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

IN THE MATTER OF:	*	
IVANOV CASTELLANOS, D.V.M.	*	DOCKET NO. 10-22
LICENSE NO. 5759	*	

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Agreement & Order), dated this 11th day of December, 2010, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Ivanov Castellanos, D.V.M. (Dr. Castellanos), License No. 5759. This Agreement resolves charges filed by the Board on September 2, 2010, alleging that Dr. Castellanos violated the Maryland Veterinary Practice Act and related regulations during his care and treatment of "Misuko," a 13-year-old domestic short hair cat, in June 2009 through August 2009. On September 6, 2010, Dr. Castellanos requested a hearing before the Board as to the Board's charges. Thereafter, the parties entered into discussions and were able to reach this resolution. By entering into this Consent Agreement, Dr. Castellanos waives the right to a hearing and an appeal on the charges.

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 related regulations. 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 impose a civil penalty of not more than $5,000 for a first offense or $10,000 for a second or subsequent offense 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. Castellanos, 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, and conclude as a matter of law that, in violation of COMAR 15.14.01.07, he prescribed an inappropriate dose of Methimazole for hyperthyroidism for "Misuko" between June 15, 2009 and August 15, 2009, and did not repeat bloodwork on or about August 15, 2009, despite symptoms of intermittent vomiting. Taking all of the facts and circumstances into account, the Board concluded that the most reasonable and appropriate resolution in this matter included a civil penalty (stayed) and a conditional probationary period, as referenced below.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 16th day of December, 2010, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

a.) Dr. Castellanos is assessed a civil penalty in the amount of $500.00, of which $500.00 is stayed as long as conditions of probation are successfully completed;

b.) As a condition of probation, Dr. Castellanos shall make a $500.00 charitable donation to an SPCA in Maryland (payment of $500.00 to be made with documentation of the donation amount from the SPCA to the Maryland State Board of Veterinary Medical Examiners within 6 months of the date of this Order);

b.) Dr. Castellanos shall serve a period of probation of six months from the date of this Order. While on probation, the veterinarian will obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Agreement & Order. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the

veterinarian violated the Veterinary Practice Act or the terms of this Agreement & Order during the period of probation. Violation of probation will result in the stay being lifted and the Board ordering the veterinarian to comply with the sanction; in this case, to pay the $500.00 civil penalty within 30 days of the Board's order.

c.) As a condition of probation, Dr. Castellanos shall complete 6.0 credit hours of continuing education (CE) in internal medicine, as pre-approved by the Board, within six months of the date of this Order. To fulfill this requirement, the veterinarian shall obtain approval for the selected CE from the Board before registering and attending in person the CE course. After completion of the 6.0 credit hours, the veterinarian shall forward to the Board proof of completion of the CE credits required under this Order. Proof will include Dr. Castellanos's name, the number of hours of continuing education completed, the topic(s) covered, and the date(s) the CE course was given. Attainment of this CE shall not be counted towards the 18 hours of CE required annually of all Maryland-licensed veterinarians for re-registration of their veterinary licenses.

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

CONSENT

I, Ivana Castellanos, 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 Agreement & Order. In order to resolve this matter, I agree to accept and submit to the foregoing Agreement & Order, consisting of four pages, including this page.

I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Agreement & Order.

12/8/10
Date

_____, D.V.M.

NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 8 day of December, 2010, before me, a Notary Public of the State and City/County aforesaid, personally appeared Ivana Castellanos 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: 3/16/2011