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

IN THE MATTER OF:	*	
ANDREW J. STONEFIELD, V.M.D. LICENSE NO. 1937	*	DOCKET NO. 13-19
EASTPOINT VETERINARY HOSPITAL, INC. HOSPITAL LICENSE NO. 03-010	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 5th day of February, 2013, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Andrew J. Stonefield, V.M.D. (Dr. Stonefield), License No. 1937. This Order confirms the intention of Dr. Stonefield to waive the right to contest the charges filed by the Board on December 4, 2012 in Docket No. 13-19, alleging that Dr. Stonefield violated certain Code of Maryland Regulations (COMAR) under the Maryland Veterinary Practice Act. Specifically, in Docket No. 13-19, the Board alleged that Dr. Stonefield violated COMAR 15.14.01.12-3, Expired Medications, on or about September 25, 2012 and October 18, 2012, in that Dr. Stonefield failed to keep expired drugs separate and apart from unexpired drugs at his veterinary hospital, Eastpoint Veterinary Hospital, Inc., Hospital License Number 03-010, located at 702 Merritt Boulevard, Baltimore, Maryland 21222. Additionally, the Board charged Dr. Stonefield with violating COMAR 15.14.03.01-2 Registration and License Posting Requirements, on the same dates by not displaying current veterinary registration and hospital licensing documents at his veterinary hospital. On or about January 22, 2013, Dr. Stonefield submitted a partial payment of $100, representing a portion 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. 13-19.

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 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 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. Stonefield has submitted a partial payment of $100, representing a portion of the civil penalty assessed by the Board in Docket No. 13-19, and waived the right to a hearing or appeal of the charges. After having the opportunity to seek advice of legal counsel, Dr. Stonefield 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 on or about September 25 and October 18, 2012, he did violate a regulation adopted under the Veterinary Practice Act; specifically, COMAR 15.14.01.12-3, Expired Medications, in that Dr. Stonefield failed to keep expired drugs separate and apart from unexpired drugs at his veterinary hospital, Eastpoint Veterinary Hospital, Inc., Hospital License Number 03-010, located at 702 Merritt Boulevard, in Baltimore, Maryland 21222. Additionally, Dr. Stonefield violated COMAR 15.14.03.01-2 Registration and License Posting Requirements, on the same dates by not displaying current veterinary registration and hospital licensing documents at his veterinary hospital.

Taking all the facts and circumstances into consideration, including the severity of the violation, the veterinarian's lack of a disciplinary history with the Board, and the veterinarian's good faith effort to resolve this matter promptly, 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 5th day of February, 2013, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of regulations under the Maryland Veterinary Practice Act; specifically, COMAR 15.14.01.12 Controlled Dangerous Substances and COMAR 15.14.03-01-2 Registration and License Posting Requirements, Dr. Stonefield is assessed a total civil penalty in the amount of $1,000. The Board acknowledges that a payment of $100 was received from Dr. Stonefield on January 22, 2013. The Board has allowed Dr. Stonefield to make nine additional monthly payments of $100 until October 31, 2013, when Dr. Stonefield must have paid the total civil penalty of $1,000 in full.

Chris H. Runde, DVM

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