

DOCKET NO. 2001-09

IN THE MATTER OF § BEFORE THE TEXAS STATE
THE LICENSE OF § BOARD OF VETERINARY
JEFFERY KEVIN GIBBS, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

The Texas State Board of Veterinary Medical Examiners ("the Board") makes the following findings:

1. As part of a complaint filed by Ms. Brenda Miller against Jeffery Kevin Gibbs, D.V.M., in Case No. 00-225, Ms. Miller stated in correspondence to the Board dated September 29, 2000 that Dr. Gibbs "was found August 14, 2000 passed out on the floor in the Veterinary from a drug overdose." Based on this allegation and subsequent investigations by the Board's staff, Case No. 01-023 was opened against Dr. Gibbs.

2. At approximately 7:00 a.m. on August 14, 2000 Lynn Yendrey, an employee at Beaumont Veterinary Associates, Beaumont, Texas arrived at the clinic and observed that the air conditioning vent was open and there was blood on the filter and near the front desk and in the hallway. She found Dr. Gibbs in the clinic's upstairs bedroom laying on the floor wearing no clothes but covered with a sheet. Ms. Yendrey observed that Dr. Gibbs had suffered an injury to the back of his head and that a catheter was taped to one of his feet. She also noticed syringes and saline solution next to Dr. Gibbs and she also found a small bag containing medical items (catheters, tape, syringes) on the floor. A police officer who was dispatched to the clinic surmised from the location of blood and other physical evidence that Dr. Gibbs had crawled inside the air conditioning duct and fallen head first down the air return hole to the first floor of the clinic where Dr. Gibbs had beaten on the vent door until it came loose allowing him to exit and return to the upstairs bedroom.

3. Dr. Gibbs was transported to the St. Elizabeth Hospital emergency room. Dr. Gibbs was observed by hospital personnel to be incoherent and the area on his foot where an IV catheter had been placed had developed necrosis. One of the paramedics who was at the clinic observed that Dr. Gibbs had needle marks on the inside of both arms and legs.

4. Subsequent to the events of August 14, 2000 Charles T. Nelson, D.V.M., owner of Beaumont Veterinary Associates, filed a Report of Theft or Loss of Controlled Substances with the Drug Enforcement Administration. Included in the list of lost or stolen drugs were amounts of Ketaset, Torbugesic, Sleepaway euthanasia solution, Duragesic and Testosterone. These missing drugs were discovered in a bag belonging to Dr. Gibbs that was transported with him to the hospital on August 14.

5. Dr. Gibbs has admitted abusing alcohol in the past.
6. Dr. Gibbs is currently employed as a veterinarian.

Based on the above facts, the Board finds that it is in the best interest of the public and Dr. Gibbs that the Board adopt this Order.

THEREFORE, IT IS ORDERED BY THE BOARD THAT:

1. Within thirty (30) days of the date of this Order, Dr. Gibbs shall contact the Program Director ("Program Director") of the Board's Peer Assistance Program ("Program") and, if recommended by the Program Director, shall contract to enter the Program and comply fully with its requirements.

2. Dr. Gibbs shall retain the services of a psychiatrist to evaluate the respondent's mental condition and recommend a course of treatment. Dr. Gibbs shall schedule office visits at least once every ninety (90) days and more often if directed by the psychiatrist.

3. By not later than the 10th day of August, November, February, and May of each year, Dr. Gibbs shall have his treating psychiatrist submit a written report to the Program Director and the Board relating to Dr. Gibbs' treatment and status during the previous period and setting forth his professional opinion as to Dr. Gibbs' current psychiatric condition and fitness to practice veterinary medicine. Dr. Gibbs must inform the psychiatrist of this responsibility and ensure timely compliance.

4. Dr. Gibbs shall comply with the provisions of the Veterinary Licensing Act and other state and federal rules and statutes regulating the practice of veterinary medicine.

5. Dr. Gibbs shall immediately inform the Executive Director of the Board of any circumstances which occur after the date of this Order which may constitute a violation of this Order. Dr. Gibbs shall cooperate with the Board, its attorneys, investigators, compliance officers and other employees and agents, to verify that he has complied and is in compliance with this Order. The conditions of this Order shall remain in effect until terminated or modified by the Board.

6. Any violations of this Order will result in disciplinary action by the Board against Dr. Gibbs, including revocation or suspension of his veterinary license.

BY SIGNING THIS ORDER, JEFFERY KEVIN GIBBS, D.V.M., AGREES TO ITS TERMS AND WAIVES THE NEED FOR A FORMAL HEARING OR ADMINISTRATIVE DUE

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PROCESS UNDER THE VETERINARY LICENSING ACT OR THE TEXAS
ADMINISTRATIVE PROCEDURE ACT, GOV'T CODE 2001.051 *et. sec.*

THIS ORDER IS A PUBLIC DOCUMENT.

The effective date of this Order shall be the date it is signed and entered by the Board.

I, JEFFERY KEVIN GIBBS, D.V.M., HAVE READ AND UNDERSTAND THE PROVISIONS
OF THIS ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I
SIGN IT VOLUNTARILY. I UNDERSTAND THAT THE ORDER CONTAINS THE ENTIRE
AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL,
WRITTEN OR OTHERWISE.

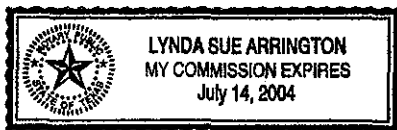
DATED: June 5, 2001

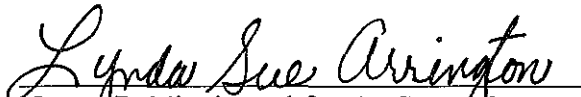

Jeffery Kevin Gibbs, D.V.M.

STATE OF TEXAS
COUNTY OF TARRANT

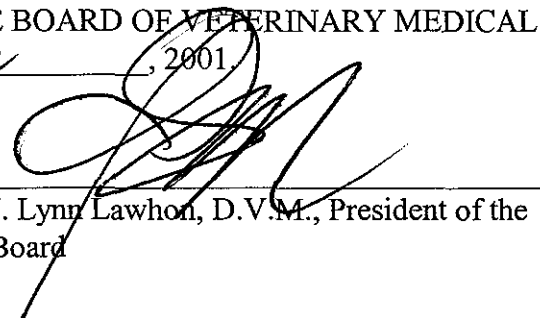
BEFORE ME, on this day personally appeared Jeffery Kevin Gibbs, D.V.M., known to me, who
first being duly sworn, signed the foregoing Agreed Order in my presence.

SIGNED on this 5 day of June, 2001




Notary Public, in and for the State of Texas

SIGNED AND ENTERED BY THE TEXAS STATE BOARD OF VETERINARY MEDICAL
EXAMINERS on this 21 day of June, 2001.


J. Lynn Lawhon, D.V.M., President of the
Board