**STATE OF MARYLAND**
**DEPARTMENT OF AGRICULTURE**
**BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS**

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| **IN THE MATTER OF:** | * | |
| **DANIELLE S. ANTHONY, D.V.M.** | * | **DOCKET NO. 10-76** |
| **LICENSE NO. 6516** | * | |

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## CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 15th day of JANUARY, 2013 CHR 1/15/13 ~~2012~~, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Danielle S. Anthony, D.V.M. (Dr. Anthony), License No. 6516. This Consent Agreement resolves the charges filed by the Board on May 12, 2011, asserting that Dr. Anthony violated Agriculture Article §§ 2-301, et seq., Annotated Code of Maryland (Veterinary Practice Act), and related Code of Maryland Regulation (COMAR); specifically, COMAR 15.14.01.07, pertaining to the care and treatment of Kimberly Morton Diehl's sixteen-month-old female ferret, "Snow Angel," on or about April 10, 2010. On May 19, 2011, Dr. Anthony requested a hearing before the Board to dispute the charging document. Thereafter, the parties entered into discussions and reached a resolution. Dr. Anthony asked the Board to dismiss the charges under COMAR 15.14.01.07 Professional Judgment and Practice. The Board refused, but will allow Dr. Anthony, upon completion of probation and an additional three-month period, to apply under COMAR 15.14.02.14 Rehearings for a modified order to abrogate this Order. By entering into this Consent Agreement, Dr. Anthony waives the right to a hearing and appeal on the charges in Docket No. 10-76.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act and related regulations. As part of its authority, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee ... if the veterinarian or veterinary practitioner... [f]ails to comply with Board rules and regulation after receiving a license[.]" Md. Code Ann., Agric. Art., § 2-310. In addition, the Board may impose a civil penalty of not more than $5,000.00 for a first offense, or $10,000.00 for a second or subsequent offense in lieu of or in addition to

suspending, or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Art., § 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Anthony, by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude, as a matter of law, that she violated the Veterinary Practice Act and a related regulation; specifically, COMAR 15.14.01.07, pertaining to professional judgment and practice, on or about April 10, 2010, in the care and treatment of Kimberly Morton Diehl's 16-month-old ferret, "Snow Angel," when she failed to provide adequate fluid therapy during the post-operative period following an ovariohysterectomy.

Taking all of the facts and circumstances into account, including the severity of the violation, Dr. Anthony's lack of disciplinary history with the Board, and Dr. Anthony's good faith effort to resolve these matters, the Board concluded that the following sanctions were reasonable and appropriate.

## ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 15th day of JANUARY 2013 CHR 1/15/13, ~~2012,~~ by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

1. Dr. Anthony is assessed a civil penalty in the amount of $500 for one violation of COMAR 15.14.01.07, Professional Judgment and Practice, payment to be made within 30 days of the date of this Order to the Maryland State Board of Veterinary Medical Examiners (SBVME). In addition to the civil penalty, Dr. Anthony shall make a charitable donation to the ~~SPCA~~ Humane Society CHR 1/15/13 of Maryland in the amount of $600 within 30 days of the date of this Order with documentation of the reimbursement provided from the ~~SPCA~~ Humane Society CHR 1/15/13 to the Board within 30 days of the date of donation.

2. Dr. Anthony shall serve a period of probation of three months. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation.

3. If Dr. Anthony completes the period of probation to the satisfaction of the Board and after the passage of an additional three months, upon the written application of Dr. Anthony, the Board will promptly file a Modified Order that abrogates the Order in this Consent Agreement related to the violations of COMAR 15.14.01.07. Dr. Anthony's disciplinary licensing history in the Board's records will indicate that this Order is abrogated and that a Modified Order has been filed.

Chris H. Runde, DVM

Chris H. Runde, D.V.M.
President
Maryland State Board of Veterinary Medical Examiners

## CONSENT

I, Danielle Anthony acknowledge that I have had an opportunity to consult with legal counsel before entering into this Consent Agreement. By signing this Consent, I hereby acknowledge the legal authority of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to comply with this Consent Agreement, consisting of four pages, including this page.

I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

1/2/13
Date

_____, D.V.M.

## NOTARY

STATE OF Maryland

CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 2 day of January 2013, 2012, before me, a Notary Public of the State and City/County aforesaid, personally appeared Danielle Anthony, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

ANN M. HEJL
COMM. EXP.
NOTARY
PUBLIC
FEBRUARY 9, 2015
BALTIMORE COUNTY, MD

_____
Notary Public

My Commission expires: _____