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

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| IN THE MATTER OF: | * | |
| MICHAEL V. COUGHLAN, D.V.M. | * | DOCKET NO. 09-76 |
| LICENSE NO. 4979 | * | |

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**CONSENT AGREEMENT & ORDER**

This Consent Agreement and Order ("Agreement & Order"), dated this 4th day of NOVEMBER 2009, is between the Maryland State Board of Veterinary Medical Examiners ("Board") and Michael V. Coughlan, D.V.M. ("Dr. Coughlan"), License No. 4979. This Agreement resolves a charging document filed by the Board in June 2009 alleging that Dr. Coughlan violated the Maryland Veterinary Practices Act and its affiliated regulations. Specifically, the Board alleged that from January 1, 2009, to May 26, 2009, Dr. Coughlan owned and operated a veterinary hospital known as All Pets Veterinary Hospital, located at 915 South Talbot Street, St. Michaels, Maryland, without a valid hospital license in violation of Agriculture Article § 2-304.1, Annotated Code of Maryland, and COMAR 15.14.03.01-1C

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 Maryland Veterinary Practice Act, Agriculture Article §§ 2-301 *et seq.*, Annotated Code of Maryland and regulations adopted hereunder. 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.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Dr. Coughlan, 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 did not have a valid hospital license from January 1, 2009, through May 26, 2009. Based on this finding of fact, Dr. Coughlan also acknowledges that the Board could conclude as a matter of law that he did violate Agriculture Article § 2-304.1, Annotated Code of Maryland, and COMAR 15.14.03.01-1C.

The Board also acknowledges that Dr. Coughlan, who had formerly practiced in the State of Florida, had purchased All Pets Veterinary Hospital in November 2008, renovated it, and reopened it as his own facility in January 2009. Dr. Coughlan's failure to obtain a license in his own name was not intentional. After being inspected and in response to the Board's notice that Dr. Coughlan needed to apply for a hospital license in his own name, Dr. Coughlan took immediate steps to obtain a valid hospital license in his name. This license was issued on May 26, 2009. Taking all of the facts and circumstances of the matter into account, the Board concluded that the most reasonable and appropriate sanction in this matter is a civil penalty in the amount of $250.00.

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 4th day of NOVEMBER 2009, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that Dr. Coughlan is assessed a civil penalty in the amount of 250.00.

Chris H. Runde, DVM

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

## CONSENT

I, Michael V. Coughlan, 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 after an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement and Order.

7.24.09
Date

Michael Coughlan, D.V.M.