided the Board. Unfortunately, when the application was mailed, it was no longer Dr. Tuzo's current mailing address. Dr. Tuzo had changed her employment and mailing address, and failed to notify the Board in a timely manner of her new address.

3. Dr. Tuzo did not renew her registration for the 2000-2001 licensing year on or before July 1, 2000; as a result, Dr. Tuzo's registration lapsed.

4. Between July 1, 2000 and September 11, 2000, Dr. Tuzo practiced veterinary medicine in this State, though she was not registered to do so.

5. In September 2000, when Dr. Tuzo discovered that she had failed to register with the Board for the 2000-2001 licensing year, she immediately took steps to remedy the situation.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Tuzo practiced veterinary medicine in this State during a period in which she had failed to register with the Board, a violation of Md. Code Ann., Agric. Art., §2-313, and COMAR 15,14.01.11.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Tuzo violated Agriculture Article, §2-313, Annotated Code of Maryland, and COMAR 15.14.01.11, it is this 25th day of January, 2001, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Tuzo pay a civil penalty in the amount of One Hundred and Fifty Dollars ($150.00) within sixty days from the date of this Order.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

1/25/2001
Date



Donald M. Carman, D.V.M.

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President, State Board of Veterinary
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