

Board Notes

A publication of the Texas Board of Veterinary Medical Examiners

CONTROLLED SUBSTANCE REGISTRATION

An amendment to Board Rule 573.43 related to Controlled Substance Registration will go into effect on September 1, 2016. The amendment requires all practitioners to have a Drug Enforcement Administration (DEA) federal controlled substance registration if the practitioner administers, prescribes, dispenses, delivers, or order delivered controlled substances. SB 195 passed during the 2015 Legislative Session and provides that to manufacture, distribute, prescribe, analyze or dispense a controlled substance, a person must have a DEA federal registration. Dispensing includes prescribing and administering. Under SB 195, the practitioner is allowed to only possess without a DEA controlled substances registration. DEA has informed Board staff that it has never considered other practitioners within a clinic an "agent" for purposes of the agent exemption from DEA registration if the practitioner is working independently from the registrant. DEA has stated that their definition of agent is someone who works on behalf of or at the direction of the practitioner. Another practitioner examining his or her own patients and not acting under the specific direction of another practitioner must be registered. No other health profession agency in Texas is permitting other practitioners to serve as agents under another practitioner's DEA registration. The idea is that a practitioner is acting independently and should therefore be responsible for their own controlled substances and any potential diversion of such controlled substances. Under the previous rule, every practitioner was required to have a Department of Public Safety (DPS) controlled substance registration. Under SB 195, the DPS controlled substances registration is discontinued as of August 31, 2016. With the DPS controlled substances registration going away, the Board was also concerned that there would be certain number of practitioners that would now have no controlled substance registration. There is a large and growing problem of diversion of controlled substances in society and this is becoming a larger problem in the veterinary community.

DPS TO IMPLEMENT SENATE BILL 195

Effective September 1, 2016, the Texas Department of Public Safety will discontinue accepting applications for the Texas Controlled Substances Registration under Chapter 481.061 of the Health and Safety Code. Controlled Substances Registration applications received on or after September 1, 2016 will be returned to the customer.

Effective July 1, 2016, the \$25 application fee will be waived for all incoming Controlled Substances Registration applications. Any application fees received after July 1, 2016 will be returned to the customer.

Official Prescription Forms: Effective September 1, 2016, the Texas Prescription Program transfers to the Texas State Board of Pharmacy. This includes the oversight and processing of the official prescription pads for Schedule II prescription forms. The Texas Department of Public Safety will no longer accept orders for the official prescription pads effective August 21, 2016. However, official prescription forms issued by the Texas Department of Public Safety prior to September 1, 2016 will be considered valid prescription forms. Official prescription pad orders received after August 21, 2016 will be returned to the customers.



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Medical Examiners

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NEWLY APPOINTED MEMBERS

Lynn Criner, DVM of Missouri City is a veterinarian with Texas Equine & Pet. After Dr. Criner graduated from TAMU CVM in 1995, her primary focus was on equine medicine and dentistry. As nearly all horse owners have dogs and cats, her practice also evolved to include home health care and wellness for small animals. Over the years Dr. Criner has found that the traditional use of medications and surgery has not always proven 100% beneficial or effective. Dr. Criner's search for a better way led her to animal chiropractic care. As a rider and competitor, Dr. Criner is acutely aware of the challenges of keeping a horse in top performance condition.

Jessica Quillivan, DVM is a veterinarian in Magnolia, TX. Dr. Quillivan graduated from TAMU CVM in 1999. After working for other veterinarians in the Houston area, she was ready to open her own practice in 2004. Dr. Quillivan holds membership in many veterinary organizations, including AVMA (American Veterinary Medical Association), TVMA (Texas Veterinary Medical Association), and AAHA (American Animal Hospital Association), and is Past President of the Montgomery County Veterinary Medical Association. She currently holds a position on the board of directors for AAHA.



ADOPTED RULE CHANGES

At the July 19, 2016 meeting of the Texas Board of Veterinary Medical Examiners, the Board recommended the adoption of the following rules:

§573.10. Supervision of Non-Veterinarians—this technical amendment serves to make all items in the list grammatically parallel.

§573.14. Alternate Therapies—Chiropractic and Other Forms of Musculoskeletal Manipulation—this amendment conforms the term “veterinarian-client-patient-relationship” to its appearance in the Veterinary Licensing Act.

§573.15. Use of Ultrasound in Diagnosis or Therapy—this amendment conforms the term “veterinarian-client-patient-relationship” to its appearance in the Veterinary Licensing Act.

