

Title 15
DEPARTMENT OF AGRICULTURE
Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS
Chapter 11 Civil Penalty Standards for Veterinarians

Authority: Agriculture Article, §2-310.1, Annotated Code of Maryland

.01 Scope.

This chapter establishes standards which determine the penalty for any licensed veterinarian who violates any statute or Board regulation governing the practice of veterinary medicine in this State.

.02 Penalty When License Suspended or Revoked.

After a hearing, the Board may impose a penalty on a veterinarian:

- A. Instead of or in addition to suspending a veterinarian's license; or
- B. In addition to revoking a veterinarian's license.

.03 Violations.

The Board may impose a penalty on a veterinarian who does any of the following:

- A. Fails to provide direct supervision for employees;
- B. Practices veterinary medicine without a current registration;
- C. Operates a veterinary hospital without a veterinary hospital license;
- D. Fails to conform to minimum sanitary standards for veterinary facilities;
- E. Conducts a veterinary practice in a manner which violates professional and ethical standards;
- F. Violates a Board regulation after receiving a license;
- G. Engages in false or misleading advertising;
- H. Obtains a license to practice veterinary medicine by fraud or misrepresentation;
- I. Employs or permits an unlicensed person to practice veterinary medicine;
- J. Employs or permits a veterinarian who does not possess a current veterinary registration to practice veterinary medicine;
- K. Practices veterinary medicine without a valid license issued by the Board;
- L. Conducts a veterinary practice incompetently;
- M. Violates any federal or State law relating to narcotic drugs;
- N. Is convicted of a felony, or of a crime involving moral turpitude;
- O. Is deliberately cruel to an animal; or
- P. Is grossly negligent in the practice of veterinary medicine.

DEPARTMENT OF AGRICULTURE

.04 Classification of Violations for the Purpose of Determining Penalties.

A. For a violation of Regulation .03A—F of this chapter, a penalty may be imposed by the Board considering the nature and gravity of each violation consistent with the following standards:

- (1) For the first violation, a penalty of not less than \$300 or more than \$3,000;
- (2) For the second violation, a penalty of not less than \$600 or more than \$6,000;
- (3) For the third and any subsequent violation, a penalty of not less than \$3,000 or more than \$10,000.

B. For a violation of Regulation .03G-J, a penalty may be imposed by the Board considering the nature and gravity of each violation consistent with the following standards:

- (1) For the first violation, a penalty of not less than \$600 or more than \$5,000;
- (2) For the second violation, a fine of not less than \$3,000 or more than \$10,000;
- (3) For the third and any subsequent violation, a penalty of not less than \$6,000 or more than \$10,000.

C. For a violation of Regulation .03K—P of this chapter, a penalty may be imposed by the Board considering the nature and gravity of each violation consistent with the following standards:

- (1) For the first violation, a penalty of not less than \$3,000 or more than \$5,000;
- (2) For the second violation, a penalty of not less than \$6,000 or more than \$10,000;
- (3) For the third and any subsequent violation, a penalty of not less than \$8,000 or more than \$10,000.

.05 Appeal.

A veterinarian may appeal the Board's decision to impose a penalty as provided in Agriculture Article, § 2-405, Annotated Code of Maryland. A veterinarian shall be notified of this right to appeal.

.06 Penalty Payment.

Unless a veterinarian appeals, the amount of a penalty shall be paid promptly to the Board.

BOARD OF VETERINARY MEDICAL EXAMINERS

Administrative History

Effective date: January 23, 1981 (8:2 Md. R. 117)
Regulations .03 and .04 amended effective November 7, 1983 (10:22 Md. R. 1968)
Regulation .03 amended effective September 12, 2005 (32:8 Md. R. 1521)
Regulation .03 amended as an emergency provision effective May 26, 2010 (37:13 Md. R. 850)
Regulation .04 amended effective June 29, 2009 (36:13 Md. R. 900); October 15, 2012 (39:20
Md. R. 1308)
Regulation .04B, C amended as an emergency provision effective May 26, 2010 (37:13 Md. R.
850); adopted permanently effective October 18, 2010 (37:21 Md. R. 1437)
Regulation .04C amended effective September 12, 2005 (32:18 Md. R. 1521)