TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
1946 South IH 35, Suite 306
Austin, Texas 78704

DOCKET NUMBER 1995-09, Hans Dennis David Peterson, D.V.M.
LICENSE NUMBER 2579

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Hans Dennis David Peterson, the Executive Director of the Texas State Board of Veterinary Medical Examiners, and in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement, the defendant, Dr. Peterson, will be granted a continuance at his option.

Dr. Peterson does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that (1) the Board may treat the allegations of fact and law as true and (2) the findings shall have the same force and effect as if evidence and argument were presented in support of the allegations. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

SUMMARY OF CHARGES:

Dr. Hans Dennis David Peterson utilized his veterinary license to order and possess prescription drugs and then allowed unlicensed persons to sell those prescription drugs, which include a controlled substance, over the counter to the public. Dr. Peterson also allowed the controlled substances to be stored in an unsecured manner and failed to properly maintain records for controlled substances sold at the store.

RECOMMENDED DISCIPLINARY ACTION:

(1) License suspension of two years with said suspension stayed and placed on probation for a period of two years.

(2) Administrative penalty in the amount of $500.00.

CONDITIONS:

(1) Five hours of Continuing Education in the following areas:
   Pharmacology and/or legend drug law and regulation. May be obtained through correspondence, audio and/or video means. Shall be in addition to the 15 required hours.
(2) Take and pass the Jurisprudence Examination.

(3) Quarterly reporting to the Board during probation.

(4) Agreement to abide by the Rules of Professional Conduct, Texas Veterinary Licensing Act and Laws of the State and United States during probation.

Hans Dennis David Peterson

[Signature]

Hans Dennis David Peterson, D.V.M.

12-7-94

Date

RON ALLEN, Executive Director

[Signature]

TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

December 5, 1996
The foregoing Agreed Settlement, entered into between Dr. Hans D. D. Peterson, the Board Secretary, and the Board Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 8th day of February, 1995, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Finding and Order issued.

Executed this the 8th day of February, 1995.

Alton F. Hopkins, Jr., D.V.M., President

John A. Wood, D.V.M., Vice-President

James N. Gomez, D.V.M., Secretary

Robert I. Hughes, Jr., D.V.M., Member

Sharon O. Matthews, Member

Michael J. McCulloch, D.V.M.

Joyce G. Schiff, Member

Guy A. Sheppard, D.V.M., Member

Clark S. Willingham, Member
DOCKETED COMPLAINT NO. 1995-09

TEXAS STATE BOARD OF VETERINARY § TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS § LICENSE NO. 2579
VS. § 1994 RENEWAL CERTIFICATE
Hans Dennis David Peterson, D.V.M. § NUMBER 0151

COMPLAINT AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Matthew Wendel, who after being duly sworn, did depose and say:

On or about September 12, 1994, Matthew Wendel, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one Hans Dennis David Peterson, D.V.M., 1601 E. Mulberry, Kaufman, Texas, 75142, Veterinary License Number 2579, 1994 Renewal Certificate Number 0151, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Matthew Wendel, do hereby present the following complaint against Hans Dennis David Peterson, D. V. M.

I.

On or about September 7, 1994, Hans Dennis David Peterson, DVM, lessor of the DK & M Feed Store, 700 South Bibb, Eagle Pass, Texas 78852, utilized his veterinary license to order and possess prescription drugs. He then allowed unlicensed persons to sell those prescription drugs, such as testosterone, a Schedule III controlled substance, and various federal legend drugs not
Hans Dennis David Peterson, DVM
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controlled, over-the-counter to the public. Dr. Peterson allowed the controlled substance to be
stored in an unsecured manner and failed to properly maintain records for controlled substances
sold at the store.

II.

By ordering delivered and delivering prescription drugs to the public without first having
established a veterinarian/client/patient relationship and without having determined that the
prescription drugs are therapeutically indicated for the health and well being of animals, Dr.
Peterson violated Rule of Professional Conduct 573.41.

III.

By failing to provide minimum security for controlled substances, Dr. Peterson violated Rule of
Professional Conduct 573.61.

IV.

By ordering prescription drugs or controlled substances for the treatment of an animal without
first establishing a valid veterinarian/client/patient relationship, Dr. Peterson violated Section
14(a)(12) of the Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT.

V.

By failing to maintain at his place of business records of the scheduled drugs sold at his feed
store in Eagle Pass, Dr. Peterson violated Rule of Professional Conduct 573.50.

VI.

By violating Rules of Professional Conducts 573.41, 573.61 and 573.50, Dr. Peterson violated
Section 14(a)(5) of the Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT.
The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Peterson's Veterinary License under the Texas Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT. (formerly Article 7465a) Section 14 which states in part:

ARTICLE 8890, SECTION 14

(a) "... the Board may revoke or suspend a license, impose a civil penalty, place a person whose license has been suspended on probation, or reprimand a licensee ... if it finds that a licensee:

(5) has engaged in practices or conduct in connection with the practice of veterinary medicine which are violative of the standards of professional conduct as duly promulgated by the Board in accordance with law;

(12) has ordered prescription drugs or controlled substances for the treatment of an animal without first establishing a valid veterinarian-patient-client relationship;

ARTICLE 8890, SECTION 14B

(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.
Hans Dennis David Peterson, DVM
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The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 29th day of November, 1994.

Further, Affiant sayeth not.

Matthew Wendel, Affiant

SUBSCRIBED and SWORN TO before me by the said Matthew Wendel this the 29th day of November, 1994.

Joseph J. Rizzo, Notary Public in and for Texas

The foregoing Complaint is hereby filed and docketed with the Texas State Board of Veterinary Medical Examiners and styled Texas State Board of Veterinary Medical Examiners vs. Hans Dennis David Peterson, D.V.M. under Docketed Number 1995-09, this the 30th day of November, 1994.

James N. Gomez, DVM, Board Secretary
Texas Board of Veterinary Medical Examiners