

dispensed additional antibiotics, and gave Ms. Santerre instructions to continue the hydrotherapy and change the bandage daily with Granulex.

5. Respondent did not see Harvey again until November 8, 2013. The medical records state that Respondent was the attending physician on that date. However, Ms. Santerre states that Lucy Pustejovsky, D.V.M., another veterinarian at the clinic, was the only veterinarian she spoke to on that day. The medical records state that Harvey's right front fetlock was swollen and painful, but that no significant lameness, drainage, or discharge from the wound was observed. Radiographs were taken to evaluate bone or joint involvement, which revealed significant soft tissues swelling with narrow joint space. Respondent states that she believes she consulted with another veterinarian about the radiographs, but Ms. Santerre denies that this occurred. Respondent states that she recommended an ultrasound and joint tap at this time and Santerre declined. This conversation was not documented in the medical records, and Ms. Santerre denies that it occurred. Respondent sent Harvey home with instructions to continue the antibiotics, to continue the anti-inflammatory medicines as needed, and for hydrotherapy and rest. Respondent did not refer Harvey to a specialist or to another veterinarian for additional evaluation or treatment.

6. Respondent did not examine Harvey again after November 8, 2013. He was later referred to Texas Veterinary Medical Center at Texas A&M, and transferred there on December 4, 2013. Harvey was eventually euthanized on April 24, 2014, after several months of care for a severe joint infection.

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 Board Rule 573.24, Responsibility of a Veterinarian to Refer a Case, of the Board's Rules of Professional Conduct.

4. Respondent has violated Board Rule 573.52, Veterinarian Patient Record Keeping, of the Board's Rules of Professional Conduct.

5. Respondent has violated Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code.

6. Respondent is subject to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.

7. 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 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.

2. ADMINISTRATIVE PENALTY

- a. Respondent shall pay an administrative penalty of two thousand dollars (\$2,000.00) 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 patient record keeping and three (3) hours in wound management within one year of the date the Board approves this Order. These hours shall be in addition to Respondent's annual continuing education requirements. 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.

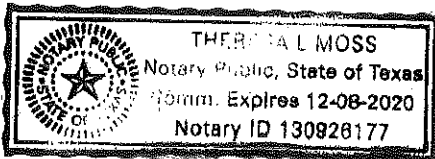
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions 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 18th day of December, 2017.

Stefanie Mosley DVM
Stefanie Mosley, D.V.M.

Sworn and subscribed before me this 18th day of December, 2017.

SEAL:



Theresa L Moss
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 16 day of January, 2018.

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