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	*	
JUDITH R. LEVENSON, V.M.D.	*	DOCKET NO. 08-04
LICENSE NO. 2151	*	

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

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, Md. Code Ann., Agric. Art. §§ 2-301 *et seq.*, the Board may prescribe reasonable standards for the practice of veterinary medicine, including conduct and ethics. The Board also may discipline a veterinarian who violates 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. In addition, the Board may impose civil penalties of not more than $5,000. Md. Code Ann., Agric. Art., § 2-310.1.

In a Notice of Agency Action, dated December 20, 2007, the Board advised Judith R. Levenson, V.M.D. ("Dr. Levenson") that it was taking disciplinary action against her for practicing veterinary medicine from July 2004 to March 2007 without a valid annual veterinary registration, a violation of §§ 2-308, 2-313 of the Agriculture Article, Annotated Code of Maryland and COMAR 15.14.01.11. Enclosed with the notice of

agency action was the charging document enumerating the facts and alleged violation. Both were sent by certified mail return receipt requested. Because Dr. Levenson did not contest the charges within ten days after the charges were mailed, the statutory time period, the Board issued an Order of Default on January 22, 2008. The statutory time period of fifteen days for moving to vacate this Order of Default now has passed, and Dr. Levenson has not filed a motion to vacate.

FINDINGS OF FACT

1.) Dr. Levenson is a licensed veterinarian in Maryland and has been at all times relevant to these charges.

2.) From approximately July 2004 to March 2007, Dr. Levenson was employed at Main Street Veterinary Hospital ("Main Street') in Reisterstown, Maryland.

3.) From approximately July 2004 to March 2007, Dr. Levenson practiced as a veterinarian by diagnosing and treating patients at Main Street. She, however, did not have a valid annual veterinary registration for this three-year registration period.

CONCLUSION OF LAW

By engaging in a "veterinarian-client-patient relationship," as defined in COMAR 15.14.01.03B(10), from July 2004 through March 2007, and not registering annually, as required by Md. Agric. Code Ann. § 2-308, Dr. Levenson violated §§ 2-308 and 2-313 of the Maryland Veterinary Practice Act and COMAR 15.14.01.11.

ORDER

Based on the foregoing Findings of Fact and Conclusion of Law, it is this 8th day of February, 2008, by the State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Levenson pay a civil penalty in the amount of $1,500 to the Board within 30 days from the date this decision takes effect.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

2/8/08
Date

Chris H. Runde DVM
Chris H. Runde, D.V.M.
President, State Board of Veterinary
Medical Examiners
50 Harry S Truman Parkway
Annapolis, MD 21401

Attach: Notice of Right to Appeal

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Department of Agriculture
Office of the Secretary

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STATE BOARD OF VETERINARY MEDICIAL EXAMINERS

NOTICE OF RIGHT TO APPEAL

YOU HAVE A RIGHT TO APPEAL THE BOARD'S DECISION TO THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE WITHIN 30 DAYS, AS PROVIDED IN AGRICULTURE ARTICLE §2-405, ANNOTATED CODE OF MARYLAND, AND COMAR 15.01.01.02(D). YOU MAY CONTACT CRAIG A. NIELSEN, COUNSEL TO THE BOARD, AT (410) 841-5883, WITH ANY QUESTIONS CONCERNING AN APPEAL.