§573.29. Complaint Information and Notice to Clients—this amendment clarifies what is required on a licensee's notice to clients about complaint information.

§573.41. Use of Prescription Drugs—this amendment conforms the term “veterinarian-client-patient-relationship” to its appearance in the Veterinary Licensing Act.

§573.44. Compounding Drugs—this amendment conforms the term “food-producing animals” to its appearance in the Veterinary Licensing Act.

§573.45. Extra-Label or Off-Label Use of Drugs—this amendment conforms the term “food-producing animals” to its appearance in the Veterinary Licensing Act.

§573.51. Rabies Control—this amendment modernizes the language of the rule.

§573.52. Veterinarian Patient Record Keeping—this amendment reflects the original intent of the rule to require a veterinarian to maintain patient records for a minimum of five (5) years from the date of the last treat-

Adopted Rule Changes continued...

§573.53. **Equine Dental Provider Patient Record Keeping**—this amendment reflects the original intent of the rule to require an equine dental provider to maintain patient records for a minimum of five (5) years from the date of the last treatment.

§573.65. **Proof of Acceptable Continuing Education**—this amendment contains technical corrections.

§573.69. **Conditions Relative to License Suspension**—this amendment contains technical corrections.

§573.82. **Laser Therapy**—this new rule is added to comply with Texas Occupations Code Section 801.151(c)(2) which requires the Board to adopt rules ensuring that laser therapy is performed only by a veterinarian or under the supervision of a veterinarian.

§577.15. **Fee Schedule**—this amendment is in accordance with Senate Bill 195, passed during the 84th Legislative Session, the amendments increase the renewal fee for certain veterinary licenses by \$7.85 for the Prescription Monitoring Program (PMP).

DRUG ENFORCEMENT ADMINISTRATION (DEA) REGISTRATION INFORMATION AND VIOLATION MATRIX

Board rule [573.43](#) becomes effective on September 1, 2016. This rule requires a veterinarian to hold a Drug Enforcement Administration (DEA) registration if such registration is required by other law.

Generally, DEA regulations require a veterinarian who administers or dispenses controlled substances to hold a registration. This [matrix](#) adopted by the Board on July 19, 2016 sets out Board guidelines for evaluating violations of rule 573.43.

DRUG LOG VIOLATION MATRIX

Board rule [573.50](#) contains record keeping requirements for a veterinarian's use of controlled substances. Including a record of the total balance on hand of each scheduled drug. This [matrix](#), adopted by the Board on July 19, 2016, contains Board guidelines for evaluating violations of rule 573.50.

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DISCIPLINARY ACTIONS



During 2015 and 2016, the Texas Board of Veterinary Medical Examiners has taken disciplinary action against the licensees shown below. Additional information on the action taken can be found on our website through the Licensee Lookup tab then searching for the disciplinary order.

Disciplinary actions taken at the January 25, 2015 meeting:

Name	License #	City, State	Disciplinary Action	Disciplinary Order
Penny Kelso, DVM	8096	Lubbock, TX	Suspended	2014-102
Eddy Soranaka, DVM	10768	Corpus Christi, TX	Formal reprimand, probated suspension and participate in Peer Assistance Program.	2014-187
James Wilson, DVM	2290	Cleburne, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2014-194
James Wilson, DVM	2290	Cleburne, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2014-245
Cassie Epstein, DVM	10689	Denton, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2014-213
Larry Grantham, DVM	4948	New Braunfels, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2014-243
Eftihia Giannopoulos, DVM	8455	Dallas, TX	Formal reprimand	2014-244
Tommy Vanderford, DVM	12400	Pearland, TX	Formal reprimand, must pay an administrative penalty, and a probated suspension	2014-250
Adam Whitson, DVM	10931	Sulphur Springs, TX	Formal reprimand, must pay an administrative penalty, and a probated suspension	2015-002
Curtis Sanders, DVM	4185	Austin, TX	Formal reprimand and an administrative penalty	2015-007
Jennifer Barr, LVT	LVT-1387	Round Rock, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-009
Susan Lyus, LVT	LVT 1386	Houston, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-013
Brandi Edens, LVT	LVT-392	Houston, TX	Formal reprimand, must pay an administrative penalty and must obtain the jurisprudence exam	2015-017
Rexann Morrison, LVT	LVT-372	Ardmore, OK	Formal reprimand, must pay an administrative penalty and must obtain the jurisprudence exam	2015-018
Terrell Rourk, DVM	7868	Fort Worth, TX	Formal reprimand and must pay an administrative penalty	2015-022
Constance Sack, DVM	12944	Dallas, TX	Formal reprimand, must participate in the peer assistance program, and license suspended for 5 years	2015-026
Bethany Harris, DVM	12342	Slaton, TX	Voluntary surrender of license	2015-029
John Stern, DVM	3482	Needville, TX	Formal reprimand	2015-032
Rachael Smith, DVM	4033	San Antonio, TX	Formal reprimand and must pay an administrative penalty	2015-034
Yasmina Sebek, LVT	LVT-1388	Houston, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-060
John Ruppert, LVT	LVT-1384	Grand Prairie, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-062
Devin Garver, LVT	LVT-1385	Victoria, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-063
Kody Kothmann, DVM	4337	Lubbock, TX	Formal reprimand, must pay an administrative penalty and take additional CE	2015-071
Gregory Arthur, LVT	LVT-1382	Duncanville, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-073
Deborah Kelly, LVT	LVT-1383	North Richland Hills, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-074
Thomas Sutton, DVM	4385	Pflugerville, TX	Formal reprimand and must pay an administrative penalty	2015-089
Marilyn Rowe, DVM	5810	Bedford, TX	Formal reprimand and must pay an administrative penalty	2015-090
Laurie Gray, DVM	7869	Trenton, TX	Formal reprimand and must pay an administrative penalty	2015-091

