

Ms. Morgan requested that the extraction procedure be moved up. Respondent stated that he wanted to give the antibiotics more time. Ms. Morgan began syringe-feeding Lacey.

7. On December 5, 2016, Lacey had not improved so Ms. Morgan presented her to Respondent. Upon presentation, Lacey was lethargic, slightly dehydrated, and had increased swelling. Respondent administered intravenous fluids, performed bloodwork, and continued the Clindamycin. Lacey's bloodwork revealed significant leukocytosis with toxic changes and bands, a decreased platelet count, and hypoalbuminemia. Respondent informed Ms. Morgan that he did not feel Lacey was healthy enough to be anesthetized to perform the tooth extraction. Respondent informed Ms. Morgan that he was concerned about neoplasia, and offered to refer Lacey to another veterinarian with additional diagnostic capabilities.

8. Respondent hospitalized Lacey overnight. He continued intravenous fluids and administered penicillin-G, Baytril, and Dexamethasone, as well as Gabapentin for pain. Respondent discontinued Meloxicam, which had not been given for 36 hours.

9. On December 6, 2016, Lacey's overall condition had not improved and the swelling had increased. Respondent offered to refer Lacey to another veterinarian, and also discussed quality of life and euthanasia. Ms. Morgan took Lacey home later that day.

10. On December 7, 2016, Ms. Morgan presented Lacey to Denise Smith, D.V.M., at Main Street Veterinary Hospital in Flower Mound, Texas. Dr. Smith administered supportive care and scheduled Lacey for an appointment the following day with her associate, Heidi Lobprise, D.V.M., D.A.V.D.C.

11. On December 8, 2016, Ms. Morgan presented Lacey to Dr. Lobprise. Dr. Lobprise performed surgery and extracted several teeth, along with portions of surrounding bone that had deteriorated. Lacey recovered normally from the surgery, but continued to decline over the following days. Lacey was euthanized on December 12, 2016.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Chapter 801, the Board has jurisdiction over this matter. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules. Respondent received notice as required by law.

2. Respondent has violated Board Rule 573.24, Responsibility of a Veterinarian to Refer a Case, of the Board's Rules of Professional Conduct.

3. Respondent has violated Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code.

4. Respondent is subject to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.

5. Pursuant to Board Rule 575.25, Respondent's violations are Class C violations, and Respondent is subject to disciplinary action under that Rule.

TERMS OF ORDER

Now, therefore, the Board and Respondent agree to the following terms:

1. REPRIMAND

- a. Respondent is hereby informally reprimanded by the Board. This informal reprimand will not be published in the Board's newsletter and will not be routinely reported to the American Association of Veterinary State Boards (AAVSB) for inclusion in the national reporting database. A copy of this informal reprimand will be forwarded to the AAVSB if specifically requested by that organization.

2. CONTINUING EDUCATION

- a. In addition to the annual continuing education required for license renewal, Respondent shall complete three (3) hours of continuing education in the area of small animal dentistry within one year of the date the Board approves this Order. These hours shall be in addition to Respondent's annual continuing education requirements. Respondent shall submit documentation of the completed continuing education penalty and the required annual continuing education to the Board within one year and 30 days of the date the Board approves this Order. Documentation shall be submitted directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

3. ADHERENCE TO THE LAW AND BOARD RULES

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

The effective date of the terms of this Order shall be the date it is adopted by the Board, unless stated otherwise.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains the entire agreement, and there is no other agreement of any kind. I waive the right to any further proceedings, including a formal hearing, and the right to seek judicial review of this Order.

Received

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I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions of the Order in a timely manner. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and appropriate disciplinary action as a result of my noncompliance.

Texas State Board of
Veterinary Medical Examiners

Signed this 21st day of March, 2018.

Cody Bullock, D.V.M.
Cody Bullock, D.V.M.

Sworn and subscribed before me this 21 day of March, 2018.

SEAL:



Jacie Murray
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 10 day of April, 2018.

Jessica Quillivan
Jessica Quillivan, D.V.M., Presiding Board Member