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

IN THE MATTER OF:	*	
DARYL L. INSLEY, D.V.M. Veterinary License No. 3894	*	
	*	
LAYFIELD VETERINARY SERVICES, POCOMOKE BRANCH 1527 Ocean Gateway Pocomoke City, MD 21851	*	DOCKET NO. 12-44
Hospital License No. 23-010	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Final Order (Order), dated this 10th day of May, 2012, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Daryl L. Insley, D.V.M. (Dr. Insley), the owner of a veterinary hospital known as Layfield Veterinary Services (Hospital), located at 1527 Ocean Gateway, Pocomoke City, Maryland 21851. This Order confirms the intention of Dr. Insley not to contest the charge filed by the Board on March 22, 2012, in Docket No. 12-44, alleging that Dr. Insley violated Agriculture Article, § 2-304.1, and a related Code of Maryland Regulation (COMAR). In Docket No. 12-44, the Board alleged that Dr. Insley violated Agriculture Article, § 2-304.1, Annotated Code of Maryland, and COMAR 15.14.03.01-1C Registration and License Requirements. Dr. Insley was operating a veterinary hospital without a valid hospital license from the Board, a violation of Agriculture Article, § 2-304.1, Annotated Code of Maryland, and COMAR 15.14.03.01-1 License Requirement.

On or about April 26, 2012, Dr. Insley submitted full payment of the 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. 12-44.

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. Insley has submitted payment of the $300.00 civil penalty assessed by the Board without requesting a hearing or appeal of the charge in Docket No. 12-44. After having the opportunity to seek advice of counsel, Dr. Insley 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. Insley did violate Agriculture Article, § 2-304-1, and COMAR 15.14.03.01-1 License Requirement, when he failed to obtain a valid hospital license from the Board to operate Layfield Veterinary Services as a veterinary hospital, a violation of Agriculture Article, § 2-304.1, Annotated Code of Maryland, and COMAR 15.14.03.01-1C. Taking all the facts and circumstances into consideration, including the severity of the violation, Dr. Insley's lack of prior disciplinary history with the Board, and the good faith effort of Dr. Insley 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 10th day of May, 2012, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of the Agriculture Article, § 2-304.1, Annotated Code of Maryland and COMAR 15.14.03.01-1

License Requirement; specifically, COMAR 15.14.03.01-1C, Dr. Insley is assessed a civil penalty in the amount of $300.00; the Board acknowledges that payment of $300.00 has been received from Dr. Insley.

Chris H. Runde, DVM

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

