

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

Received
JUL 25 2017

Texas State Board of
Veterinary Medical Examiners

AGREED ORDER

On this day the Texas Board of Veterinary Medical Examiners ("Board") considered the matter of the license of Elton Haydel, 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, Elton Haydel, D.V.M., of Lake Jackson, Texas, holds Texas veterinary license 6907.
2. Dr. Haydel, of Lake Jackson Animal Hospital, had been the primary veterinarian for Niurka, a three-year-old pit bull terrier, since May 16, 2014. Niurka was owned by the Rosales family. On June 3, 2015, they brought Niurka to Dr. Haydel to be spayed.
3. A pre-surgical examination showed normal blood chemistry, and an IV was administered. The surgery was completed around 1:20 p.m. Mrs. Rosales was called to inform her that the surgery was finished, and Niurka was in recovery. Niurka's immediate post-operative temperature was 100F. Dr. Haydel continued to monitor Niurka's recovery for several hours. At approximately 3 p.m., Niurka's temperature had dropped to 95.1F. Respondent treated Niurka with a warming mattress, IV therapy, and several medications. Respondent tested packed cell volume at 40%, but had no previous PCV results to compare. By 5p.m., Niurka's temperature was 97.9F. Respondent did not offer exploratory surgery or perform further diagnostics to check for internal bleeding.
4. At 5:00p.m., Niurka was not stable enough to return home when Ms. Rosales arrived, and Dr. Haydel recommended that she be transferred to an Emergency Clinic for further monitoring. While attempted to prepare Niurka for transport, she became agonal and coded. She was revived successfully one time, but went into cardiac arrest again and died at approximately 6:45 p.m.
5. A post-mortem necropsy performed at Sunset Boulevard Animal Clinic by Dr. Zharkyn Omarbekov, D.V.M., revealed that the cause of death was post-surgical intra-abdominal bleeding. The necropsy showed that no sutures remained on either ovarian pedicle, indicating they likely slipped post-surgery.

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 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 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 five hundred dollars (\$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 soft tissue surgery within one year of the date the Board approves this Order. 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. 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.

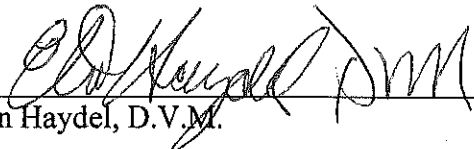
Certification and signature page follows.

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.

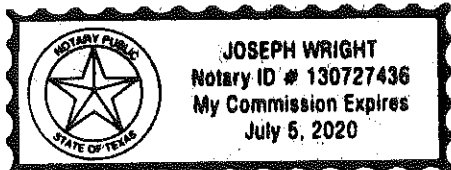
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions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

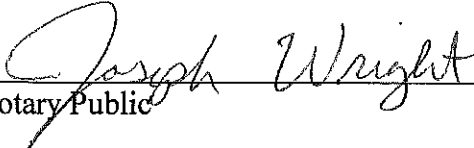
Signed this 20 day of JULY, 2017.


Elton Haydel, D.V.M.

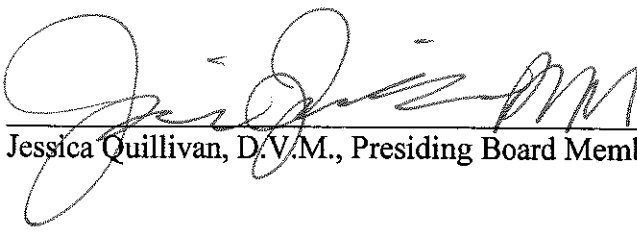
Sworn and subscribed before me this 20 day of July, 2017.

SEAL:




Notary Public

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


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