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LEGAL DEPT.

DOCKET NO. 2017-106

IN THE MATTER OF	§	TEXAS BOARD OF
THE LICENSE OF	§	VETERINARY
K.C. FERRAZZANO, 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 K.C. Ferrazzano, 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, K.C. Ferrazzano, D.V.M., of Round Rock, Texas, holds Texas veterinary license # 13485.
2. On June 8, 2016, Debbie Ramirez brought her eighteen-month-old Yorkshire Terrier, Zoe, to her regular veterinarian, Dr. Jill M. Urofsky. Dr. Urofsky confirmed that Zoe was pregnant with one puppy. The puppy was breech, and Dr. Urofsky informed Ms. Ramirez that due to Zoe's small size (approximately 2 lbs.) and the breech puppy's positioning, it appeared Zoe would not be able to deliver the puppy without complications. Ms. Ramirez was instructed to take Zoe to Emergency Pet Care of Round Rock for an emergency C-section if Zoe went into labor after hours that lasted longer than an hour and a half.
3. On June 9, 2016, at approximately 1 a.m., Zoe began showing signs of labor. At 2:35 a.m., Ms. Ramirez called the Emergency Pet Care of Round Rock and explained that Zoe needed an emergency C-section. Respondent was scheduled to be the only veterinarian present at the facility that night. Ms. Ramirez and her husband brought Zoe in at approximately 2:47 a.m. Upon presentation, the puppy's feet were evident in the vagina. Zoe was taken back for monitoring and triaged while the Ramirezes waited in an exam room. The Ramirezes believed that Zoe had been immediately admitted for surgery.
4. Respondent performed an ultrasound that showed a fetal heart rate of approximately 80bpm, and radiographs which showed that the puppy was breech. Respondent then placed Zoe in a kennel, instructed technicians to monitor her, and attended to two other emergency patients. Respondent did not refer the Ramirezes to another facility or veterinarian to perform the C-section immediately.

5. At 4:45 a.m., Respondent entered the exam room and offered treatment options for Zoe. The Ramirezes were very upset with the delay, but asked Respondent to proceed with the C-section. Respondent called another veterinarian to attend to other patients in the facility. The C-section was performed at approximately 5 a.m. Despite resuscitation efforts performed by the other veterinarian, the puppy did not survive. Zoe made a full recovery.

### 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 573.24, Responsibility of a Veterinary to Refer a Case, 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 dollars (\$1,000.00) 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 emergency critical care 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.

### 4. REFUND TO CLIENT

- a. Respondent shall refund \$1,345.35, the amount paid for Respondent's services, to Debbie Ramirez within 30 days of the date the Board approves this Order. Payment is to be made directly to Debbie Ramirez. Partial payments are not acceptable.
- b. Respondent shall submit documentation of the refund to the Board within 45 days of the date the Board approves this Order. Documentation shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

### 5. 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 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.

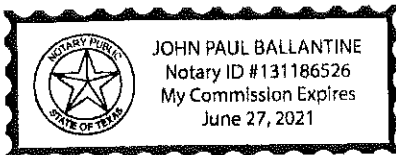
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions 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 10<sup>th</sup> day of August, 2017.

  
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K.C. Ferrazzano, D.V.M.

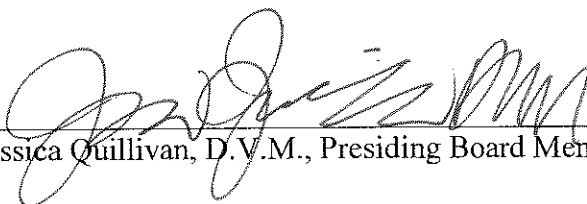
Sworn and subscribed before me this 10<sup>th</sup> day of August, 2017.

SEAL:



  
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Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 10<sup>th</sup> day of October, 2017.

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