DOCKET NO. 2018-005

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
KARAH FLESCH, 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 Karah Flesch, 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, Karah Flesch, D.V.M., of Elgin, Texas, holds Texas veterinary license 13749.

2. On July 14, 2016, Tanya Wilson presented her horse, Genie, to Respondent at Elgin Veterinary Hospital ("the Hospital") in Elgin, Texas, for a ruptured corneal ulcer. Genie stayed overnight at the Hospital and Respondent performed an enucleation surgery the following day. Respondent’s patient records state that Genie’s recovery was long, that Genie got up and down twice and was wobbly while standing. Respondent stated that Genie had her right side against a padded still the second time she was down, but this is not indicated in the patient records.

3. Respondent recommended that Genie stay at the Hospital for an additional 10 days for observation and treatment, and Ms. Wilson agreed. Ms. Wilson continued to visit Genie during this period and noted that her leg did not appear to be improving.

4. On July 25, 2016, Ms. Wilson took Genie home. Over the following days, Ms. Wilson noted that Genie had lost weight did not appear to be walking normally.


6. On August, 31, 2016, Respondent added a supplementation to Genie’s patient records regarding Genie’s lameness and client communications, but did not indicate the time and date of the supplementation nor a clear indication that the information was a supplementation.

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 573.52, Veterinarian Patient Record Keeping, 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 patient recordkeeping 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.

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 23rd day of May, 2018.

Karah Flesch, D.V.M.

Sworn and subscribed before me this 23rd day of May, 2018.

SEAL:

GARRY DESMOND
Notary ID # 129252128
My Commission Expires January 9, 2021

Notary Public

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 Quiltivan, D.V.M., Presiding Board Member