

**BEFORE THE BOARD OF VETERINARY MEDICINE
FOR THE STATE OF NEW MEXICO**

IN THE MATTER OF:

Michael Robert Pirrone, DVM

License No.: DVM-1827,

Respondent.

DECISION AND ORDER

The hearing in the matter of Dr. Michael Robert Pirrone, DVM-2092, commenced and concluded in Albuquerque, New Mexico on Monday, July 10, 2017. The hearing was held at the New Mexico Board of Veterinary Medicine Office, 7301 Jefferson Street, N.E., Suite H, Albuquerque, New Mexico 87109. A quorum of the New Mexico Board of Veterinary Medicine (“the Board”), heard the case. Dr. Rebecca Washburn was Chairperson for the hearing. Ms. Lesley Lowe was counsel for the Board. The Respondent was not present. The Board heard testimony of one witness, the Executive Director of the Board, Ms. Fran Sowers.

FINDINGS OF FACT

1. Michael Pirrone, DVM, (“Respondent”) is licensed as a veterinarian with the Board pursuant to the New Mexico Veterinary Practice Act, NMSA 1978, Section 61-14-1 through 61-14-20 (1999). As such, Respondent was subject to the jurisdiction of the Board at the time of the violation alleged in the Notice of Contemplated Action (“NCA”) and Respondent is currently licensed and subject to the jurisdiction of the Board.

2. The Board issued an NCA in this matter on May 1, 2017, and the NCA was served by Certified Mail. Tr. Page 4, line 17-24.

3. The Respondent did not respond to the NCA and the matter was set for hearing. Page 4, line 25 and Page 5, line 1-7.

4. The Board issued a Notice of Hearing to the Respondent via Certified Mail on June 19, 2017. Page 5, line 11-15.

5. The Executive Director, Ms. Fran Sowers, testified that the Respondent has not provided the Board with a Certificate of Compliance regarding his child support obligations. Page 6, line 18-21.

CONCLUSIONS OF LAW

In accordance with the procedures contained in the Uniform Licensing Act [61-1-1 to 61-1-31 NMSA 1978], the Board may deny, suspend for a definite period or revoke a license, certificate or permit held or applied for under the Veterinary Practice Act, or may reprimand, place on probation, enter a stipulation with or impose an administrative penalty in an amount not to exceed five thousand dollars (\$5,000) on a holder of a license, certificate or permit, upon a finding by the Board that the licensee, certificate or permit holder, or applicant:

NMSA 1978 § 61-14-13 Denial, suspension or revocation of a license

(12) is guilty of unprofessional conduct by violation of a rule promulgated by the board pursuant to provisions of the Veterinary Practice Act.....

NMAC 16.25.11.9 (3) c

Disciplinary Action: If an applicant or licensee is not in compliance with a judgment and order for support, the Board:

- c. has grounds for suspension or revocation of the license.

The respondent has not provided a Certificate of Compliance to the Board and is therefore in violation of the above.

ORDER

The Board, by unanimous vote of the quorum, moved to suspend the license of Dr. Michael Robert Pirrone, DVM-1827, and did so suspend Dr. Pirrone's license as follows:

A. Dr. Pirrone shall provide a Certificate of Compliance from the Child Support Enforcement Division of the New Mexico Health Services Department indicating he is current with child support payments. Until such time as the Certificate of Compliance is received by the Executive Director of the Board, Dr. Pirrone's license to practice veterinary medicine is suspended;

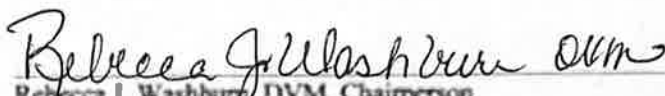
B. When Dr. Pirrone presents to the Executive Director of the Board a Certificate of Compliance issued by the Child Enforcement Division of the New Mexico Health Services Department, the suspension of his license shall be lifted.

SO ORDERED.

RIGHT TO JUDICIAL REVIEW

THIS ORDER constitutes the final decision by the New Mexico Board of Veterinary Medicine in this matter for purposes of initiating any contemplated judicial review. An aggrieved party has the right to judicial review of this Order pursuant to the

Uniform Licensing Act, Section 61-1-17, NMSA 1978 by filing an appeal in the District Court under Rule 1-074 NMRA. The appeal, if made, shall be filed in the District Court within thirty days after the date the Order was served on the Respondent pursuant to Rule 1-074 NMRA.


Rebecca J. Washburn, DVM, Chairperson
New Mexico Board of Veterinary Medicine

July 17, 2017
Date

Certified Mail No. 7610 0730 0000 5272 1361 - Return Receipt Requested