

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

IN THE MATTER OF:)	
)	Case No. 14-33
Edmond Christopher Staley, DVM)	
License No.: DVM-1535,)	
)	
Respondent.)	

AMENDED SETTLEMENT AGREEMENT

1. On May 28, 2014, the New Mexico Board of Veterinary Medicine (“the Board”) initiated a formal complaint against Respondent Edmond Christopher Staley, DVM, License No. DVM-1535. The complaint alleged that while Dr. Staley had been licensed as a veterinarian by the Board since 1993, there was no indication from available records that he had ever passed any national board examination, which is a condition of licensure.

2. On May 26, 2016, the Board issued a Notice of Contemplated Action (“NCA”) against Dr. Staley based on the allegations contained in the May 28, 2014 complaint and on the Board’s subsequent inquiry. The NCA was served on Dr. Staley by certified mail and Dr. Staley received the NCA.

3. Pursuant to his rights under the Uniform Licensing Act (“ULA”), NMSA 1978, Section 61-1-4(D) and (F), Dr. Staley requested a hearing on the charges raised in the NCA. That hearing was initially scheduled for September 19, 2016, but vacated to give the parties time to discuss a negotiated resolution of the charges set forth in the NCA. The hearing was later scheduled for January 4, 2018, but again vacated to give the parties an opportunity to explore settlement.

4. Dr. Staley is willing to conclusively resolve the allegations set forth in the NCA through this Amended Settlement Agreement, in compliance with the requirements of the ULA but without the need for a formal hearing by the Board.

5. The Board's undersigned Administrative Prosecutor believes that this Amended Settlement Agreement is an appropriate resolution of the charges raised in the NCA and recommends that the Board approve the Amended Settlement Agreement.

THEREFORE, IT IS STIPULATED AND AGREED AS FOLLOWS:

6. **Jurisdiction:** Dr. Staley is licensed under the Veterinary Practice Act, NMSA 1978, Section 61-14-1 through Section 61-14-20 and is subject to the jurisdiction of the Board with respect to the allegations set forth in the NCA.

7. **Conditions:** Dr. Staley agrees to the following conditions:

- a. Dr. Staley agrees to take the North American Veterinary Licensing Examination (NAVLE) during the April 8-20, 2019 testing window. Dr. Staley agrees to register with the International Council for Veterinary Assessment (ICVA) prior to the February 1, 2019 deadline for registration as set by ICVA. If Dr. Staley does not complete his registration to sit for the examination noted by February 1, 2019, then Dr. Staley shall immediately surrender his license held under the New Mexico Veterinary Practice Act, at which point the Board will then dismiss all claims in New Mexico in Veterinary Medicine Act Case No. 14-33.
- b. If Dr. Staley receives a passing score on the April 2019 administration of the NAVLE as reported by the American Association of Veterinary State Boards ("AAVSB") then upon receipt of such a passing score report the Board will

dismiss all claims pending in New Mexico Board of Veterinary Medicine Case No. 14-33 with prejudice.

- c. If Dr. Staley does not receive a passing score on the April 2019 administration of the NAVLE as reported by AAVSB, then Dr. Staley shall surrender his license held under the New Mexico Veterinary Practice Act, at which point the Board will then dismiss all claims pending in New Mexico Board of Veterinary Medicine Case No. 14-33 with prejudice. This provision shall apply regardless of whether Dr. Staley takes the NAVLE during the April 2019 administration and fails the examination, or does not take the NAVLE during the April 2019 administration at all.
- d. In the event Dr. Staley does not receive a passing score on the April 2019 administration of the NAVLE, he agrees not to seek renewal of his license or to reapply for licensure unless and until he receives a passing score on the NAVLE and the Board obtains confirmation of that fact from AAVSB.
- e. The Board will not impose an administrative penalty in any amount; will not suspend or revoke Dr. Staley's license held under the New Mexico Veterinary Practice Act; and will not reprimand or take any other action against Dr. Staley in connection with Case No. 14-33. Nothing in this provision shall prevent the Board from refusing to renew or reissue a license to Dr. Staley for any period of time after December 31, 2018, unless and until he receives a passing score on the NAVLE and the Board obtains confirmation of that fact from AAVSB.

- f. Effective upon Board approval of this Amended Settlement Agreement, Dr. Staley agrees not to file or maintain any claim or suit against the Board, under any legal theory, arising from the facts and circumstances of Case No. 14-33.
- g. This Amended Settlement Agreement does not constitute, and will not be construed as, an admission by Dr. Staley of any unlawful, improper or wrongful conduct, nor is this Amended Settlement Agreement a determination by the Board that Dr. Staley engaged in unlawful, improper or wrongful conduct.

8. Voluntary Agreement: Dr. Staley enters into this Amended Settlement Agreement knowingly, intentionally and voluntarily. Dr. Staley acknowledges that he is represented by counsel, Clayton E. Crowley of the Crowley & Gribble Law Firm, and Dr. Staley further acknowledges that he has had the opportunity to consult with his counsel prior to signing this Amended Settlement Agreement. Dr. Staley affirmatively states that he has read this entire Amended Settlement Agreement and understands his rights and responsibilities contained herein. He knowingly, intentionally and voluntarily enters into and signs this Amended Settlement Agreement and affirms that no promises or representations have been made to him other than the terms and conditions contained in this Amended Settlement Agreement.

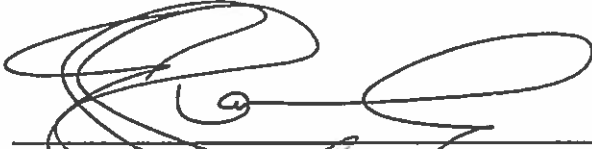
9. Board Approval: This Amended Settlement Agreement is subject to the approval of the Board. The Board, through its Hearing Officer, Dr. Rebecca Washburn, will consider the Agreement. If the Board, through its Hearing Officer Dr. Washburn, accepts the Amended Settlement Agreement, it becomes binding and effecting upon the signature of the Hearing Officer.

10. Waiver: If this Amended Settlement Agreement is approved by the Board, Dr. Staley agrees to waive his right to have the allegations raised in the NCA adjudicated in the

manner described in the ULA, including the right to a final written order of the Board and the right to appeal any such order to district court.

11. **Public Record:** The executed copy of this Amended Settlement Agreement is a public record and may be disclosed in response to any request under the Inspection of Public Records Act, NMSA 1978, Section 14-2-1 through Section 14-2-12.

1/25/19
DATE


EDMOND CHRISTOPHER STALEY, DVM
Respondent

1/27/19
DATE


CLAYTON E. CROWLEY
Attorney for Respondent

DATE

SCOTT FUQUA
Attorney for the Board of Veterinary Medicine

ORDER

This proposed Amended Settlement came before the Hearing Officer, Dr. Rebecca Washburn, and thereafter this Amended Settlement Agreement is:

ACCEPTED

REJECTED

2/16/19
DATE


REBECCA J. WASHBURN, DVM