DOCKET NO. DK2018-036

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
COLLIN HOWARD, 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 Collin Howard, 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, Collin Howard, D.V.M., of San Antonio, Texas, holds Texas veterinary license 12103.

2. On April 8, 2016, Respondent directed his veterinary assistant, James Mathis, to travel to Conroe, Texas, and collect blood samples from a sick horse. Respondent was working at the Houston Race Track and was not present when the samples were collected. While Mr. Mathis was at the premises in Conroe, Respondent directed him to collect additional blood samples from two female horses on the same premises for Piroplasmosis testing.

3. Mr. Mathis returned the following day with four blood samples. Respondent stated that the blood sample tubes were not color-coded according to his protocol, thus he directed Mr. Mathis to discard the samples that came from the sick horse.

4. Mr. Mathis prepared the remaining blood samples to be sent to the Texas A&M Veterinary Medical Diagnostic Laboratory (TVMDL) for Piroplasmosis and equine infections anemia (EIA) testing. Respondent signed official Texas Animal Health Commission forms certifying that the specimens submitted were drawn by him or under his direct supervision from the horse described on the date indicated on the form.

5. On April 10, 2016, Respondent was notified that the samples submitted were positive for Piroplasmosis. It was later determined through DNA analysis that the samples submitted were from a male horse.

6. On May 2, 2016, Respondent direct Mr. Mathis to return to the premises in Conroe, Texas, to collect blood samples from two male horses.
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 573.13, Delegation and Supervision Relating to Official Health Documents, 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 A 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. SUSPENSION AND PROBATION

   a. Respondent’s license shall be suspended for two (2) years, effective two weeks from the date this order is adopted, with said suspension stayed and Respondent placed on probation for the entire period of the suspension.

   b. During the period of probation, Respondent shall notify all present and prospective employers of this Order. Respondent shall cause employers to provide written acknowledgement to the Board that they have read and understood the Order. This acknowledgement must be provided within 30 days of the effective date of the Order for present employers, or within 15 days of undertaking new employment. This acknowledgment shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

   c. If Respondent does not timely and satisfactorily comply with any of the terms of this Order, the Board may rescind Respondent’s probation pursuant to Board Rule 575.36.

2. 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.

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 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 22nd day of MAY, 2018.

Collin Howard, D.V.M.

Sworn and subscribed before me this 22nd day of MAY, 2018.

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 JUNE, 2018.

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