

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

WEST VIRGINIA BOARD OF VETERINARY MEDICINE,
Complainant,

V.

Case No. BVM0611A

ROBERT STEWART, D.V.M.,
Respondent.

FINAL ADMINISTRATIVE ORDER

On May 10, 2012, the West Virginia Board of Veterinary Medicine ("Board") met to consider the "Recommended Order, Including Findings of Fact and Conclusions of Law, of Administrative Law Judge" issued April 18, 2012 by Jane E. Peak, Esq., who was appointed by the Board in the above-styled case. After review of the administrative record and the recommended decision, the Board hereby ACCEPTS and ADOPTS the Findings of Fact and Conclusions of Law as contained in the administrative law judge's recommended decision, a copy of which is attached to this Order and is hereby incorporated by reference.

In consideration of the administrative law judge's Recommended Order for disposition of this case, the Board disagrees with the administrative law judge's recommendation that the suspension of the Respondent's license continue until such time as certain conditions are met regarding Respondent's practice. The administrative law judge then recommends that once Respondent's license is reinstated, the Board impose practice and/or procedure limitations on his practice, up to and including supervision by another licensed veterinarian. According to the undisputed testimony, the Respondent began accepting patients for overnight hospitalization in August 2011, only one month after he agreed not to do so by signing the July 8, 2011 Consent

Agreement and Order. Such conduct constitutes a blatant and intentional violation of the Consent Agreement by the Respondent. Board finds that the Respondent's violation of the Consent Agreement and Order gives the Board no confidence or reason to believe that he will comply with any conditions imposed on his license should it be reinstated by the Board.


Therefore, based on the foregoing and the record developed in this matter, the Board ORDERS that the license of Robert Stewart to practice veterinary medicine in the State of West Virginia is hereby REVOKED effective upon entry of this Order.

This Order may be appealed to circuit court pursuant to West Virginia Code § 30-10-21.

It is so ORDERED this 15th day of May, 2012.

WEST VIRGINIA BOARD OF VETERINARY MEDICINE

By:


Ronald Lee Smith, D.V.M.
Chairman