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LEGAL DEPT.

DOCKET NO. 2017-103

IN THE MATTER OF § TEXAS BOARD OF  
THE LICENSE OF § VETERINARY  
HILLARY HELLSTERN, 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 Hillary Hellstern, 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, Hilary Hellstern, D.V.M., of Dallas, Texas, holds Texas veterinary license #12298.
2. At 6:51 p.m. on Saturday, June 18, 2016, Dawn Kappus presented her four-year-old German Shepherd, Maximus, to Respondent at the Emergency Animal Clinic in Richardson, Texas. After playing in a child's pool on a hot day, Maximus was moaning and appeared to be in pain. Respondent examined Maximus, and told Ms. Kappus that she felt a mass in his abdomen.
3. Respondent took abdominal radiographs. Respondent consulted with three other veterinarians regarding the radiographs. Respondent told Ms. Kappus that she believed Maximus had possible splenic or mesenteric torsion. Respondent advised that Maximus needed immediate surgery, and had only a 2% chance of survival. Respondent further advised that if Ms. Kappus did not consent to surgery, she recommended euthanasia. Respondent did not offer any further diagnostics or recommend any alternative courses of treatment.
4. Ms. Kappus declined surgery and euthanasia. Ms. Kappus requested pain medication along with Maximus's radiographs and medical records. Ms. Kappus told Respondent that she was going to take Maximus home and bring him to a different veterinarian on Monday. Respondent advised against this, and required Ms. Kappus to sign an 'Against Medical Advice Release' form. Respondent requested that Ms. Kappus return to her if Maximus deteriorated.
5. The following Monday, June 20, 2016, Ms. Kappus took Maximus to Dr. Rick Hamlin, D.V.M., of Mercy Animal Clinic. Dr. Hamlin observed that Maximus presented clinically normal, with a wagging tail and normal examination, and palpated no abnormalities or discomfort in the abdomen. Dr. Hamlin stated that Respondent's radiographs showed significant gas in the

gastrointestinal tract, but he could not discern torsion or intussusception. Dr. Hamlin diagnosed Maximus with non-specific gastroenteritis or exocrine pancreatic insufficiency (EPI) and prescribed metronidazole. Maximus made a full recovery.

6. Following this incident, Respondent has voluntarily obtained continuing education in radiography and ultrasound diagnostics. Respondent has also voluntarily worked with a communications coach to improve her client communications.

### 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 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

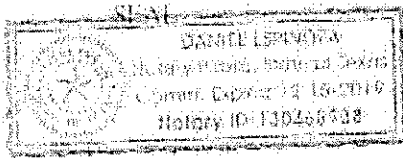
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains 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 27 day of July, 2017.

Hillary Helstrom, D.V.M.  
Hillary Helstrom, D.V.M.

Sworn and subscribed before me this 27<sup>th</sup> day of July, 2017.



[Signature]  
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.

[Signature]  
Jessica Quillivan, D.V.M., Presiding Board Member