Disciplinary Actions continued...

Disciplinary actions taken at the July 21, 2015 meeting:

Name	License #	City, State	Disciplinary Action	Disciplinary Order
Lloyd Jarmon, DVM	4251	Houston, TX	Formal reprimand and must pay an administrative penalty	2014-230
Melanie Hollis, LVT	LVT-381	Grapevine, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-019
Daryl Webb, LVT	LVT-1464	Houston, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-020
Thomas Sheen, DVM	4188	San Angelo, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2015-036
Christopher Brooks, DVM	4082	Fort Worth, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2015-037
Gregory Jones, DVM	14102	Las Vegas, NV	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-040
Mary Wheat, DVM	10269	Texarkana, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE, must obtain the jurisprudence exam	2015-050
Charles Jameson, DVM	3097	League City, TX	Formal reprimand, must pay and administrative penalty	2015-072
Denise Gailey, LVT	LVT-1465	Houston, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-080
Ellen Mahanay, LVT	LVT-1466	Austin, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-081
Richard Hoekstra, DVM	6442	League City, TX	Formal Reprimand, must pay an administrative penalty, must obtain the jurisprudence exam, must participate in the peer assistance program	2015-096
Dorina McMahan, LVT	LVT-1469	Houston, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-097
Trista Harris, LVT	LVT-1473	The Colony, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-099
Scott Reed, DVM	14076	Amarillo, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-100
Stephanie Premer, LVT	LVT-1467	Houston, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-102
Robert Franklin, DVM	8535	Fredericksburg, TX	Formal reprimand and must pay an administrative penalty	2015-106
Daniel O'Neil, DVM	5338	Fredericksburg, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-107
Herman Swann, DVM	2663	Richardson, TX	Formal reprimand and must pay an administrative penalty	2015-108
John Fuller, DVM	11986	Plano, TX	Formal reprimand and must pay an administrative penalty	2015-109
Dana Nelson, DVM	11751	Plano, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-111
Amy Turner, DVM	11791	Northampton, PA	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-112
Adam Whitson, DVM	10931	Sulphur Springs, TX	Revocation	2015-122
Toby Connolly, DVM	12288	Roanoke, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-123
Blake Foskey, DVM	10393	Orange, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-131
David Curbo, DVM	7692	Livingston, TX	Formal reprimand, must pay an administrative penalty, must obtain the jurisprudence exam	2015-132
Michelle Garcia, LVT	LVT-1468	San Antonio, TX	Formal reprimand, must pay an administrative penalty, must obtain the jurisprudence exam	2015-135

Disciplinary Actions continued...

Disciplinary actions taken at the July 21, 2015 meeting continued...

