

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES
BOARD OF VETERINARY MEDICINE
DISCIPLINARY SUBCOMMITTEE

In the Matter of

ABOLARIN AGBONA, D.V.M.
License No. 69-01-008492

Complaint No. 69-14-132141

CONSENT ORDER AND STIPULATION

CONSENT ORDER

An administrative complaint was filed with the Disciplinary Subcommittee of the Board of Veterinary Medicine on December 17, 2014, charging Abolarin Agbona, D.V.M. (Respondent) with having violated sections 16221(a), (b)(i) and (h) of the Public Health Code, 1978 PA 368, as amended, MCL 333.1101 *et seq.*

The parties have stipulated that the Disciplinary Subcommittee may enter this consent order. The Disciplinary Subcommittee has reviewed the stipulation contained in this document and agrees that the public interest is best served by resolution of the outstanding complaint. Therefore, the Disciplinary Subcommittee finds that the allegations of fact contained in the complaint are true and that Respondent has violated sections 16221(a), (b)(i) and (h) of the Public Health Code.

Accordingly, for these violations, IT IS ORDERED:

Respondent is placed on PROBATION for a minimum period of one day, not to exceed one (1) year, commencing on the effective date of this order. Respondent shall be automatically discharged from probation upon the Department's receipt of

satisfactory written evidence of Respondent's successful compliance with the terms and conditions as provided below, provided compliance occurs within one (1) year. If Respondent fails to complete any term or condition of probation as set forth in this order within one (1) year of the effective date of this order, Respondent will be in violation of Mich Admin Code, R 338.1632 and section 16221(h) of the Public Health Code. The terms and conditions of the probation are as follows:

- A. CONTINUING EDUCATION CREDITS. Respondent shall successfully complete 20 hours of continuing education credits, 5 hours in the each of the following area: a) Aseptic Technique, b) Controlled Substances, c) Medical Records/Documentation, and d) Acute Abdomen Surgical Technique. Respondent must seek and obtain advance approval of the continuing education courses from the Chairperson of the Board or the Chairperson's designee. Respondent shall mail requests for approval of a course and proof of successful completion of a course to the Department at the address set forth below.

Any violation of the Public Health Code by Respondent during the period of probation shall be deemed a violation of probation and constitute grounds for further disciplinary action.

Respondent is FINED Three Thousand and 00/100 Dollars (\$3,000.00) to be paid by check, money order or cashier's check made payable to the State of Michigan (with complaint number 69-14-132141 clearly indicated on the check or money order) within 180 days from the effective date of this order. The timely payment of the fine shall be Respondent's responsibility. Respondent shall mail the fine to: Sanction Monitoring, Bureau of Health Care Services, Enforcement

Division, Department of Licensing and Regulatory Affairs, P.O. Box 30189, Lansing, Michigan 48909.

Respondent shall direct any communications to the Department that are required by the terms of this order to: Sanction Monitoring, Bureau of Health Care Services, Enforcement Division, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, Michigan 48909.

Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.

Respondent shall be responsible for the timely compliance with the terms of this consent order, including the timely filing of any documentation. Failure to comply within the time limitations provided will constitute a violation of this order.

If Respondent violates any term or condition set forth in this order, Respondent will be in violation of Mich Admin Code, R 338.1632, and section 16221(h) of the Public Health Code.

This order shall be effective thirty days from the date signed by the Chairperson of the Disciplinary Subcommittee or the Disciplinary Subcommittee's authorized representative, as set forth below.

Signed on 6/25/15

MICHIGAN BOARD OF VETERINARY
MEDICINE

By Bernard Werth
Chairperson, Disciplinary Subcommittee

STIPULATION

The parties stipulate as follows:

1. Respondent does not contest the allegations of fact and law in the complaint. Respondent understands that, by pleading no contest, he does not admit the truth of the allegations but agrees that the Disciplinary Subcommittee may treat the allegations as true for resolution of the complaint and may enter an order treating the allegations as true.

2. Respondent understands and intends that, by signing this stipulation, he is waiving the right under the Public Health Code, rules promulgated under the Public Health Code, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.201 *et seq.*, to require the Department to prove the charges set forth in the complaint by presentation of evidence and legal authority, and to present a defense to the charges before the Disciplinary Subcommittee or its authorized representative. Should the Disciplinary Subcommittee reject the proposed consent order, the parties reserve the right to proceed to hearing.

3. The Disciplinary Subcommittee may enter the above Consent Order, supported by Board conferee Lynn Happel, D.V.M. Dr. Happel or an attorney from the Licensing and Regulation Division may discuss this matter with the Disciplinary Subcommittee in order to recommend acceptance of this resolution.

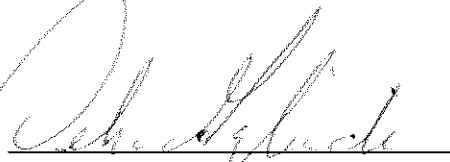
4. Mr. Happel and the parties considered the following factors in reaching this agreement:

A. Respondent has implemented protocol in his office designed to prevent medication from being dispensed without full and proper labeling.

B. Respondent intends to address inconsistent and incomplete documentation proactively by instituting office policy that will require all communications with clients, all treatment recommendations and owner acceptance or refusal of the recommendations, treatment rendered and pre and post operation treatment be fully documented in patient records.

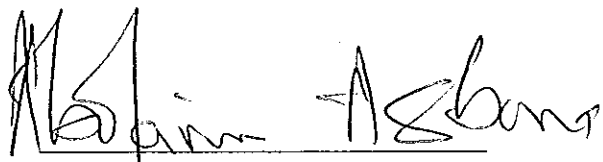
By signing this stipulation, the parties confirm that they have read, understand and agree with the terms of the consent order.

AGREED TO BY:



Debra M. Gagliardi (P35156)
Assistant Attorney General
Attorney for Complainant
Dated: 7-13-2015

AGREED TO BY:



Abolarin Agbona, D.V.M.
Respondent

Dated: 04-08-15