AGREED ORDER

On this day the Texas Board of Veterinary Medical Examiners ("Board") considered the matter of the license of Anjeanette Pacheco, 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


2. On September 29, 2016, Lysa Hieber presented her two year old Great Pyrenees, named Calypso, to Respondent at Pet Shotz in San Antonio, Texas for a spay procedure. Respondent had previously performed approximately 3,000 spay and neuter procedures.

3. At approximately 11:15 a.m., Calypso was sedated and prepared for surgery. Respondent performed the spay procedure, which the patient records indicate proceeded normally. Calypso was moved to the recovery area and was awake by 12:15 p.m., according to Respondent’s medical records.

4. At approximately 2:15 p.m., Ms. Hieber was called and informed that Calypso was ready to be picked up. When Ms. Hieber arrived at approximately 3:30 p.m., she was told that Calypso was still groggy. Calypso was walked to the lobby and Ms. Hieber noted blood surrounding her incision. A technician took Calypso back for observation. Respondent’s patient records indicate that at approximately 4 p.m. dextrose and antisedan were administered. Calypso’s abdominal area had been sprayed with an iodine solution prior to the spay causing a dark orange discoloration.

5. Respondent recommended a blood glucose test and Ms. Hieber agreed. Calypso’s blood glucose level was 78, which Respondent stated could not explain Calypso’s lethargy. Respondent did not refer Calypso to an emergency facility for further diagnostics and treatment.

6. Respondent completed an unrelated surgical procedure and re-evaluated Calypso. Respondent stated that she was concerned about the possibility of occult abdominal hemorrhage. Respondent performed an abdominal tap which revealed frank blood. Respondent anesthetized
Calypso and reopened her abdomen to locate the cause of the hemorrhage. Respondent did not administer an intravenous catheter and supportive fluids prior to beginning the surgical procedure. Respondent had no knowledge of Calypso’s prior health issues.

7. Respondent noted a large volume of blood in Calypso’s abdomen and directed a technician to place an intravenous catheter. Respondent stated that she did not observe any blood clots and all ligatures appeared to be intact. As Respondent removed blood from the abdomen, Calypso’s heart rate dropped. Respondent administered atropine and epinephrine, then performed CPR, manual respirations and chest compressions. Respondent was unable to revive Calypso.

8. The facility owner, Frettory Rogers, D.V.M., performed a necropsy on September 30, 2016. Dr. Rogers observed free blood in the abdominal cavity with no clots present, and a hemorrhage in the retroperitoneal space bilaterally. Dr. Rogers collected blood from the heart and noted that the blood had not clotted.

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 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 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 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 three (3) hours of continuing education in the area of emergency critical care within six months 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 six months 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.

Agreed Order DK2017-031
Anjeanette Pacheco, D.V.M.
Certification and signature page follows.
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. 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 13th day of November, 2018.

[Signature]
Anjeanette Pacheco, D.V.M.

Sworn and subscribed before me this 13th day of November, 2018.

[Seal]
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 29th day of January, 2019.

[Signature]
Jessica Quillivan, D.V.M., Presiding Board Member

Agreed Order DK2017-031
Anjeanette Pacheco, D.V.M.