Name	License #	City, State	Disciplinary Action	Disciplinary Order
Kerry Moore, LVT	LVT-1474	Portland, OR	Formal reprimand, must pay an administrative penalty, must obtain the jurisprudence exam	2015-136
Marvin Hare, DVM	3087	Freeport, TX	Formal reprimand, must obtain jurisprudence exam	2015-137
Mendi Al Gburi, DVM	8548	Dallas, TX	Formal reprimand, must participate in the peer assistance program, license suspended for 5 years with all but 90 days probated	2015-139
Cynthia Carter, DVM	12459	Austin, TX	Formal reprimand and must pay administrative penalty	2015-141
Richard Reinap, DVM	10147	Austin, TX	Formal reprimand and must pay an administrative penalty	2015-142
Joe Whiting, DVM	10787	Bells, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-168
Travis Arledge, DVM	9778	Winters, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2015-172
Matthew Moskosky, DVM	11398	Fredericksburg, TX	Formal reprimand, 5 year suspension with all but 60 days probated, must participate in the peer assistance program	2015-176
David Hood, DVM	3766	Bryan, TX	Voluntary surrender of license	2015-180

Disciplinary actions taken at the October 13, 2015 meeting:

Name	License #	City, State	Disciplinary Action	Disciplinary Order
George McKirahan, DVM	4163	Temple, TX	Formal reprimand, must pay an administrative penalty, and must obtain the jurisprudence exam	2014-242
Andra Anderson, DVM	5437	Frisco, TX	Voluntary surrender of license	2015-059
Todd Hayden, DVM	10330	Spring, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-174
Jimmie Gill, DVM	1979	Fort Worth, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-179
Mallory Tate, DVM	11669	Zachary, LA	Formal reprimand, must pay an administrative penalty, must obtain the jurisprudence exam	2015-188
H. Sanders, DVM	3146	Conroe, TX	Formal reprimand, must pay an administrative penalty, must obtain the jurisprudence exam	2015-189
Alan Coffman, DVM	9540	Allen, TX	Formal reprimand, must pay an administrative penalty	2015-191
Michael Rainey, DVM	12152	Van Alstyne, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-194
Douglas Sanders, DVM	4871	Plano, TX	Formal reprimand	2015-195
Alfred Vardeman, DVM	6535	Colorado City, TX	Formal reprimand, must obtain additional CE	2015-196
James Rogers, DVM	2353	Austin, TX	Voluntary surrender of license	2015-198
James Tucker, DVM	2091	Tulia, TX	Voluntary surrender of license	2015-207
Valerie Jaffe, DVM	6646	Red Oak, TX	Formal reprimand, must pay an administrative penalty	2016-002
Donna Fuller, DVM	4938	Duncanville, TX	Formal reprimand	2016-003
Jeffery Pruitt, DVM	3803	Dallas, TX	Formal reprimand, must pay an administrative penalty	2016-004
B. Cooper, DVM	3909	Grand Prairie, TX	Formal reprimand, must pay an administrative penalty	2016-005
Melissa Suarez, DVM	11313	Dallas, TX	Formal reprimand, must pay an administrative penalty	2016-006

Disciplinary Actions continued...

Disciplinary actions taken at the October 13, 2015 meeting continued...

Name	License #	City, State	Disciplinary Action	Disciplinary Order
Kevin Sinapi, DVM	8256	Dallas, TX	Formal reprimand, must pay an administrative penalty	2016-007
Mark Wood, DVM	5852	Dallas, TX	Formal reprimand	2016-008

Disciplinary actions taken at the January 26, 2016 meeting:

