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

IN THE MATTER OF:	*	
JOHN J. MCDONNELL, D.V.M. Veterinary License No. 5808	*	
VETERINARY NEUROLOGY OF THE CHESAPEAKE – ANNAPOLIS 808 Bestgate Road Annapolis, MD 21401	*	DOCKET NO. 11-30A
Hospital License No. 02-068	*	

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 31st day of May, 2011, is between the Maryland State Board of Veterinary Medical Examiners (Board) and John J. McDonnell, D.V.M. (Dr. McDonnell), License No. 5808. This Consent Agreement resolves the charges filed by the Board on February 23, 2011 in Docket No. 11-30A, alleging that Dr. McDonnell violated the Veterinary Practice Act and related Code of Maryland Regulations (COMAR). Specifically, in Docket No. 11-30A, the Board alleged that Dr. McDonnell violated COMAR 15.14.03.01-1C Licensing Requirement, from October 19, 2010, through November 12, 2010, by owning and operating a veterinary hospital known as Veterinary Neurology of the Chesapeake - Annapolis without a valid hospital license from the Board. On March 3, 2011, Dr. McDonnell requested a hearing to contest the charge. Thereafter, the parties entered into discussions and were able to reach a resolution. By entering into this Consent Agreement, Dr. McDonnell waives the right to a hearing and appeal on the charges in Docket No. 11-30A.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. McDonnell, by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate a regulation adopted under the Veterinary Practice Act, specifically, COMAR 15.14.03.01-1C Licensing Requirement, from October 19, 2010, through November 12, 2010, by owning and operating a veterinary hospital, known as Veterinary Neurology of the Chesapeake – Annapolis, before obtaining a valid hospital license from the Board. Taking all the facts and circumstances into consideration, the Board concluded that the most reasonable and appropriate resolution in these matters included the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 31st day of MAY, 2011, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

a. Dr. McDonnell is assessed a civil penalty in the amount of $350.00 for violating COMAR 15.14.03.01-1C Licensing Requirement, payment to be made to the Maryland State Board of Veterinary Medical Examiners within 30 days of the date of this Order; and

b. The Board agrees to change the heading of its next quarterly Maryland Department of Agriculture website posting of regulatory actions by the Board to state, "Actions Taken by Maryland State Board of Veterinary Medical Examiners," in upper and lower case letters as demonstrated on Attachment A to this Consent Agreement.

John L. Heizer, DVM

John L. Heizer, D.V.M.
Vice President
Maryland State Board of Veterinary Medical Examiners

CONSENT

I, _____, 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. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of three 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 Consent Agreement.

6 May 2011
Date

_____, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 6th day of May, 2011, before me, a Notary Public of the State and City/County aforesaid, personally appeared John Jay McDonnell, 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:

JAMIE D. KILMON
Notary Public-Maryland
Baltimore County
My Commission Expires
October 28, 2014