

DOCKET NO. 2015-130

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
CHRISTINA JOHNSON, 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 Christina Johnson, 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, Christina Johnson, D.V.M., of Wolfforth, Texas, holds Texas veterinary license 7559.

Dundee

2. On July 30, 2014, Terry Fullingim of Wolfforth, Texas, presented her four-year-old gelding horse, named Dundee, to Animal Medical of Wolfforth for lethargy, an elevated temperature, and a mass under his jaw. Respondent examined Dundee and diagnosed Streptococcus equi (“strangles”).

3. Ms. Fullingim requested that Dundee be tested to confirm the strangles diagnosis. Respondent obtained a nasal swab and made a small incision to swab Dundee’s left submandibular lymph node. A hemorrhage occurred at the site of the incision. Respondent anesthetized Dundee, then performed surgery in which the vessel was located and ligated. The incision was closed with staples. Respondent administered a Baytril 100mg injection subcutaneously. Baytril 100 is not labeled for use in horses and its subcutaneous application is not the standard route of administration when Baytril 100 is used in an extra-label manner in horses. Respondent believed that Baytril was a good, broad spectrum choice of antibiotics to protect against possible infection at the hemorrhage site. Dundee later developed swelling and pain at the site.

4. Dundee was discharged on August 3, 2014. After discharge, Dundee was running a fever, lethargic, and sweating profusely. The stapled area under the jaw was very swollen and did not have drainage. Ms. Fullingim contacted Respondent and reported the condition of the horse. Respondent told her to not worry and wait a day to see if Dundee made progress. Respondent denies this conversation occurred. According to Respondent, Ms. Fullingim called the clinic on

Monday, August 4, 2014, and advised that Dundee was not eating, but did not mention the sweating, fever, or lethargy, nor any swelling of the surgical site. Respondent recommended waiting a day before changing therapies.

5. On August 5, 2014, Ms. Fullingim presented Dundee to Dr. Brandon Boyles, D.V.M., in Spur, Texas. Dr. Brandon noted that Dundee had a swollen right submandibular lymph node and the left mid cervical region was enlarged. There was also an incision that had been closed with staples adjacent to the lymph node. Dr. Broyles confirmed the diagnosis of strangles. Dr. Broyles took a sample from the area under the jaw. The abscess was lanced, drained and flushed. Dr. Broyles left the area open to heal. Dundee was placed on penicillin and banamine. The cervical swelling never organized into a demarcated abscess but did ooze "strings" of purulent material for one day. Over the next month a plaque of skin died and was removed, after which it healed rapidly. Dundee was hospitalized with Dr. Broyles from August 5, 2014, through August 11, 2014.

Lilly

6. On November 27, 2013, Mary Evans and her daughter Nicole Evans-Taylor ("the Evanses") of Lubbock, Texas brought their two-year-old female Blue Heeler canine named Lilly to Respondent at Animal Medical of Wolfforth for an evaluation due to excessive burping and excessive coughing.

7. Respondent examined Lilly and diagnosed her as obese, having harsh airway sounds, having elevated gut sounds, and a heart murmur. Respondent recommended thoracic radiographs to evaluate Lilly's chest for abnormalities and a thyroid screen to determine if Lilly was hypothyroid. Respondent also recommended a heartworm test, which the Evanses declined. After reviewing the thyroid screen, Respondent stated that the thyroid levels were borderline low.

8. Respondent informed the Evanses that she auscultated a heart murmur. Respondent also stated that the thoracic radiographs revealed a possible mild heart enlargement. Respondent tentatively diagnosed Lilly with suspected heart disease. Respondent prescribed Vetmedin and Lasix for cardiac support. Respondent recommended follow-up with a specialist or to return in 30 days for re-evaluation of the heart.

9. Approximately 6 weeks later, on January 19, 2014, the Evanses brought Lilly to Justin Propp, D.V.M., at the Animal Medical Center of Lubbock, Texas. Dr. Propp auscultated Lilly's thorax and did not observe a cardiac murmur. Dr. Propp took thoracic radiographs and observed no signs of congestive heart failure. Dr. Propp stated that he did not see any need to continue any cardiac medications as Lilly did not appear to have any cardiac or respiratory problems. Dr. Propp performed a thyroid screen and Lilly was diagnosed with hypothyroidism.

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 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. ADMINISTRATIVE PENALTY

- a. Respondent shall pay an administrative penalty of one thousand dollars (\$1,000.00) 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 equine medicine or pharmacology, 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.

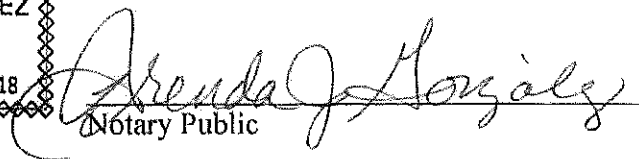
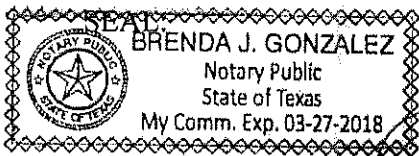
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions 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 4th day of April, 2017.

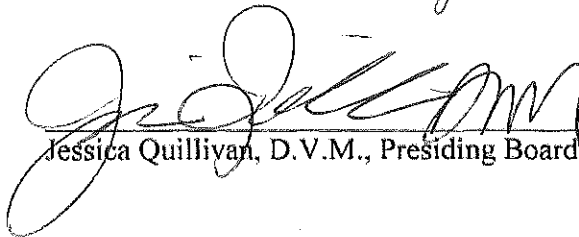


Christina Johnson, D.V.M.

Sworn and subscribed before me this 21st day of April, 2017.


Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 8 day of May, 2017.



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