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

IN THE MATTER OF:	*	
THOMAS P. RYAN, D.V.M.	*	DOCKET NO. 11-76A
LICENSE NO. 2777	*	

* * * * * * * * * * * * * * *

CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 28th day of JUNE, 2012, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) regarding Thomas P. Ryan, D.V.M. (Dr. Ryan), License No. 2777. This Order confirms the intention of Dr. Ryan to waive the right to contest the revised charging document filed by the Board on April 12, 2011 in Docket No. 11-76A, alleging that Dr. Ryan violated a certain Code of Maryland Regulation (COMAR) under the Veterinary Practice Act. Specifically, in Docket No. 11-76A, the Board alleged that Dr. Ryan violated COMAR 15.14.01.10 pertaining to record keeping, on or about March 1 and 4, 2010, and December 21, 2010, with regard to "Pity," a then five-year-old female Bull Terrier owned by Stormie Hilderbrand. On or about June 13, 2012, Dr. Ryan submitted full payment of the civil penalty assessed by the Board as the only sanction in this matter, and thus voluntarily waived the right to a hearing and appeal on the charges in Docket No. 11-76A.

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. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and the history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Ryan has submitted payment of the $600 civil penalty assessed by the Board in Docket No. 11-76A, and waived any prior request for a hearing or appeal of the charges. After having the opportunity to seek advice of legal counsel, Dr. Ryan voluntarily agreed to the Board's sanction, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate a certain regulation adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.10 pertaining to record keeping, on or about March 1 and 4, 2010, and December 21, 2010, by failing to maintain adequate records for a companion animal, "Pity," a then five-year-old female Bull Terrier owned by Stormie Hilderbrand.

Taking all the facts and circumstances into consideration, including the severity of the violation, the veterinarian's lack of a prior disciplinary history with the Board, and the veterinarian's good faith effort to resolve this matter, the Board concluded that the most reasonable and appropriate resolution in this matter was a civil penalty only.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 28th day of June, 2012, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of COMAR 15.14.01.10 Record Keeping, Dr. Ryan is assessed a civil penalty in the amount of $600. The Board acknowledges that payment of $600 has been received from Dr. Ryan.

Chris H. Runde, DVM

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