

DOCKET NO. 2017-102

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
CLAUDIA ORSO-SIMS, 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 Claudia Orso-Sims, 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, Claudia Orso-Sims, D.V.M., of Houston, Texas, holds Texas veterinary license #11225.
2. On May 19, Julian Ruedas presented his four-year-old German Shepherd, Cookie, to Respondent at Panda Wellness Center for a spay procedure. The medical records indicate that Mr. Ruedas declined pre-surgical bloodwork and IV catheter fluids. The medical records do not include a patient history, and Respondent was not aware that Cookie had delivered three previous litters.
3. During the spay procedure, Respondent noticed a firm, solid mass on the right ovary. The medical records state that the uterine size and shape was consistent with Cookie's age, and there were no signs of her being in heat. However, Cookie bled excessively during the procedure. Respondent extended the incision, and double ligated the pedicles and stump to stop the bleeding. Respondent stated that she performed transfixion ligatures, but this is not included in the medical records. Respondent's medical records indicate the closure was routine.
4. When Mr. Ruedas arrived to pick Cookie up later that day, he was informed that she had excessive bleeding from the midline incision. Respondent ran bloodwork and applied an abdominal bandage. The packed cell volume (PCV) was 40.9%, with normal values between 37-55%. The red blood cell count was normal at 5.67m/ul, reticulocytes were elevated at 187.7K/ul, the platelets were normal at 295k/ul, the white blood cells were high at 45.15K/ul, and neutrophils were elevated at 33.2K/ul. Respondent stated that the bloodwork and a physical examination indicated that there was no active bleeding and no need for immediate surgical intervention. Respondent recommended that Cookie be taken to the North Houston Veterinary Specialists Center for 24-hour monitoring and diagnostics.

5. When Mr. Ruedas left the facility with Cookie, she collapsed in the parking lot. Mr. Ruedas immediately took Cookie to the FM 529 Animal Hospital, the closest veterinary facility, where she was presented to Dr. Mohammad Ansari, D.V.M., M.S. Upon examination, Cookie's PCV was 7%, and Dr. Ansari concluded that she was bleeding internally and was in extreme hypovolumenic shock. Dr. Ansari immediately performed surgery. Dr. Ansari noted that Cookie's abdomen was overfilled with whole blood and that there were many large blood clots. Cookie went into respiratory and cardiac arrest, and did not respond to resuscitation attempts. A necropsy was not performed.

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 573.52, Veterinarian Patient Record Keeping, of the Board's Rules of Professional Conduct.

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

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

6. Pursuant to Board Rule 575.25, Respondent's violations are Class C 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 five hundred dollars (\$500.00)

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 six (6) hours of continuing education, with three (3) hours in the area of patient record keeping, and three (3) hours in the area of critical care, 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. REFUND TO CLIENT

- a. Respondent shall refund \$137 to Julian Ruedas within 30 days of the date the Board approves this Order. Payment is to be made directly to Julian Ruedas. Partial payments are not acceptable.
- b. Respondent shall submit documentation of the refund to the Board within 45 days of the date the Board approves this Order. Documentation shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

5. 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.

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.

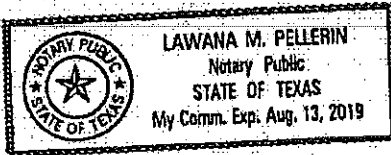
Signed this 27th day of September, 2017.

Claudia Orso-Sims, D.V.M.

Claudia Orso-Sims, D.V.M.

Sworn and subscribed before me this 27th day of September, 2017.

SEAL:



[Signature]

Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 5 day of December, 2017.

[Signature]

Agreed Order DK2017-102
Claudia Orso-Sims, D.V.M.

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