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

IN THE MATTER OF:	*	
MYSORE P. NAGARAJ, D.V.M.	*	DOCKET NO. 12-24
SEABROOK STATION ANIMAL HOSPITAL	*	
HOSPITAL LICENSE NO. 16-058	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order (Order), dated this 6th day of JANUARY, 2012, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Mysore P. Nagaraj, D.V.M. (Dr. Nagaraj), owner of Seabrook Station Animal Hospital (Hospital), Hospital License Number 16-058. This Order confirms the intention of Dr. Nagaraj not to contest the charge filed by the Board on December 19, 2011, in Docket No. 12-24, alleging that Dr. Nagaraj violated a certain Code of Maryland Regulation (COMAR) under the Veterinary Practice Act. In Docket No. 12-24, the Board alleged that Dr. Nagaraj violated Veterinary Practice Act and COMAR 15.14.03.01-1(I) by failing to notify the Board in writing of any change to the information set forth in Section B(1)-(10); specifically, by failing to notify the Board in writing of the Hospital's change of street address, as set forth in Section B(3). The Hospital closed for business in July 2011 and reopened in August 2011 at a nearby location, but Dr. Nagaraj failed to notify the Board of this fact within 30 days of the closing and reopening.

On or about January 3, 2012, Dr. Nagaraj submitted full payment of the $300 civil penalty assessed by the Board as the only sanction in this matter, and voluntarily waived the right to a hearing and appeal on the charge in Docket No. 12-24.

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 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 any 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. Nagaraj has submitted payment of the $300 civil penalty assessed by the Board without requesting a hearing or appeal of the charge in Docket No. 12-24. After having the opportunity to seek advice of counsel, Dr. Nagaraj 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 Dr. Nagaraj did violate a regulation adopted under the Veterinary Practice Act, and COMAR 15.14.03.01-1(I), by failing to notify the Board in writing of any change to the information set forth in Section B(1)-(10); specifically, by failing to notify the Board in writing of the Hospital's change of street address, as set forth in Section B(3). The Hospital closed for business in July 2011 and reopened in August 2011 at a nearby location, but Dr. Nagaraj failed to notify the Board of this fact within 30 days of the closing and reopening. Taking all the facts and circumstances into consideration, including the severity of the violation, Dr. Nagaraj's lack of prior disciplinary history with the Board, and Dr. Nagaraj's good faith effort to promptly resolve this violation, 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 6th day of JANUARY, 2012, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of the Veterinary Practice Act, and COMAR 15.14.03.01-1(I), Dr. Nagaraj is assessed a civil penalty in the amount of $300.00; the Board acknowledges the payment of $300.00 has been received from Dr. Nagaraj.

Chris H. Runde, DVM

Chris H. Runde, DVM
President
Maryland State Board of Veterinary Medical Examiners