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

IN THE MATTER OF:	*	
ANTHONY L. COOK, DVM	*	DOCKET NO. 14-53
LICENSE NO. 5516	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 17th day of NOVEMBER, 2014, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Anthony L. Cook, DVM (Dr. Cook), License No. 5516. This Order confirms the intention of Dr. Cook to waive the right to contest the charges filed by the Board on October 27, 2014, in Docket No. 14-53, alleging that Dr. Cook violated certain Code of Maryland Regulations (COMAR); specifically, COMAR 15.14.01.10, relating to record keeping, on or about February 2012 at his residence at 102 Burton Way in Boonsboro, Maryland 21713; and COMAR 15.14.05.02, relating to rabies certificates, on or about February 2012 through April 2014 in Maryland. On or about November 7, 2014, Dr. Cook agreed to pay the $600 in civil penalties to resolve these matters. Dr. Cook 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 Veterinary Practice Act, Agriculture Article Sections 2-301 - 2-316, Annotated Code of Maryland and related COMAR regulations 15.14.01 - 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., 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

Anthony L. Cook, DVM (Dr. Cook), License No. 5516, while generally and specifically denying liability in the matter involving COMAR 15.14.05.02, has offered to submit payment of $600 in civil penalties assessed by the Board in Docket No. 14-53, and waived his right to a hearing or appeal of the charges in order to resolve these matters. After having the opportunity to seek advice of legal counsel, Dr. Cook acknowledges that the Board has sufficient evidence to find, as fact, and conclude as a matter of law that he did violate COMAR 15.14.01.10 relating to record keeping, beginning in February 2012 and for the following three years by failing to adequately maintain medical records for certain vaccinated dogs at his residence at 102 Burton Way in Boonsboro, Maryland 21713; and COMAR 15.14.05.02 Information on Certificate by issuing certain rabies certificates for companion animals, which were incomplete in February 2012 through April 2014 in the State of Maryland. Dr. Cook has no prior disciplinary history with the Board.

Taking all the facts and circumstances into consideration, including the nature of the violations, the veterinarian's lack of 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 17th day of NOVEMBER, 2014, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of COMAR 15.14.01.10 Record Keeping and COMAR 15.14.05.02 Information on Certificate, Dr. Cook is assessed a civil penalty in the total amount of $600. Payment shall be made by paper check within 30 days of the date of this Order to "Maryland Department of Agriculture," 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401, with the notation "SBVME – 14-53."

David L. Handel, DVM

David L. Handel, DVM
President
Maryland State Board of Veterinary Medical Examiners