Name	License #	City, State	Disciplinary Action	Disciplinary Order
Michael Doherty, DVM	4047	New Braunfels, TX	Formal reprimand, must pay an administrative penalty	2016-042
Clay McCreary, DVM	8683	Houston, TX	Formal reprimand, 2 year suspension with suspension continuing until peer assistance inpatient treatment is completed and is declared fit to practice	2015-133
Kathie Digilio, DVM	4103	Hockley, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2015-178
Patrick Champlin, DVM	6206	Dallas, TX	Formal reprimand, must pay an administrative penalty, must obtain the jurisprudence exam	2015-190
Joel Akin, DVM	6921	Houston, TX	Formal reprimand, must enter into a peer assistance contract, license suspended until determined he is fit to practice then license is under a probated suspension for 5 years	2016-021
Philip Martin, DVM	3115	San Antonio, TX	Formal reprimand, must pay an administrative penalty	2016-022
James Young, DVM	2679	San Antonio, TX	Formal reprimand, must pay an administrative penalty	2016-024
Bruce Hardesty, DVM	7183	Austin, TX	Formal reprimand, must pay an administrative penalty and a 2 year probated suspension	2016-024
Eliza Wilby, DVM	10932	Austin, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE	2016-025
William Stearman, DVM	4382	Coppell, TX	Formal reprimand, must pay an administrative penalty	2016-035
James Rierson, DVM	11065	New Braunfels, TX	Formal reprimand, must pay an administrative penalty	2016-040
Dorothy DeFex, DVM	10941	San Antonio, TX	Formal reprimand, must pay an administrative penalty	2016-043
Robert Harle, DVM	3262	Baird, TX	Formal reprimand, must pay an administrative penalty, and take additional CE	2016-044
Kristen DeCola, DVM	10993	New Braunfels, TX	Formal reprimand, must pay an administrative penalty	2016-045
Gary Brotze, DVM	2486	New Braunfels, TX	Formal reprimand, must pay an administrative penalty	2016-046
Alice Dodge, DVM	10093	Houston, TX	Formal reprimand and must enter into a peer assistance contract	2016-049
Laura Wiles, DVM	9634	Richardson, TX	Formal reprimand and must enter into a peer assistance contract	2016-050
Lauren Leckie, DVM	11382	San Antonio, TX	Formal reprimand, must pay an administrative penalty	2016-052
Marc Zieben, DVM	5578	San Antonio, TX	Formal reprimand, must pay an administrative penalty	2016-053
Julie House, DVM	6444	San Marcos, TX	Formal reprimand, must pay an administrative penalty	2016-055
Todd Murphy, DVM	7782	League City, TX	5 year probated suspension, must work only in a group setting of 3 or more licensed veterinarians	2016-065

PROPOSED BOARD RULES

The following rules were proposed at the July 19, 2016 meeting of the Texas Board of Veterinary Medical Examiners. The changes will appear in the September 9, 2016 issue of the *Texas Register*. We will accept written public comment on these rules between September 9, 2016 and October 9, 2016.

§573.80. Definitions—the purpose of this amendment is to remove the definition of “designated caretaker.” The Third Court of Appeals upheld a district court’s determination that the definition was invalid.

§577.5. Advisory Committees—the purpose of this amendment is to comply with Texas Occupations Code Section 801.163 which requires the Board to adopt rules regarding training requirements for advisory committee members, if training is deemed necessary.

§577.15. Fee Schedule—this amendment includes a slight increase to cover Legislative appropriations for fiscal year 2016.

§577.18. Historically Underutilized Businesses—Texas Government Code requires a state agency to adopt rules regarding the use of historically underutilized businesses. The current rule references an agency that has become inactive since the rule was last amended, and references rule sections that are no longer correct. The proposed new rule references the Comptroller of Public Account’s rules regarding historically underutilized businesses.

OUR MISSION:

The mission of the Texas State Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental provider services for the people of Texas.

OUR GOALS:

The Board and its staff will ensure that Texans are effectively and efficiently served by quality veterinary professionals by setting clear standards for professional conduct, by assuring compliance with the rules of professional conduct and the community standard of care, and seeking solutions to issues that strengthen the profession and protect the public.

HOW TO FIND PROPOSED AND ADOPTED RULES

Did you know that you can keep up with rules that the TBVME has proposed or adopted online?

The TBVME uploads all proposed and adopted rules onto our website at www.veterinary.texas.gov under the “Laws and Rules” link.

Additionally, you can view current rules from the Secretary of State website (<http://www.sos.state.tx.us/tac/index.shtml>), which is linked to on our homepage under the “Laws and Rules” link as well.

OUR PHILOSOPHY:

The Board and its staff will act in accordance with the highest standards of ethics, accountability, efficiency and openness. We affirm that protection from less than quality veterinary and equine dental provider services is a public and private trust. We approach our activities with a deep sense of purpose and responsibility. The public and regulated community alike can be assured of a balanced and sensible approach to regulation.

In Memoriam...

Let us hold our lives up to the light of those who walked before us, remembering the footprints they left behind and preserving the pathways they created.

