This negotiated settlement has been entered by agreement between Dr. Beasley, the Texas State Board of Veterinary Medical Examiners staff, and in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement the defendant, Dr. Beasley will be granted a continuance at his option.

Dr. Beasley does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that, accordingly, the Board may treat the allegations of fact and law as true, which findings shall have the same force and effect as if evidence and argument were presented in support of the allegations, and based thereon, the Board found the allegations to be true. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

SUMMARY OF CHARGES:

Failure to maintain adequate patient records; failure to exercise the same care, skill and diligence in treating a patient, and failure to adequately label medication dispensed.

RECOMMENDED DISCIPLINARY ACTION:

1. Two years suspension with the entire period probated.
2. Pay a penalty in the sum of $1,000.00.

CONDITIONS:

1. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.

4. File quarterly reports with the Board certifying compliance with this Negotiated Settlement.

KENNETH V. BEASLEY, D.V.M.

Date

Buddy Mathijetz, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
The foregoing Agreed settlement, entered into between Dr. Beasley, the Board Secretary, and Board Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 10th day of June, 1993, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Findings and Orders issued.

Executed this the 10th, day of June, 1993.

Larry M. Dubuisson, D.V.M., President

Clark S. Willingham, Vice-President

Al F. Hopkins, Jr., D.V.M., Secretary

Olivia R. Eudaly, Member

Absent

James N. Gomez, D.V.M., Member

Robert D. Lewis, D.V.M., Member

Joyce G. Schiff, Member

Guy A. Sheppard, D.V.M., Member

John A. Wood, D.V.M., Member

June 10, 1993

Date
BEFORE ME, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Matthew Wendel, who after being duly sworn, did depose and say:

On or about November 5, 1992, Matthew Wendel, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one Kenneth V. Beasley, D.V.M., 7521 Jensen Drive, Houston, TX 77093, Veterinary License Number 1968, 1993 Renewal Certificate Number 1851, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Matthew Wendel, do hereby present the following complaint against Kenneth V. Beasley, D.V.M.

I.

On or about September 23, 1992, Raymond Washington presented his seven month old Chow mix "Lady", to Dr. Kenneth Beasley at the Camden Veterinary Clinic.

II.

The dog was presented in a weak condition and not able to walk. She passed considerable amounts of bloody fecal material. Dr. Beasley diagnosed the dog with parvo and suggested euthanasia.
III.
Dr. Beasley's patient records reflect he administered an unknown amount of Benzelmin wormer with Vi-Sorbin, orally; an unknown amount of Vitamin B12, Vitamin K and Atropine. Dr. Beasley also dispensed 20, 250 mg Ampicillin capsules. The patient records do not include dosages of medications administered and details necessary to substantiate a diagnosis.

IV.
Although Dr. Beasley instructed Mr. Washington to give "Lady" a mixture of 3-4 ounces of 1/2 Gatorade and honey every hour or so as often as possible, until the dog started eating, he failed to treat "Lady" for parvo with the same skill, care and diligence that would have been performed by the average veterinarian under the same or similar circumstances. In particular, Dr. Beasley failed to give an adequate volume of parenteral fluids.

V.
The label on the container of Ampicillin dispensed by Dr. Beasley to Mr. Washington contained the following information only: "Lady, 1 capsule twice daily". The label did not contain name and address of veterinarian; the client's name; species; name, strength and quantity of drug dispensed.

VI.
The activities described in paragraphs III and IV violated Rule 573.22, Professional Standard of Humane Treatment, and Rule 573.52 Patient Record Keeping, of the Rules of Professional Conduct, and 14(a) 5 of the Veterinary Licensing Act.
VII.
The allegation described in paragraph V violated Rule 573.40 Labeling of Medications Dispensed, of the Rules of Professional Conduct and Section 14(a) 5 of the Veterinary Licensing Act.

VIII.
The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Kenneth V. Beasley’s Veterinary License under the Texas Veterinary Licensing Act, V.A.C.S., Article 8890, (formerly Article 7465a) Section 14 which states in part:

ARTICLE 8890, SECTION 14 (a)
"... the Board may revoke or suspend a license, impose a civil penalty, place a person whose license has been suspended on probation, or reprimand a licensee... if it finds that a licensee:

(5) has engaged in practices or conduct in connection with the practice of veterinary medicine which are violative of the standards of professional conduct as duly promulgated by the Board in accordance with law;
ARTICLE 8890, SECTION 14B

(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess a civil penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 23rd day of April, 1993.

Further, Affiant sayeth not.

Matthew Wendel, Affiant

SUBSCRIBED and SWORN TO before me by the said Matthew Wendel this the 23rd day of April, 1993.

Joseph J. Rizzo, Notary Public in and for Texas
The foregoing Complaint is hereby filed and docketed with the Texas State Board of Veterinary Medical Examiners and styled Texas State Board of Veterinary Medical Examiners vs. Kenneth V. Beasley, D.V.M. under Docketed Number 1993-13, this the 24 day of April, 1993.

ALTON F. HOPKINS, D.V.M., Secretary
Texas Board of Veterinary Medical Examiners