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

IN THE MATTER OF:	*	
SAILENDRA N. ROY, D.V.M. LICENSE NO. 2775	*	DOCKET NO. 14-56
	*	
AMBASSADOR ANIMAL HOSPITAL HOSPITAL LICENSE NO. 15-001	*	

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CIVIL PENALTY FINAL ORDER

This Civil Penalty Order (Order), dated this 16th day of July, 2014, is issued by the Maryland State Board of Veterinary Medical Examiners (Board) against Sailendra N. Roy, D.V.M. (Dr. Roy), License No. 2775. This Order confirms the intention of Dr. Roy to waive the right to contest the charge filed by the Board on May 29, 2014 in Docket No. 14-56, alleging that Dr. Roy violated a certain Code of Maryland Regulation (COMAR) under the Maryland Veterinary Practice Act. Specifically, in Docket No. 14-56, the Board alleged that Dr. Roy violated COMAR 15.14.01.12-3, Expired Medications, on or about April 21, 2014, in that Dr. Roy failed to keep expired drugs separate and apart from unexpired drugs at his veterinary hospital, Ambassador Animal Hospital, Hospital License Number 15-001, located at 811 Sligo Avenue, in Silver Spring, Maryland 20910. On or about July 3, 2014, the parties reached a resolution in this matter. Dr. Roy has a 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 through 2-316, Annotated Code of Maryland and related regulations COMAR 15.14.01 through 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. 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 a veterinarian's license. Md. Code Ann., Agric. 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 Government Article, Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Sailendra N. Roy, D.V.M, License No. 2775, has agreed to submit payment of the $2,000 civil penalty assessed by the Board in Docket No. 14-56, and waived the right to a hearing or appeal of the charge. After having the opportunity to seek advice of legal counsel, Dr. Roy 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 April 21, 2014, he violated a regulation adopted under the Veterinary Practice Act, specifically, COMAR 15.14.01.12-3, Expired Medications, in that Dr. Roy failed to keep expired drugs separate and apart from unexpired drugs at his veterinary hospital, Ambassador Animal Hospital, Hospital License Number 15-001, located at 811 Sligo Avenue, in Silver Spring, Maryland 20910.

Taking all the facts and circumstances into consideration, including the severity of the violation, the veterinarian's 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 16th day of July, 2014, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that for the violation of COMAR 15.14.01.12-3 Expired Medications, Dr. Roy is assessed a civil penalty in the amount of $2,000, payable by check to the "Maryland Department of Agriculture" with the notation "SBVME – 14-56" and sent to the Board at 50 Harry S. Truman Parkway, Room 102, Annapolis, MD 21401 within 30 days of the date of this Order.

David L. Handel, DVM

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