Jack Fritts
Texas A&M Class of '53

<i>Name</i>	<i>City, State</i>	<i>Vet School/Grad Year</i>	<i>Date of Death</i>
David Chapman, DVM	Wharton, TX	TAMU/1973	February 14, 2016
Kayla Weed, LVT	San Antonio, TX		February 23, 2016
David W. Baxter, DVM	Flint, TX	TAMU/1965	March 15, 2016
William Michael Ritchey, DVM	Fredonia, TX	TAMU/1971	March 29, 2016
Everett C. Martin, Jr., DVM	Bryan, TX	TAMU/1950	April 19, 2016
Dan M. Leach, DVM	Wolfforth, TX	TAMU/1973	April 19, 2016
Stephen Shores, DVM	Earleton, FL	TAMU/1964	April 19, 2016
Charles E. Jameson, DVM	League City, TX	TAMU/1971	May 4, 2016
David Newman Shell, VM	Houston, TX	OK State/1970	May 6, 2016
Ted Franklin, DVM	Houston, TX	TAMU/1941	May 26, 2016
John D. Norris, DVM	Sulphur Springs, TX	TAMU/1968	June 1, 2016
J. Fred Love, DVM	Amarillo, TX	TAMU/1961	June 10, 2016
Oliver Forrest Green, DVM	College Station, TX	TAMU/1947	August 28, 2016

DID YOU KNOW???

All licenses are now renewed based on your birthdate, and unless you owe for more than the current year, all licenses can be renewed online through our website. In addition to the change to birth month renewal, we are no longer sending renewal certificates, licensees are required to only post their original license or a legible copy of the license.

PEER ASSISTANCE

If you or someone you know has a substance abuse problem, it is far better to voluntarily participate in the Peer Assistance Program than to run the risk of disciplinary action, up to and including license revocation. The toll free hotline number is (800) 727-5152.

Disciplinary Actions continued...

Disciplinary actions taken at the April 19, 2016 meeting:

Name	License #	City, State	Disciplinary Action	Disciplinary Order
Wayne Koski, DVM	2770	Ravenna, TX	Voluntary surrender of license	2015-076
Herman Rathke, DVM	2272	Del Rio, TX	Formal reprimand and must pay an administrative penalty, must obtain additional CE	2016-015
William Rasch, DVM	13626	Boerne, TX	Formal reprimand, must obtain additional CE, and must pay restitution	2016-058
Glen Campbell, DVM	6791	Garland, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2016-061
Abra Wright, DVM	10175	Whitesboro, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2016-064
Kimberly Simpson, DVM	8674	Bedford, TX	Formal reprimand and must take the jurisprudence exam	2016-099
Jaime Presley, DVM	10615	San Marcos, TX	Formal reprimand and must pay an administrative penalty	2016-101
Bud Alldredge III, DVM	7820	Cleveland, TX	Formal reprimand, must pay an administrative penalty, and must take the jurisprudence exam	2016-121

Disciplinary actions taken at the July 19, 2016 meeting:

Name	License #	City, State	Disciplinary Action	Disciplinary Order
David Faulkner, DVM	5248	Amarillo, TX	Formal reprimand, must pay an administrative penalty, and must obtain additional CE	2015-092
Tiffany Imke, DVM	13490	Midland, TX	Formal reprimand	2016-063
John Montalbano, DVM	11256	Harlingen, TX	Formal reprimand, must pay restitution	2016-090
Bruce Hardesty, DVM	7183	Austin, TX	Formal reprimand, must pay an administrative penalty, 2 year probated suspension	2016-107
Edwin McLeod, DVM	2794	Round Rock, TX	Formal reprimand, must pay an administrative penalty, must obtain additional CE, 1 year suspension with all but 60 days probated	2016-122, 2016-123, 2016-124, 2016-125
Jeffrey Schall, DVM	8608	Haslet, TX	Suspended	2016-150
Eddy Soranaka, DVM	10768	Corpus Christi, TX	Revocation	2016-151

While it may appear that the number of disciplinary actions has increased, there has been a significant delay in the publication of this newsletter. The delay is due in part to one time consuming case that has also generated an increase in the number of information requests. In addition, the agency is currently undergoing the Sunset review process which has also added to the workload of our small staff.

Cease and Desist Orders

The following Cease & Desist Orders have been signed and approved by the Board. Additional information on the action taken can be found on our website by through the Cease & Desist Orders link on the left hand side of the page.

