



Voss without physically examining the animal. Ms. Voss states that this was the pattern of practice between her and Respondent.

4. Respondent admits to selling Ms. Voss bottles of medication for use in her rescue operation as he was consistently prescribing the same medication. The large volume was sold to Ms. Voss without a specific patient being prescribed the medication.

5. Ms. Voss provided the Board with texts from February 2013 showing Respondent providing dose instructions for medication Ms. Voss already had in supply and for an animal Respondent had not examined.

### **Conclusions of Law**

1. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules.

2. Based on Findings of Fact 1 through 5, Respondent violated Section 801.351 of the Veterinary Licensing Act, Texas Occupations Code, by failing to establish a veterinarian-client-patient relationship by examining the animal in order to attain sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the animal's medical condition.

3. Based on Findings of Fact 1 through 5, Respondent violated Rule 573.22, PROFESSIONAL STANDARD OF CARE, of the Board's Rules of Professional Conduct, by failing to examine an animal prior to diagnosing, prescribing, and dispensing drugs, and by failing to examine an animal when information from the client indicated that the animal was not responding to a prescribed treatment.

4. Based on Findings of Fact 1 through 5, Respondent has violated Rule 573.40, LABELING OF MEDICATIONS DISPENSED, of the Board's Rules of Professional Conduct, by dispensing medications in bulk and without a veterinarian-client-patient relationship, Respondent inherently failed to include on the label the patient name, the strength and quantity to be dispensed, the directions for use, and the date of dispensing.

5. Based on Findings of Fact 1 through 5, Respondent has violated Rule 573.41, USE OF PRESCRIPTION DRUGS, of the Board's Rules of Professional Conduct, by failing to establish a veterinarian-client-patient relationship prior to prescribing, dispensing, delivering, or ordering delivered prescription drugs.

6. Based on Findings of Fact 1 through 5, Respondent has violated Rule 573.52, VETERINARIAN PATIENT RECORDKEEPING, of the Board's Rules of Professional Conduct, by failing to record required information, including but not limited to details necessary to substantiate the examination, diagnosis, or treatment provided; the patient's weight if required

for diagnosis or treatment; and the names, dosages, and routes of administration of drugs prescribed, administered, and dispensed.

7. Based on Findings of Fact 1 through 5, and Conclusions of Law 1 through 6, Respondent has violated Sections 801.402 (4) and (6) of the Veterinary Licensing Act, Texas Occupations Code, and is subject to disciplinary action by the Board:

801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY ACTION. A person is subject to denial of a license or to disciplinary action under Section 801.401 if the person:...

(4) engages in...illegal practices in, or connected with, the practice of veterinary medicine...

(6) engages in practices or conduct that violates the board's rules of professional conduct...

8. Based on Conclusions of Law 1 through 7, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may: (a)

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose an administrative penalty.

.... (d) In addition to other disciplinary actions authorized by this subchapter, the board may require a license holder who violates this chapter to participate in a continuing education program.

9. Based on Conclusions of Law 2 through 8, Respondent may be disciplined in the manner set out in Section 801.451, IMPOSITION OF ADMINISTRATIVE PENALTY, of the Veterinary Licensing Act, which authorizes an administrative penalty for violations of the Act and Board rules.

NOW, THEREFORE, THE BOARD AND RESPONDENT AGREE AS FOLLOWS:

Based on the above Findings of Fact and Conclusions of Law, the Board orders that Respondent receive a FORMAL REPRIMAND.

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of FIVE HUNDRED DOLLARS (\$500.00). If Respondent fails to pay the administrative penalty within 45 days of the date of this Agreed Order, Respondent's license may be suspended until the penalty is paid.

The Board further ORDERS that:

1. Respondent shall abide by the Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.
2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Agreed Order.
3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

Respondent, by signing this Agreed Order, acknowledges him understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law set forth herein, and agrees that she will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board.

Respondent, by signing this Agreed Order, waives him right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that she had the right to be represented by legal counsel in this matter.

**RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.**

The effective date of this Agreed Order shall be the date it is adopted by the Board.

**I, STEPHEN BOWMAN, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND BY SIGNING IT, I WAIVE**

CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

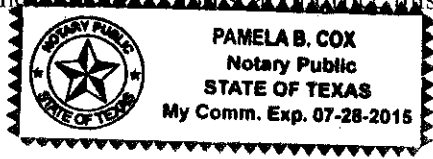
Steph Bowman DVM  
STEPHEN BOWMAN, D.V.M.

2-19-14  
DATE

STATE OF TEXAS §  
COUNTY OF Guadalupe §

BEFORE ME, on this day, personally appeared STEPHEN BOWMAN, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 19<sup>th</sup> day of February, 2014.



[Signature]  
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 3<sup>rd</sup> of June, 2014.

[Signature]  
Bud E. Alldredge, Jr., D.V.M., President