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

IN THE MATTER OF:	*	
IRA H. SILVER, ~~D.V.M.~~ VMD Veterinary License No. 1551	*	DOCKET NO. 09-33
	*	
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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 27th day of February 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Ira H. Silver, D.V.M. ("Dr. Silver"), License No. 1551. This Agreement concerns the resolution of charges filed by the Board in February 2009, alleging that Dr. Silver violated COMAR 15.14.01.12-3 by not timely disposing of expired medication and by failing to keep the unexpired medication separate and apart from expired medication at his veterinary clinic.

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. Silver, 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 he, as owner of Chevy Chase Veterinary Clinic, failed to timely dispose of expired medication and failed to keep this expired medication separate and apart from unexpired medication at his veterinary clinic. Based on these findings of fact, Dr. Silver acknowledges that the Board could conclude as a matter of law that he violated COMAR 15.14.01.12-3.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Silver violated the Veterinary Practice Act, it is this 27th day of February 2009, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Silver is assessed a civil penalty in the amount of Two Hundred Fifty Dollars ($250.00).

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

CONSENT

I, Ira H. Silver, 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.

2/24/09
Date

Ira H. Silver DVM
IRA H. SILVER, D.V.M.

as per conversation with Ms. Diamond

NOTARY

STATE OF _____

CITY/COUNTY OF _____

I HEREBY CERTIFY that on this _____ day of _____, 2009, before me, a Notary Public of the State and City/County aforesaid, personally appeared Ira H. Silver, 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.

_____
Notary Public

My Commission expires:_____