Cease and Desist actions taken at the January 27, 2015 meeting:

Docket #	Name	City, State	Violation
CD2015-001	JoAnn Ellis	Missouri City, TX	diagnosing and treating
CD2015-002	Susan Belden		diagnosing and treating
CD2015-003	Vicki Ellis		diagnosing and treating
CD2015-004	Cortney Stewart		diagnosing and treating
CD2015-005	Miranda Lester	Paris, TX	diagnosing and treating
CD2015-006	Amanda Hill	Paris, TX	diagnosing and treating
CD2015-007	Bobbie Caviness	San Juan, TX	prescribing medication for treatment of an animal
CD2015-008	Jose Alfredo Chavez	Edinburg, TX	diagnosing and treating
CD2015-009	Carol Barnett	McKinney, TX	diagnosing and treating
CD2015-010	Sherry Foster		practicing equine dentistry without a license
CD2015-012	Kathi Perry, D.C.	Arlington, TX	diagnosing and treating
CD2015-015	Jody McIntier	Wolfe City, TX	diagnosing and treating
DK2014-169	Sheridan George, Jr.	Irving, TX	prescribing medication for treatment of an animal

Cease and Desist actions taken at the July 21, 2015 meeting:

Docket #	Name	City, State	Violation
CD2015-013	Herly Amadeo	Pleasanton, TX	attempting to practice veterinary medicine and equine dentistry
CD2015-016	Jewel Johnson	Big Spring, TX	prescribing
CD2015-017	Kathleen Shaw	Friendswood, TX	diagnosing and treating
CD2015-018	James Helzer	Whitesboro, TX	diagnosing and treating
CD2015-019	Andreana Price	Livingston, TX	animal sterilization
CD2015-020	Shannon Lipka	Double Oak, TX	prescribing and administering vaccines
CD2015-022	Glenda Alford	Teague, TX	prescribing and administering vaccines
CD2015-023	Lena Erwin	Teague, TX	prescribing and administering vaccines
DK2014-108	John Sosa	El Paso, TX	administering rabies vaccine
DK2014-272	Scott Dennis		non-licensed ownership of a clinic

Cease and Desist Orders continued...

Docket #	Name	City, State	Violation
CD2015-025	Christine Watson	Grand Prairie, TX	diagnosing and treating
DK2014-228	Linda Robinson-Pardo	Hewitt, TX	non-licensed ownership of a clinic
CD2015-028	Danny Jackson	Mize, MS	diagnosing and treating

Cease and Desist actions taken at the January 26, 2016 meeting:

Docket #	Name	City, State	Violation
CD2015-027	Les Davis		Equine dentistry
CD2016-031	Samantha Stack	Houston, TX	non-licensed ownership of a clinic
CD2016-032	Frank Stack	Houston, TX	non-licensed ownership of a clinic
CD2016-033	Carol Stack	Houston, TX	non-licensed ownership of a clinic
CD2016-034	John Ethridge		non-licensed ownership of a clinic
CD2016-037	Matthew Klotz	Joshua, TX	treating an animal
CD2016-038	Darci Stotts	San Angelo, TX	treating an animal
CD2016-043	Neil Hartman	Marion, TX	treating an animal
CD2016-044	Minda Harris	The Woodlands, TX	treating an animal

Cease and Desist actions taken at the April 19, 2016 meeting:

Docket #	Name	City, State	Violation
CD2016-045	Jamie Bakke	Kingwood, TX	diagnosing and treating
CD2016-046	Katia Marquez	Crystal City, TX	practicing without a license
CD2015-021	Janek Vluggen	Austin, TX	Equine & Canine Osteopathy

Cease and Desist actions taken at the July 19, 2016 meeting:

Docket #	Name	City, State	Violation
CD2016-035	Jennifer Weems	Raleigh, NC	diagnosing or offering to diagnose
DK2016-180	Destini Mize	Burleson, TX	practicing veterinary medicine without a license

UPCOMING IMPORTANT DATES

September 5, 2016	Labor Day—TBVME offices closed
October 18, 2016	TBVME Board Meeting
November 10, 2016	Sunset Public Hearing
November 11, 2016	Veteran's Day—TBVME offices closed
November 24-25, 2016	Thanksgiving—TBVME offices closed

Disciplinary Actions continued...

In addition to the disciplinary actions previously listed there were an additional 129 actions taken. These actions are grouped by violation category below.

