

DOCKETED COMPLAINT NO. 1982-5

TEXAS STATE BOARD OF VETERINARY
MEDICAL EXAMINERS
VS.
CRAIG A. McFARLAND, D.V.M.

TEXAS VETERINARY
MEDICAL LICENSE NO. 3127
TEXAS VETERINARY MEDICAL
RENEWAL CERTIFICATE (1982)
NUMBER 2831

FINDINGS, CONCLUSIONS AND ORDERS OF THE BOARD

On the 6th day of November, 1982, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Amfac Hotel, DFW Regional Airport, Tarrant County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint, as well as for the consideration of other Board business, and the above entitled and numbered complaint having been previously scheduled for hearing and the Respondent, DR. CRAIG A. McFARLAND having appeared in person and without Attorney, and the following members of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present to-wit:

DR. JOHN E. WILKINS, JR., President	of Greenville, TX
DR. BILLY R. TRIMMIER, Vice-President	of San Antonio, TX
DR. DEMARIOUS K. FREY, Secretary	of Corpus Christi, TX
DR. DAN J. ANDERSON, Member	of Fort Worth, TX
DR. ED B. AVERY, Member	of Pearsall, TX
MR. JOE J. BALLARD, JR., Member	of Fort Worth, TX
DR. EDWARD S. MURRAY, Member	of Spur, TX
MR. JAY PUMPHREY, Member	of Fort Worth, TX

WHEREUPON the President of the Board, DR. JOHN E. WILKINS, JR. ordered the case to proceed at which time the Board proceeded to hear the evidence presented by the State and by DR. CRAIG A. McFARLAND in his behalf. After such hearing, the Board proceeded to consider the evidence, and after due consideration and deliberation of all of the evidence that had been presented, THE TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on the same day, Saturday, November 6, 1982, all of the above members of said Board being present and participating, make the following findings, to-wit:

FINDINGS OF FACT

1. The Board finds that all statutory requisites to its jurisdiction have been met.
2. The Board finds that DR. CRAIG A. McFARLAND is a licensed veterinarian in the State of Texas, and holds Texas License Number 3127, 1982 Renewal Certificate Number 2831.
3. The Board finds that Notice of Hearing and complaint were sent to DR. CRAIG A. McFARLAND in accordance with the law.
4. The Board finds that on or about August 19, 1982, DR. CRAIG A. McFARLAND did prescribe forty (40) Dexedrine Spansules for ANDREE GERMANY -- "OSCAR".

5. That Dexedrine Spansules is the trade name for Dextroamphetamine Sulfate.

6. That Dextroamphetamine Sulfate is listed as a Schedule II Controlled Substance under Article 4476-15, Texas Revised Civil Statutes, the Texas Controlled Substance Act.

7. That DR. CRAIG A. McFARLAND did receive forty (40) Dexedrine Spansules for his own personal use.

8. That DR. CRAIG A. McFARLAND did not prescribe the said forty (40) Dexedrine Spansules for a valid veterinary purpose or in the course of his professional practice.

CONCLUSIONS OF LAW

1. The TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS concluded that CRAIG A. McFARLAND, D.V.M. has unlawfully dispensed a controlled substance in violation of Article 4476-15, Section 4.08, Texas Revised Civil Statutes, the Texas Controlled Substances Act.

2. That CRAIG A. McFARLAND, D.V.M. has engaged in illegal practices in connection with the practice of veterinary medicine in violation of Article 7465a, Section 14(c), Texas Revised Civil Statutes.

ORDERS OF THE BOARD

It is hereby ORDERED that Texas Veterinary License Number 3127 and 1982 Renewal Certificate Number 2831 heretofore issued to DR. CRAIG A. McFARLAND be and the same is HEREBY SUSPENDED for a period of FIVE (5) YEARS from the date this order is entered, PROVIDED HOWEVER, that the execution of this Order of Suspension be and it is HEREBY PROBATED, upon the following terms and conditions:

1. That DR. CRAIG A. McFARLAND shall voluntarily surrender his Drug Enforcement Administration Permit and Department of Public Safety State Permit, said permits to be reissued without the authority for DR. McFARLAND to purchase, prescribe or possess drugs in Schedules II and IIN for the period of the suspension.

2. That DR. CRAIG A. McFARLAND will not engage in any dishonest or illegal practices in or connected with the practice of veterinary medicine within the State, nor violate the provisions of Article 7465a, Texas Revised Civil Statutes, or any of the Statutes of Texas or any other state or of the United States or any additions or amendments thereto pertaining to veterinary medicine.

3. That DR. CRAIG A. McFARLAND will make available all records of any controlled substance which he has either purchased, prescribed, dispensed administered or possessed for inspection by representatives of the Board.

4. That the said DR. CRAIG A. McFARLAND shall file with the Executive Secretary of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS an affidavit four times annually to the effect that he has fully and faithfully complied with the terms and conditions herein imposed.

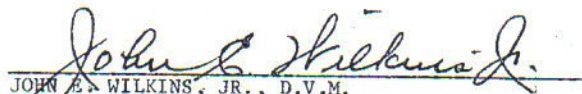
5. That he is familiar with the Veterinary Practice Act, Article 7465a, Texas Revised Civil Statutes and the Rules of Professional Conduct and that he has complied with the terms and conditions of the Veterinary Practice Act and of the Rules of Professional Conduct.

It is FURTHER ORDERED, ADJUDGED AND DECREED that upon full compliance with the terms and conditions set forth herein and on the expiration of a term of five years, the license of DR. CRAIG A. McFARLAND will be restored to its full privileges, free and clear of any of the conditional terms of the probation herein imposed; PROVIDED HOWEVER, that in the event satisfactory evidence of a violation or failure to comply with any of the terms or conditions of this order during said period of probation by DR. CRAIG A. McFARLAND, the Board, may seek termination of said probation, cancel and revoke the probation and direct the term of suspension herein to become effective.

The Executive Secretary of the Board is ordered to prepare the Board's Findings and order an appropriate form and submit the same to the President of the Board for signature and transmit a copy to DR. CRAIG A. McFARLAND at his address as follows:

DR. CRAIG A. McFARLAND
5721 Bandera Road
San Antonio, TX 78238

MADE the 6th day of November, 1982, and ENTERED the ~~23rd~~ day of ~~November~~, 1982, which is the effective date of this Order.



JOHN E. WILKINS, JR., D.V.M.
President
Texas Board of Veterinary Medical Examiners

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