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

IN THE MATTER OF:	*	
JAMES PELURA III D.V.M.	*	DOCKET NO. 09-52, 09-77
LICENSE NO. 2424	*	

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CONSENT AGREEMENT & ORDER

This Consent Agreement and Order ("Agreement & Order") dated this 1st day of February January, 2010, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and James Pelura III, D.V.M. ("Dr. Pelura"), License No. 2424. This Agreement concerns the resolution of two complaints filed with the Board in 2009 by Susan Phillips, owner of a dog named "Max," and by William G. Carter, Jr., the owner of a horse named "SBF Fabulous Finn.". As a result of these complaints, the Board charged Dr. Pelura in August and September 2009 with violations of the regulations adopted pursuant to the Maryland Veterinary Practice Act, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland. The Board also advised Dr. Pelura that should he be sanctioned for the charges in these cases, he also would be found to have violated a one year period of probation pertaining to a prior consent agreement entered into with the Board on February 8, 2008, resolving Docket No. 05-041 and could be subject to additional sanctions.

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 the suspending a veterinarian's license. Md. Code Ann., Agric. Art., § 2-310.1.

A Resolution Conference was held on December 16, 2009. Attending this conference was Dr. Pelura,; Samuel Brown, attorney for Dr. Pelura; Board President Dr. Chris Runde representing the Board; and Assistant Attorney General Claudia Diamond. After extensive discussion concerning the factual allegations in the charges, Dr. Pelura acknowledged that the Board had sufficient evidence to find that his actions in filling out an insurance form for Mr. Carter's horse could be viewed as misleading concerning the actions he took in performing the horse's physical. In addition, Dr. Pelura acknowledged that the Board had sufficient evidence to conclude that he violated COMAR 15.14.01.10B&C in not transcribing his handwritten notes to the computer therefore in effect having two separate medical records for "Max" Phillips concerning the dog's treatment and care in March 2008.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 1st day of ~~January~~ February 2010, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED**:

1.) That Dr. Pelura is assessed a civil penalty in the amount of twenty-five hundred dollars ($2500.00) ;

2.) That Dr. Pelura will complete within one year from the date of this Order thirty (30) days of community service by volunteering in his capacity as a veterinarian for a animal shelter or humane society in Anne Arundel County. He will seek board approval prior to volunteering at a particular location, and will submit documentation of the hours he worked to the Board;

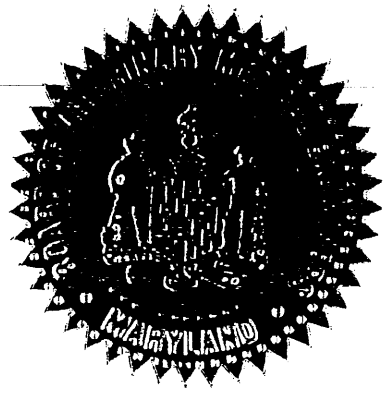
3.) That Dr. Pelura will complete 6.0 credit hours of continuing education ("CE") in internal medicine, within six (6) months from the date of this Order. To fulfill this requirement, Dr. Pelura will obtain approval for his selected CE from the Board before registering and attending in person the CE course or courses. After completion of his 6.0 credit hours, Dr. Pelura will forward to the Board proof of completion of the CE credits required under this Order. Such proof will include Dr. Pelura's name, the number of hours of continuing education completed, the topic(s) covered, and the date(s) the CE course was

given, and

4) That Dr. Pelura is placed on probation for a period of one year from the date of this Agreement & Order requiring him to obey all laws and regulations governing the practice of veterinary medicine in this State. Violation of probation could result in the Board sanctioning Dr. Pelura with additional civil penalties and a forty-four day suspension of his license.

Chris H. Runde, DVM

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



CONSENT

I, James Pelura, 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 four pages.

I sign this Consent without reservation as my voluntary act knowing that I could have consulted with counsel but declined to do so, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement and Order.

1-19-2010
Date

James Pelura DVM
James Pelura, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 19th day of January, 2010, before me, a Notary Public of the State and City/County aforesaid, personally appeared James Pelura, 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.

June F Dore
Notary Public

My Commission expires: 6-5-10

JUNE F. DORE NOTARY PUBLIC ANNE ARUNDEL CO.