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

IN THE MATTER OF:	*	
Aaron Weissberg, D.V.M. Veterinary License No. 2551	*	DOCKET NO. 08-73
	*	

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 15th day of October 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Aaron Weissberg, D.V.M. ("Dr. Weissberg"), License No. 2551. This Agreement concerns the resolution of charges filed by the Board in December 2008 alleging that Dr. Weissberg, in violation of Md. Ann. Code, Agric. Art. § 2-310(7) and COMAR 15.14.11.031, employed or permitted an unlicensed individual to practice veterinary medicine on up to seven days in February 2008 at Community Animal Hospital, a veterinary hospital owned by Dr. Weissberg..

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 also 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. Weisberg, a 1980 graduate of the University of Pretoria, Onderstepoort Veterinary School in South Africa, received his license to practice veterinary medicine in Maryland on June 30, 1982. In 1988, Dr. Weissberg founded the Community Animal Hospital in Randallstown. He has been practicing from that location for approximately 20 years.

Dr. Weissberg, 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 find, as fact, that Dr. Weissberg was away from his veterinary hospital, Community Animal Hospital, in February 2008 for at least seven days and that, during his absence, an individual, who was not a licensed veterinarian, practiced veterinarian medicine on animals who were patients at Community Animal Hospital. Based on these findings of fact, Dr. Weissberg also acknowledges that the Board has sufficient evidence to find, as a matter of law, that he should have known that an individual he was employing who does not hold a veterinary license in this State was practicing veterinary medicine at Community Animal Hospital.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law finding that Dr. Weissberg violated the Maryland Veterinary Practices Act and its affiliated regulations, it is this 15th day of October 2009, by the Maryland State Board of Veterinary Medical Examiners,

ORDERED

1.) That Dr. Weissberg is assessed a civil penalty in the amount of $2000.00 to be paid

within four months from the date of this Order.

2.) That Dr. Weissberg will serve a three-month suspension; two months of which are stayed. The remaining one-month suspension will be served in one-week or two-week increments and will conclude within one year from the date of this Order. At least two weeks prior to serving any of his suspension, Dr. Weissberg will inform Laura Downes, the Executive Director of the Board, the dates that he will not practice veterinarian medicine in Maryland. Nothing contained herein shall preclude Dr. Weissberg from otherwise maintaining and operating the Community Animal Hospital during the periods of his suspension.

3.) Dr. Weissberg will serve a period of probation of one year from the date of this Order. Violation of probation (if he is charged and the Board ultimately concludes, by a preponderance of evidence, that Dr. Weissberg was in violation of the Maryland Veterinary Practices Act during the period of probation) will result in the stay being lifted, and Dr. Weissberg will have to serve the remaining two-month suspension for the charges resolved here.

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

CONSENT

I, Aaron Weissberg, 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.

10-15-09
Date

A Weissberg
Aaron Weissberg

NOTARY

STATE OF
CITY/COUNTY OF Baltimore City

I HEREBY CERTIFY that on this 15th day of October, 2009, before me, a Notary Public of the State and City/County aforesaid, personally appeared Aaron Weissberg, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was a voluntary act and deed.

AS WITNESS my hand and notarial seal.

Michelle R Sharaby

MICHELLE R. SHARABY
NOTARY PUBLIC
CITY OF BALTIMORE
MARYLAND
My Commission Expires Dec 1, 2009

Notary Public

My Commission expires: December 1, 2009