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

IN THE MATTER OF:	*	
ROBERT J. WESLEY, D.V.M. LICENSE NO. 5884	*	DOCKET NO. 07-032
	*	

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CONSENT AGREEMENT

This Consent Agreement, dated this 7th day of December, 2006, is between the State Board of Veterinary Medical Examiners ("Board") and Robert J. Wesley, D.V.M., ("Dr. Wesley"), License No. 5884. The Agreement concerns the charges that the Board filed against Dr. Wesley alleging that he practiced veterinary medicine in this State during a time period that he was not registered as a licensed veterinarian in this State, a violation of Agriculture Article, §2-313, Annotated Code of Maryland.

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 the provisions of the Veterinary Practice Act and regulations adopted thereunder. 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 [the Veterinary Practice Act and] Board rules and regulations after receiving a license" (Md. Code Ann., Agric. Art., §2-310(8)); and in lieu of, or in addition to, suspending a veterinarian's license, the Board may impose a civil penalty of not more than $5,000 (Md. Code Ann., Agric. Art., §2-310.1).

FINDINGS OF FACTS

Dr. Wesley, by entering into and signing this document, acknowledges that the Board could produce evidence establishing the following Findings of Fact:

1. On or about July 1, 2006 through October 25, 2006 of the 2006-7 Licensing Year (July 1, 2006 through June 30, 2007), Dr. Wesley practiced veterinary medicine at the

Peachtree Veterinary Clinic located at 18620 Darnestown Road, Beallsville, MD 20839. During this time period, however, Dr. Wesley was not registered to practice as a licensed veterinarian in this State.

2. On June 30, 2006, Dr. Wesley's registration for the 2006-7 Licensing Year expired. He failed to take steps on or before that date to renew it.

3. On or about October 25, 2006, Ms. Robin Roscher, an Inspector with the Board, obtained medical records from Peachtree Veterinary Clinic, showing that Dr. Wesley treated animals at this facility during the period that his registration had lapsed (July 1, 2006 through October 25, 2006).

4. Dr. Wesley has since taken steps to renew his registration for the 2006-7 Licensing Year.

CONCLUSIONS OF LAW

Based upon these Findings of Fact, the Board makes the following Conclusion of Law: On or about July 1, 2006 through October 25, 2006, Dr. Wesley practiced veterinary medicine at the Peachtree Veterinary Clinic located at 18620 Darnestown Road, Beallsville, MD 20839, but, during this time period, was not registered as a licensed veterinarian in this State, a violation of Agriculture Article, §2-313, Annotated Code of Maryland.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Wesley violated the Veterinary Practice Act, it is this 7th day of December, 2006, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Wesley is assessed a Civil Penalty in the amount of Two Hundred and Fifty Dollars ($250.00) and that he pay this penalty to the Board within thirty (30) days from the date of this Consent Agreement.

12/7/06
Date

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

CONSENT

I, Robert J. Wesley, D.V.M., acknowledge that I had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge that the Board, by a preponderance of the evidence, could prove the Findings of Fact and Conclusions of Law contained herein. Accordingly, in order to resolve these matters, I agree to accept and submit to the foregoing Consent Agreement, consisting of 4 pages.

I acknowledge the validity of this Consent Agreement as if entered after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the laws of the State of Maryland. I also affirm that I am waiving my right to appeal from this Consent Agreement.

I acknowledge the legal authority and the jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Agreement.

I sign this Consent Agreement without reservation as my voluntary act and deed after having an opportunity to consult with counsel, and I acknowledge that I fully

understand and comprehend the language, meaning, and terms of this Consent Agreement.

12/5/06.
Date

Robert J. Wesley, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Frederick

I HEREBY CERTIFY that on this 5 day of December, 2006, before me, a Notary Public of the State and City/County aforesaid, personally appeared Robert J. Wesley, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was his voluntary act and deed.

AS WITNESS my hand and notarial seal.

Notary Public

My Commission expires: 10/1/2010