

(Enclosed)

TEXAS STATE BOARD OF VETERINARY		TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS		LICENSE NO. 2724
vs .		1987 RENEWAL CERTIFICATE
JOE EDWARD CANNON, D.V.M.		NUMBER 2693

FINDINGS, CONCLUSIONS AND ORDERS OF THE BOARD

On the 4th day of February, 1988, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Westin Hotel, El Paso, El Paso County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint as well as for consideration of other Board business, and the above entitled and numbered complaint having been previously scheduled for hearing and Defendant, the said JOE EDWARD CANNON, D.V.M., having been duly notified and the following members of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present to-wit:

DR. W. L. "DUB" ANDERSON, President	of Addison, TX
MR. JIM F. HUMPHREY, Vice-President	of Henrietta, TX
DR. FRED K. SOIFER, Secretary	of Houston, TX
DR. LARRY M. DUBUISSON, Member	of Weslaco, TX
MRS. OLIVIA R. EUDALY, Member	of Crowley, TX
MR. MIKE LEVI, Member	of Spicewood, TX
DR. ROBERT D. LEWIS, Member	of Elgin, TX
DR. MARY E. MAINSTER, Member	of San Antonio, TX
DR. EDWARD S. MURRAY, Member	of Spur, TX

At 9:00 a.m., the appointed hour, the President of the Board, DR. W. L. "DUB" ANDERSON ordered the case to proceed at which time it was ascertained that JOE EDWARD CANNON, D.V.M. was not present, nor represented by legal counsel; the Board then proceeded and on the same day, February 4, 1988, all of the above members of said Board being present and participating with the exception of the Secretary of the Board, makes the following findings to-wit:

FINDINGS OF FACT

I.

JOE EDWARD CANNON, D.V.M. is a doctor of veterinary medicine, licensed to practice veterinary medicine in the State of Texas under License Number 2724, 1987 Renewal Certificate Number 2693.

II.

Dr. Cannon received notice of this hearing on or about January 19, 1988.

III.

The Respondent administered the following dosages of Ritalin, 20 mg., (Methylphenidate Hydrochloride), a Schedule II drug, on the dates reflected for training purposes and when not necessary or required for care of the animals:

<u>CLIENT</u>	<u>DATE ADMINISTERED</u>	<u>QUANTITY</u>	<u>STRENGTH</u>
JOHN TALLEY	May 26, 1986	12 tabs.	20 mg.
JERRY LOZENBY	March 10, 1986	10 tabs.	20 mg.
	March 5, 1987	24 tabs.	20 mg.
	March 6, 1987	24 tabs.	20 mg.
	March 9, 1987	24 tabs.	20 mg.
	March 10, 1987	27 tabs.	20 mg.
TOTAL ADMINISTERED:		121 Tablets	

CONCLUSIONS OF LAW

I.

By administering the 121 tablets of 20 mg. Ritalin, (Methylphenidate Hydrochloride) for training purposes and when not necessary or needed for the care of the animals, JOE EDWARD CANNON, D.V.M. has violated Rule 33 of the Rules of Professional Conduct which states:

RULE 33 -

It shall be unprofessional and a violation of the Rules of Professional Conduct for the veterinary profession for a veterinarian to prescribe, provide, obtain, order, administer, possess, dispense, give or deliver to or for any person, narcotic drugs, dangerous drugs, or any controlled substances that are not necessary or required for the care of animals, or where the use or possession of such drugs would promote addiction thereto. For purposes of the rule the term Narcotic Drugs, Dangerous Drugs, and Controlled substances shall mean those which are defined and recognized as such by any law of the State of Texas or of the United States.

II.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Cannon's veterinary license under the Texas Veterinary Licensing Act, Article 7465a, V.A.T.C.S., Section 14(e) which states:

Article 7465a, Section 14(e), Veterinary Licensing Act -

" . . . the Board may revoke or suspend a license, place a person whose license has been suspended on probation or reprimand a licensee, . . . if it finds that an applicant or licensee:

(3) 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 the law."

ORDERS

Dr. Cannon was not present; however, a Negotiated Settlement was reached between Dr. Cannon, his attorney, Mr. Jonathan Smith, and Board Staff prior to the hearing. A majority of the Board voted to accept the Negotiated Settlement (attached) and Texas Veterinary License No. 2724 heretofore issued to JOE EDWARD CANNON, D.V.M. by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS is HEREBY SUSPENDED for one year with the entire period being PROBATED. Dr. Cannon is to obtain 15 hours of continuing education during the probationary year and pay a civil penalty of \$1,000.00. Further, Dr. Cannon is to provide quarterly reports to the Board indicating continued compliance with this Order and abide by the laws and rules of the State of Texas as they pertain to the practice of veterinary medicine.

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
1946 South IH-35, Box 113
Austin, TX 78745

DOCKET NUMBER 1988-4
JOE EDWARD CANNON, D.V.M.
LICENSE NUMBER: 2724

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Joe Edward Cannon, his attorney Mr. Jonathan Smith, and the Texas State Board of Veterinary Medical Examiners staff 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. Cannon will be granted a continuance at his option.

