DOCKET NO. DK2017-208

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
HAROLD EDWARDS, 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 Harold Edwards, 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


2. On February 10, 2017, Stacy Harp presented her eight-month-old, Boer goat, named Jobi, to Respondent at Bell County Veterinary Hospital in Belton, Texas, for possible urinary problems.

3. Respondent examined Jobi and performed a urinalysis that was positive for leukocytes. Respondent was unable to palpate Jobi’s bladder, so he attempted to catheterize Jobi. The medical records do not provide details of an attempt to catheterize Jobi without sedation. Respondent sedated Jobi using isoflurane gas and administered an intravenous injection of xylazine. Respondent made several unsuccessful attempts to place the catheter. Respondent contacted another veterinarian, George McKirahan, D.V.M., to come to the clinic to provide assistance.

4. While waiting for Dr. McKirahan to arrive, Jobi remained under anesthesia. Ms. Harp stated that she questioned Respondent regarding whether Jobi should be removed from the gas anesthesia. Responded stated that it was unnecessary because the gas was safe.

5. When Dr. McKirahan arrived, approximately forty-seven minutes later, he questioned why Jobi did not have a belly tube in place because he was bloating. Dr. McKirahan inserted the tube and the stomach contents were removed. Ms. Harp stated that Dr. McKirahan attempted several times to place a catheter without success. Approximately twenty minutes later, Dr. McKirahan questioned how long Jobi had not been breathing. Ms. Harp noted that no monitoring device was used on Jobi during this procedure. Attempts were made to revive Jobi without success.
6. Ms. Harp transported Jobi to the Belton Veterinary Clinic for a necropsy. The necropsy results indicated that Jobi died due to compromised renal health, poor tissue perfusion due to bloating and renal impairment, and extended anesthesia.

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 573.22, Professional Standard of Care, of the Board’s Rules of Professional Conduct.

3. Respondent has violated Board Rule 573.52, Veterinarian Patient Record Keeping, of the Board’s Rules of Professional Conduct.

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

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

6. 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 formally reprimanded by the Board. This formal reprimand may be published in the Board’s newsletter and routinely reported to the American Association of Veterinary State Boards (AAVSB) for inclusion in the national reporting database.

2. ADMINISTRATIVE PENALTY
   
   a. Respondent shall pay an administrative penalty of one thousand and five hundred dollars ($1,500.00) within 30 days of the date the Board approves this Order. Payment shall be made directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701. Partial payments will not be accepted.

   b. If Respondent does not timely pay the administrative penalty, the Board may deny
a request to renew Respondent’s license until the outstanding administrative penalty is received, pursuant to Board Rule 573.62(b). Any monetary funds paid to the Board to renew a license shall first be applied to any outstanding unpaid administrative penalties, pursuant to Board Rule 571.57. Additionally, the matter may be referred to the Attorney General for collection, pursuant to Texas Occupations Code, Section 801.458.

3. 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 large animal anesthesia (with a focus on ruminant animals) and three (3) hours of continuing education in the area of patient recordkeeping, within one year of the date the Board approves this Order. These six (6) hours shall be in addition to Respondent’s annual continuing education requirements. Respondent shall submit documentation of the completed continuing education 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.

4. 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 waive representation by counsel. 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 1st day of May, 2018.

Harold Edwards, D.V.M.

Sworn and subscribed before me this 2nd day of May, 2018.

DORA SANDLIN
Notary Public, State of Texas
Expires 08/15/2020
I.D.# 423031-7

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 31st day of July, 2018.

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

Agreed Order DK2017-208
Harold Edwards, D.V.M.