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

IN THE MATTER OF:	*	
MINDY A. CARLETTI, D.V.M. LICENSE NO. 5766	*	DOCKET NO. 12-69B
ALL PAWS ANIMAL WELLNESS CLINIC, LLP HOSPITAL LICENSE NO. 07-013	*	

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 27th day of JUNE, 2014, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Mindy A. Carletti, D.V.M. (Dr. Carletti), License No. 5766. A review of hospital records from Dr. Carletti's veterinary hospital, All Paws Animal Wellness Clinic, LLP (Hospital), Hospital License No. 07- 013, in Perryville, Maryland 21903, for the years 2010, 2011, and 2012 showed a failure of the owner and responsible veterinarian, Dr. Carletti, to ensure compliance with all State and federal laws in violation of Code of Maryland Regulations (COMAR) 15.14.01.12B, pertaining to Controlled Dangerous Substances (CDS). On June 4, 2014, Dr. Carletti requested a hearing to dispute the charges. Thereafter, the parties agreed to resolve the matter by entering into this Consent Agreement. Dr. Carletti waives the right to a hearing and appeal of the charging document in Docket No. 12-69B. Dr. Carletti has no prior disciplinary history with the Board.

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 Maryland Veterinary Practice Act, Agriculture Article §§ 2-301 to 2-316, Annotated Code of Maryland and related regulations at COMAR 15.14.01 to 15.14.17. 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 or veterinary practitioner . . . [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, or revoking, a veterinarian's license, respectively. 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

Mindy A. Carletti, D.V.M., License No. 5766, by signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that she did violate COMAR 15.14.01.12B pertaining to Controlled Dangerous Substances (CDSs), by failing to ensure compliance with all State and federal laws at the veterinary hospital she owned, All Paws Animal Wellness Clinic, Hospital License No. 07-013, located at 1098 Principio Furnace Road, in Perryville, Maryland 21903, in all or parts of 2010, 2011, and 2012. Specifically, Dr. Carletti failed to ensure that all CDSs were maintained, administered, prescribed, dispensed, and destroyed in compliance with all State and federal laws and did not take sufficient steps to prevent an employee from ordering and accessing CDS medications that were not supported by medical records as being associated with an appropriate veterinarian-client-patient relationship.

Taking all the facts and circumstances into consideration, including the nature of the violation and Dr. Carletti's lack of a disciplinary history with the Board since licensure in 2004, and Dr. Carletti's good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution in this matter includes the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 27th day of JUNE, 2014 by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

a. For the violation of COMAR 15.14.01.12 Controlled Dangerous Substances at B, Dr. Carletti is assessed a civil penalty in the amount of $3,000, of which $2,000 is stayed, payable by check to the "Maryland Department of Agriculture" at 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401 with the notation "SBVME – 12-69B." Payment shall be made not later than 30 days from the date of this Order.

b. Dr. Carletti's License, No. 5766, shall be suspended for one week, which is stayed. The stay of suspension of the license is contingent upon compliance with the conditions of probation in this Consent Agreement.

c. Dr. Carletti shall serve a period of probation of six months. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation. Violation of probation will result in the stay being lifted, and the Board ordering the veterinarian to comply with the sanction; in this case, suspension of the license for up to one week and payment of an additional $2,000 civil penalty.

David L. Handel, D.V.M.
President
Maryland State Board of Veterinary Medical Examiners

CONSENT

I, Mindy Carletti, acknowledge that I have had an opportunity to consult with legal counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and the jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement. To resolve this matter, I agree to the terms of this Consent Agreement, consisting of four pages, including this page. I sign this Consent without reservation as my voluntary act and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

6/24/14
Date

, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Cecil

I HEREBY CERTIFY that on this 24th day of June, 2014, before me, a Notary Public of the State and City/County aforesaid, personally appeared Mindy A. Carletti, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Ashley Tyson
Notary Public

My Commission expires: 8-15-15