Dr. Cannon will not contest the allegations set forth in the Complaint 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/she 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:

Administering the scheduled drug Ritalin for use in training horses and not for a medical purpose.

RECOMMENDED DISCIPLINARY ACTION:

1. One (1) year suspension, all probated, effective February 4, 1988.

CONDITIONS:

1. Agree to a civil penalty of one thousand (\$1,000.00) dollars.
2. Obtain fifteen (15) hours of Continuing Education during the probation year.
3. Provide quarterly reports to the Board indicating continued compliance with this Order.
4. Abide by the laws and rules of Texas as they pertain to the practice of veterinary medicine.

Donald B. Wilson
Donald B. Wilson, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL
EXAMINERS

Joe E. Cannon
JOE EDWARD CANNON, D.V.M.

Penny Boyer
Witness

*Advised
minutes
5/1/88*

[Handwritten scribbles]

~~*[Handwritten signature]*~~

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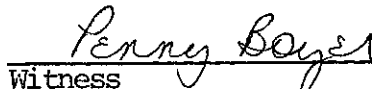
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Donald B. Wilson, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL
EXAMINERS


JOE EDWARD CANNON, D.V.M.


Witness

DOCKETED COMPLAINT NO. 1988-4

TEXAS STATE BOARD OF VETERINARY		TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS		LICENSE NO. 2724
vs .		1987 RENEWAL CERTIFICATE
JOE EDWARD CANNON, D.V.M.		NUMBER 2693

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CONCLUSIONS OF LAW

I.

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The foregoing Findings and Orders of the Texas State Board of Veterinary Medical Examiners are ORDERED to be entered as the FINDINGS AND ORDERS of the Board, a quorum and a majority of the members of such Board being present and participating in such hearing, deliberations and decision, and such FINDINGS AND ORDERS are made on the 4th day February, 1988, in El Paso, El Paso County, Texas.

The Secretary of the Board is hereby ordered to prepare the Board's Findings and Orders in appropriate form and submit to the members of the Board for their signatures and to mail a copy of same to the Respondent at his last known address.

Executed this 4th day of February, 1988.

W. L. Anderson, D.V.M.
W. L. "Dub Anderson, D.V.M., President

February 4, 1988
Date

Jim F. Humphrey
Jim F. Humphrey, Vice-President

"
Date

Fred K. Soifer, D.V.M.
Fred K. Soifer, D.V.M., Secretary

"
Date

Larry M. Dubuisson, D.V.M.
Larry M. Dubuisson, D.V.M., Member

"
Date

Olivia R. Eudaly
Olivia R. Eudaly, Member

"
Date

Mike Levi
Mike Levi, Member

"
Date

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

"
Date

Mary E. Mainster, D.V.M.
Mary E. Mainster, D.V.M., Member

"
Date

Edward S. Murray, D.V.M.
Edward S. Murray, D.V.M., Member

"
Date

DOCKETED COMPLAINT NO. 1988-4

TEXAS STATE BOARD OF VETERINARY | TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS | LICENSE NO. 2724
 | 1987 RENEWAL CERTIFICATE
 | NUMBER 2693
vs. |
JOE EDWARD CANNON, D.V.M. |

COMPLAINT AFFIDAVIT FORM

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

"I, THOMAS CHESHIRE, being an employee of the Texas Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one DR. JOE EDWARD CANNON, Parkway Animal Clinic, 629 North Carrier Parkway, Grand Prairie, Dallas County, Texas, Texas Veterinary License Number 2724, 1987 Renewal Certificate Number 2693, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, THOMAS CHESHIRE do hereby present the following complaint against JOE EDWARD CANNON, D.V.M., who is hereinafter called Respondent.

I.

Respondent dispensed the following dosages of Ritalin, 20 mg., (Methylphenidate Hydrochloride), a Schedule II drug, on the dates reflected for training purposes and when not necessary or required for care of the animals:

<u>CLIENT</u>	<u>DATE DISPENSED</u>	<u>QUANTITY</u>	<u>STRENGTH</u>
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TOTAL DISPENSED:		121 Tablets	

II.

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Article 7465a, Section 14(e), Veterinary Licensing Act -

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The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 21st day of December, 1987.

Further, Affiant sayeth not.



THOMAS CHESHIRE, Affiant

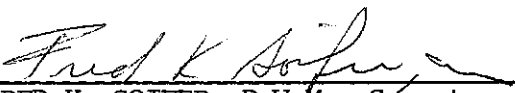
SUBSCRIBED and SWORN TO before me by the said THOMAS CHSHIRE, this the 21st day of December, 1987.



JUDY C. SMITH
Notary Public in and for Texas

My Commission Expires: September 13, 1989.

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. JOE EDWARD CANNON, D.V.M. under Docketed Number 1988-4, this the 22th day of December, 1987.



FRED K. SOIFER, D.V.M., Secretary
TEXAS STATE BOARD OF VETERINARY
MEDICAL EXAMINERS