

3. On October 18, 2012, Director of Enforcement Karen Phillips and Investigator Emilio Morales conducted a compliance inspection at Furry Friends Animal Hospital ("Hospital") in Harlingen, Texas, where Respondent practices veterinary medicine.

4. The compliance inspection found that Respondent failed to maintain suitable controlled substances logs by not maintaining the required data, including the correct balance on hand. Respondent's controlled substances log for Euthasol did not reflect the actual amount of Euthasol on hand.

5. The compliance inspection found that Respondent failed to provide the proper minimum security for controlled substances. Respondent stored his controlled substance inventory in a tackle box that was not resistant to entry by simple tools, and was not attached to a building structure or fixtures so as to prevent the cabinet from being physically removed from the premises.

Conclusions of Law

1. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules.

2. Based on the Findings of Fact 1 through 5, Respondent has violated Rule 573.50, CONTROLLED SUBSTANCES RECORDS KEEPING FOR DRUGS ON HAND, of the Board's Rules of Professional Conduct, which requires veterinarians to maintain at their place of business records of all scheduled drugs listed in the Texas Controlled Substances Act in their possession, including the name of the drug, the date of acquisition, the quantity purchased, the date administered or dispensed, the quantity administered or dispensed, the name of the client and patient receiving the drugs, and the balance on hand.

3. Based on Findings of Fact 1 through 5, Respondent has violated Rule 573.61, MINIMUM SECURITY FOR CONTROLLED SUBSTANCES, of the Board's Rules of Professional Conduct, which requires veterinarians to maintain their inventory of controlled substances in a substantially constructed cabinet that is resistant to entry by simple tools and permanently constructed or attached to the building structure or fixtures so as to prevent the cabinet from being physically removed from the premises.

4. Based on Findings of Fact 1 through 6 and Conclusions of Law 1 through 3, Respondent has violated Section 801.402 (6) of the Veterinary Licensing Act, Texas Occupations Code, and is subject to disciplinary action by the Board:

801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY ACTION. A person is subject to denial of a license or to disciplinary action under Section 801.401 if the person:

(6) engages in practices or conduct that violates the board's rules of professional conduct.

5. Based on Conclusions of Law 1 through 6, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may: (a)

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose an administrative penalty.

.... (d) In addition to other disciplinary actions authorized by this subchapter, the board may require a license holder who violates this chapter to participate in a continuing education program.

6. Based on Conclusions of Law 1 through 6, Respondent may be disciplined in the manner set out in Section 801.451, IMPOSITION OF ADMINISTRATIVE PENALTY, of the Veterinary Licensing Act, which authorizes an administrative penalty for violations of the Act and Board rules.

NOW, THEREFORE, THE BOARD AND RESPONDENT AGREE AS FOLLOWS:

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent receive a FORMAL REPRIMAND.

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$1500.00). If Respondent fails to pay the administrative penalty within 45 days of the date the Board approves this Order, Respondent's license may be suspended until the penalty is paid.

The Board further ORDERS that:

1. Respondent shall abide by the Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.

2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Agreed Order.

3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

Respondent, by signing this Agreed Order, acknowledges his understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law set forth herein, and agrees that he will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board.

Respondent, by signing this Agreed Order, waives his right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he had the right to be represented by legal counsel in this matter.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS 'AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

The effective date of this Agreed Order shall be the date it is adopted by the Board.

I, CHARLES JAMESON, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.


CHARLES JAMESON, D.V.M.

2-28-15
DATE

STATE OF TEXAS §
COUNTY OF Galveston §

BEFORE ME, on this day, personally appeared Charles Jameson, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 28 day of February, 2015.



Annette Hormann
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 21 July, 2015

Bud E. Alldredge, Jr.
Bud E. Alldredge, Jr., D.V.M., President