Number of Licensees Disciplined	Penalty	Rule Violations
3	Informal Reprimand	Avoidance of Conflicting Interest, Supervision of Non-Licensed Persons, Delegation and supervision of animal care tasks
20	Administrative Penalty, Continuing Education	CE
1	Administrative Penalty, Informal Reprimand	Commits fraud or deception in the examination process or to obtain a license
3	Informal Reprimand	Controlled Substances Records Keeping for Drugs on Hand
59	Administrative Penalty, DEA Registration Restriction	Controlled Substance Registration
4	Administrative Penalty, Informal Reprimand	Default on student loan/child support payments
3	Administrative Penalty, Informal Reprimand	failure to maintain confidentiality
4	Informal Reprimand	Failure to notify the board of a temporary limited service veterinary services
1	Informal Reprimand	Failure to refer a case
2	Administrative Penalty, Informal Reprimand	Failure to report criminal activity
1	Administrative Penalty, Jurisprudence, Informal Reprimand	Labeling of Medications Dispensed, Use of Prescription Drugs, VCPR (veterinarian-client-patient-relationship)
1	Continuing Education, Informal Reprimand	Loss of Accreditation
1	Continuing Education, Informal Reprimand	patient records release and charges
4	Informal Reprimand	Performs or prescribes unnecessary or unauthorized treatment
6	Restitution, Informal Reprimand	Professional standard of care
2	Administrative Penalty, Continuing Education, Informal Reprimand	Professional Standard of Care, Patient Record Keeping
1	Continuing Education, Informal Reprimand	Professional Standard of Care, performs or prescribes unnecessary or unauthorized treatment
2	Continuing Education, Restitution, Informal Reprimand	Professional Standard of Care, Veterinarian Patient Record Keeping
1	Jurisprudence, Informal Reprimand	Prohibition against interference or intervention
1	Informal Reprimand	Rabies control
5	Jurisprudence, Informal Reprimand	Record Keeping
1	Administrative Penalty, Informal Reprimand	Responsibility for Licensure of Licensed Persons, CSR
1	Informal Reprimand	Responsibility for Unlicensed Employees Professional Standard of Care
1	Peer Assistance	Substance abuse
1	Informal Reprimand	Supervision of Non-Licensed Persons, performs or prescribes unnecessary or unauthorized treatment

ADA ACCOMMODATIONS

The TBVME does not discriminate on the basis of race, color, religion, sex, national origin, age or disability in employment or in the provision of services, programs, or activities. Individuals requesting reasonable accommodations should contact the Board's ADA Coordinator, Loris Jones, at 333 Guadalupe, Ste. 3-810, Austin, TX 78701-3998, or call (512) 305-7555 or by email at loris@veterinary.texas.gov.

TEXAS PRESCRIPTION MONITORING PROGRAM

The Texas Prescription Monitoring Program (PMP) collects prescription data on ALL Schedule II, III, IV, and V controlled substances dispensed by a pharmacy in Texas or to a Texas resident from a pharmacy located in another state.

The Texas Prescription Program (TPP) was created by the 67th Texas Legislature in 1981 becoming effective January 1, 1982, to monitor Schedule II controlled substance prescriptions. Effective September 1, 2008, the Texas Legislature expanded the TPP to include the monitoring of Schedule III through V controlled substance prescriptions. Beginning September 1, 2016, the PMP transfers from the Texas Department of Public Safety to the Texas State Board of Pharmacy. Although controlled substances have valid medical uses, they also have potential for abuse and addiction. Diversion of prescription drugs is a significant abuse problem, and this program was created to be an efficient, cost effective tool for investing and preventing drug diversion. Federal controls monitor the substances from manufacture through distribution to retail facilities. The program seeks to educate and control misuse by following controlled substances to the ultimate user. The PMP may be used by practitioners and pharmacists to verify their own records and inquire about patients. In addition, the program may be used to generate and disseminate information regarding prescription trends.

Pharmacies that dispense Schedule II, III, IV, and V are required to report the information directly to the Texas State Board of Pharmacy's contracted vendor, APPRISS. Prescription data is reported by the prescriber's Federal (DEA) number. Prescribers and pharmacies are required by statute to have a current Federal (DEA) registration in order to possess, administer, prescribe or dispense controlled substances. Pharmacies are required to submit data to the PMP no later than the 7th day after the prescription is completely filled. However, pharmacies may submit more frequently.

Pharmacies, who fail to report, are subject to an administrative, civil, or criminal penalty. Access to the prescription data is statutorily restricted. The information is available to practitioners and pharmacies who are inquiring about their own prescribing or dispensing history on their patients. State regulatory boards have access as well. A person who knowingly gives, permits or obtains unauthorized access to this information, is subject to criminal penalty.

Regulations regarding Controlled Substances are found in the Texas Health and Safety Code, Chapter 481; Texas Administrative Code, Title 22, Part 15, Chapter 315; and the Code of Federal Regulations, Chapter 21, Part 1300.

Additional information on the Prescription Monitoring Program, including frequently asked questions and an informational video, may be found on the Texas State Board of Pharmacy's website <http://www.pharmacy.texas.gov/PMP/Default.asp>.