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	*	
SUSAN J. MULLENEX, D.V.M.	*	DOCKET NO. 00-070
LICENSE NO. 4803	*	

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CONSENT ORDER

The State Board of Veterinary Medical Examiners ("Board") charged that Susan J. Mullenex, D.V.M., License No. 4803, 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. Mullenex practiced veterinary medicine in this State during a period in which she was not a registered veterinarian with the Board, a violation of Md. Code Ann., Agric. Art., §2-313, and COMAR 15.14.01.11.

FINDINGS OF FACT

1. In 1997, Dr. Mullenex obtained her license to practice veterinary medicine in this State.

2. In April 2000, the Board mailed to Dr. Mullenex a registration application for the 2000-2001 licensing year. The Board mailed this application to the most recent address that Dr. Mullenex had provided it, that being a home address of 4800 Richie Highway, Baltimore, Maryland 21225.

3. On June 30, 2000, Dr. Mullenex allowed her registration with the Board to lapse.

4. In August 2000, the Board was able to locate a different address for Dr. Mullenex, and mailed another registration application to the address, that being: 754 Ramsay Street, Baltimore, Maryland 21230. Dr. Mullenex did not return the completed application with the requisite $80.00 fee.

5. In November 2000, a representative of the Board discovered that Dr. Mullenex was practicing at Rocky Gorge Animal Hospital, located at 7515 Brooklyn Bridge Road, Laurel, Maryland 20707.

6. On November 30, 2000, a Board representative traveled to Rocky Gorge Animal Hospital and obtained a signed registration application and a check for $105, which represented the annual registration fee and a late fee.

7. Between July 1, 2000 and December 4, 2000, Dr. Mullenex practiced veterinary medicine in this State, though she was not registered to do so.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that Dr. Mullenex 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. Mullenex violated Agriculture Article, §2-313, Annotated Code of Maryland, and COMAR 15.14.01.11, it is this 18th day of ~~December~~ January nunc, 2000, by the State Board of Veterinary Medical Examiners, **ORDERED**:

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

1/18/2001
Date

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

CONSENT

I, Susan J. Mullenex, 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 having the opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Order.

1/12/01
Date

Susan J. Mullenex, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 12th day of January, 2001, before me, a Notary Public of the State and City/County aforesaid, personally appeared Susan J. Mullenex, 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.

Audrey F. Martin
Notary Public

My Commission Expires: AUDREY F. MARTIN
NOTARY PUBLIC STATE OF MARYLAND
MY COMMISSION EXPIRES APRIL 4, 2002