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

IN THE MATTER OF:	*	
JOANNE CAREY, D.V.M. Veterinary License No. 2440	*	DOCKET NO. 08-88
	*	

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order"), dated this 19th day of ~~January~~ February 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and JoAnne Carey, D.V.M. ("Dr. Carey"), License No. 2440. This Agreement concerns the resolution of charges filed by the Board in December 2008, alleging that Dr. Carey in treating "Whiskers," a cat owned by Donna Shelton, amended the cat's medical records but did not initial and date her changes to the cat's medical record as required by COMAR 15.14.01.10C.

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. Carey, 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 she amended the medical records for "Whiskers," whom she treated on October 3, 2007, but did not initial and date these amendments. Based on this finding of fact, Dr. Carey further acknowledges that the Board could conclude as a matter of law, Dr. Carey violated COMAR 15.14.01.10C, which requires a veterinarian to date and initial any amendments to an animal's medical record.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Carey violated the Veterinary Practice Act, it is this 19th day of ~~January~~ February CHR 2009, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Carey is assessed a civil penalty in the amount of Five Hundred Dollars ($500.00).

Chris H. Runde, DVM

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

CONSENT

I, JoAnne Carey, 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 two 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.

2/3/09
Date

JoAnne Carey DVM
JoAnne Carey, D.V.M.

NOTARY

Kamal Ramchandani
Notary Public
Montgomery County
State of Maryland
My Commission Expires 4/4/11

STATE OF Maryland
CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 3rd day of January, 2009, before me, a Notary Public of the State and City/County aforesaid, personally appeared JoAnne Carey, 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.

Kamal R
Notary Public

My Commission expires: 04/04/11

RECEIVED
FEB 04 2009
By