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

IN THE MATTER OF:	*	
JANICE V. HSIEH, D.V.M.	*	DOCKET NO. 13-64A
LICENSE NO. 6988	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 25th day of April, 2013, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Janice V. Hsieh, D.V.M. (Dr. Hsieh), License No. 6988. This Order confirms the intention of Dr. Hsieh to waive the right to contest the charge filed by the Board on March 11, 2013 in Docket No. 13-64A, alleging that Dr. Hsieh violated Agriculture Article Section 2-313(1), Md. Code Ann. of the Veterinary Practice Act and a certain related Code of Maryland Regulation (COMAR). Specifically, in Docket No. 13-64A, the Board alleged that Dr. Hsieh violated COMAR 15.14.01.11 Annual Registration, on or about August 20, 2012 and September 14, 2012, by practicing veterinary medicine at a veterinary hospital; specifically, Veterinary Orthopedic & Sports Medicine, without a current registration from the Board for Fiscal Year (FY) 2013. On or about April 15, 2013, Dr. Hsieh 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. 13-64A.

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 Sections 2-301 through 2-316, 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., Section 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. Section 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. Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. Hsieh has submitted payment of the $150 civil penalty assessed by the Board in Docket No. 13-64A, and waived her right to a hearing or appeal of the charge. After having the opportunity to seek advice of legal counsel, Dr. Hsieh 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 she did violate Agriculture Article Section 2-313, Md. Code Ann., 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 a veterinary hospital; specifically, Veterinary Orthopedic & Sports Medicine, located at 10975 Guilford Road, Annapolis Junction, Maryland 20701, on or about August 20, 2012 and September 14, 2012 without a current registration from the Board for FY 2013.

Taking all the facts and circumstances into consideration, including the nature 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 25th day of April, 2013, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of Agriculture Article Section 2-313, Md. Code Ann., of the Veterinary Practice Act, and COMAR 15.14.01.11 Annual Registration, Dr. Hsieh is assessed a civil penalty in the amount of $150. The Board acknowledges that payment of $150 was received from Dr. Hsieh on April 15, 2013.

Chris H. Runde, DVM

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