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

IN THE MATTER OF:	*	
JAMES D. NOLTE, D.V.M. Veterinary License No. 2076	*	
	*	DOCKET NO. 08-70
CHESAPEAKE ANIMAL CLINIC 1727 Northwood Drive Salisbury, MD 21801 Hospital License No. 22-005	*	

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order"), dated this 19th day of June, 2008, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and James D. Nolte, D.V.M. ("Dr. Nolte"), License No. 2076. This Agreement concerns the resolution of charges filed by the Board in May 2008 alleging that Dr. Nolte violated the Veterinary Practice Act and its regulations. Specifically, the charging document alleges that on or about March 27, 2008, Peggy Morgan, an inspector with the Board, inspected Chesapeake Animal Clinic. During her inspection, Ms. Morgan discovered that the hospital's narcotics were stored in an autoclave when she opened it, a violation of COMAR 15.14.01.12C-D.

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, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and regulations adopted thereunder. 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 . . . [f]ails to comply with Board rules and regulations after receiving a license." Md. Code Ann., Agric. Art., § 2-310(8). In addition, the Board may impose a civil penalty of not more than $5,000 in lieu of or in addition to suspending a veterinarian's license. Md. Code Ann., Agric. Art., § 2-310.1.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Nolte, by entering into and signing this document, while generally and specifically denying liability in this case, agrees to this Agreement & Order, acknowledging that the Board has sufficient evidence to (a) find, as fact, that on or about March 27, 2008, Peggy Morgan, an inspector with the Board, inspected Chesapeake Animal Clinic and discovered that the hospital's narcotics were stored in an autoclave when she opened it and (b) based on these findings of fact, conclude as a matter of law that Dr. Nolte violated COMAR 15.14.01.12C-D.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law finding that Dr. Nolte violated the Veterinary Practice Act, it is this 19th day of JUNE, 2008, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Nolte is assessed a civil penalty in the amount of Two Hundred Fifty Dollars ($250.00).

Chris H. Runde, DVM

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

CONSENT

I, James D. Nolte, D.V.M., acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement and Order. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement and Order, consisting of three pages.

I sign this Consent without reservation as my voluntary act, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement and Order.

6/12/08
Date

James D. Nolte, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Salisbury/Wicomico

I HEREBY CERTIFY that on this 12 day of June, 2008, before me, a Notary Public of the State and City/County aforesaid, personally appeared James D. Nolte, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Betty M. Anderson
Notary Public

My Commission expires: 6-1-10