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

IN THE MATTER OF:	*	
BARBARA A. KUMMEL, D.V.M. LICENSE NO. 2244	*	DOCKET NO. 07-042
	*	

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CONSENT AGREEMENT

This Consent Agreement, dated this 12 day of February, 2007, is between the State Board of Veterinary Medical Examiners ("Board") and Barbara A. Kummel, D.V.M. ("Dr Kummel"), License No. 2244. The Agreement concerns the charges that the Board filed against Dr. Kummel alleging that she practiced veterinary medicine in this State during a time period that she 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. Kummel, 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 December 7, 2006 of the 2006-7 Licensing Year (July 1, 2006 through June 30, 2007), Dr. Kummel practiced veterinary medicine at

Animal Skin Disease Clinic, located at 7410 Lindbergh Drive, Gaithersburg, MD 20879. During this time period, however, Dr. Kummel was not registered to practice as a licensed veterinarian in this State.

2. On June 30, 2006, Dr. Kummel's registration for the 2005-6 Licensing Year expired. She failed to take steps on or before that date to renew it for the 2006-7 Licensing Year (July 1, 2006 through June 30, 2007).

3. On or about December 5, 2006, Ms. Beverly Raymond, an Inspector with the Board, obtained medical records from Animal Skin Disease Clinic, showing that Dr. Kummel treated animals at this facility during the period that her registration had lapsed (July 1, 2006 through December 4, 2006).

4. Dr. Kummel has since taken steps to renew her 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 December 4, 2006, Dr. Kummel practiced veterinary medicine at Animal Skin Disease Clinic, located at 7410 Lindbergh Drive, Gaithersburg, MD 20879, 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, and COMAR 15.14.01.11.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, finding that Dr. Kummel violated the Veterinary Practice Act, it is this ~~12~~ 22 day of February, 2007, by the State Board of Veterinary Medical Examiners, **ORDERED**:

That Dr. Kummel is assessed a Civil Penalty in the amount of Three Hundred Dollars ($300.00), to be paid within thirty days of this agreement.

2/22/07
Date

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

CONSENT

I, Barbara A. Kummel, 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 3 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.

2/12/07
Date

Barbara A. Kummel DVM
Barbara A. Kummel, D.V.M.
Respondent

NOTARY

STATE OF Maryland

CITY/COUNTY OF Montgomery

I HEREBY CERTIFY that on this 12 day of February, 2007, before me, a Notary Public of the State and City/County aforesaid, personally appeared Barbara A. Kummel, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Jacquelyn M Yankanich

Notary Public

My Commission expires:

JACQUELYN M. YANKANICH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 1, 2008