

DOCKET NO. DK2018-067

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
PAUL DEAN, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

On this day the Texas Board of Veterinary Medical Examiners ("Board") considered the matter of the license of Paul Dean, D.V.M. ("Respondent").

Respondent, without admitting the truth of the Findings of Fact and Conclusions of Law set out in this Order, waived notice and hearing and agreed to the entry of this Order. Accordingly, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order as set forth below.

FINDINGS OF FACT

1. Respondent, Paul Dean, D.V.M., of Fort Worth, Texas, holds Texas veterinary license 4930.
2. On August 7, 2017, John and Shelley Stewart presented their seven-year-old female Pit Bull, Bailey, to Respondent at Fort Worth/Mustang Veterinary Surgical ("the facility") in Fort Worth, Texas, for ongoing lameness.
3. Respondent examined Bailey and observed grade 1 lameness on the left rear leg. Respondent informed Mr. and Ms. Stewart that he suspected a cranial cruciate ligament (CCL) insufficiency, and discussed surgical options. Mr. and Ms. Stewart opted for a lateral suture with nylon for the left rear leg. Respondent stated that he also discussed the possibility of a CCL tear in the right rear leg with Mr. and Ms. Stewart at this time, but Respondent's medical records do not reflect any concerns or communications regarding Bailey's right leg.
4. On August 9, 2017, Mr. and Ms. Stewart presented Bailey to Respondent for the surgical procedure. A veterinary assistant, Courtney Stokan, mistakenly prepared Bailey's right rear leg for surgery. Respondent did not review the medical records and proceeded to perform the surgery on the right rear leg.
5. Later that day, Mr. and Ms. Stewart took Bailey home and realized that Respondent had operated on the wrong leg. Upon reviewing the medical records, Respondent discovered that Ms. Stokan had altered the medical records to conceal the mistake. Ms. Stokan's employment was terminated.

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 573.11, Responsibility for Unlicensed Employees, 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 B 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. 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.

Certification and signature page follows.

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.

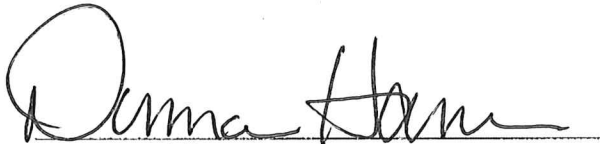
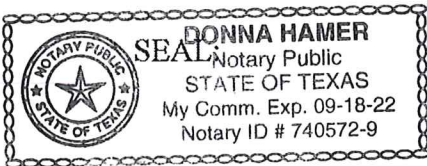
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions 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.

Signed this 27 day of November, 2018.



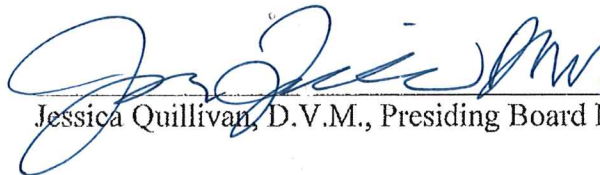
Paul Dean, D.V.M.

Sworn and subscribed before me this 27 day of November, 2018



Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 29th day of January, 2019.



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