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

IN THE MATTER OF:	*	
TIMOTHY J. CUJDIK, D.V.M.	*	DOCKET NO. 12-25
LICENSE NO. 4099	*	
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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 8th day of MARCH, 2012, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Timothy J. Cujdik, D.V.M. (Dr. Cujdik), License Number 4099. This Order confirms the intention of Dr. Cujdik to waive the right to contest the charge filed by the Board on December 20, 2011 in Docket No. 12-25, alleging that Dr. Cujdik violated Section 2-313(1). of the Veterinary Practice Act and a certain related Code of Maryland Regulation (COMAR). Specifically, in Docket No. 12-25, the Board alleged that Dr. Cujdik violated COMAR 15.14.01.11 Annual Registration, on or about July 1, 2011 through October 2, 2011; specifically, on July 6, 14, and 23, August 10, September 9, and October 1, 2011, by practicing veterinary medicine at the Old Court Animal Hospital without a valid registration for the 2012 fiscal year from the Board. On or about March 5, 2012, Dr. Cujdik 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 charge in Docket No. 12-25.

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. Cujdik has submitted payment of the $600 civil penalty assessed by the Board in Docket No. 12-25, and waived his prior request for a hearing or appeal of the charge. After having the opportunity to seek advice of legal counsel, Dr. Cujdik 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 Section 2-313(1) of the Veterinary Practice Act and a regulation adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.11 Annual Registration, by practicing veterinary medicine at the Old Court Animal Hospital on or about July 1, 2011 through October 2, 2011; specifically, on July 6, 14, and 23, August 10, September 9, and October 1, 2011, without a valid registration for the 2012 fiscal year from the Board.

Taking all the facts and circumstances into consideration, including the severity of the violation, the veterinarian's history of one similar violation with the Board in 2007, and the veterinarian's good faith effort to resolve this matter informally, 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 8th day of March, 2012, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of the Veterinary Practice Act and COMAR 15.14.01.11 Annual Registration, Dr. Cujdik is assessed a civil penalty in the amount of $600. The Board acknowledges that payment of $600 has been received from Dr. Cujdik.

Chris H. Runde, DVM

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