NEGOITIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Michael H. Reves, 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. Reves, will be granted a continuance at his option.

Dr. Reves 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. Reves failed to properly label a federal legend drug that he dispensed to the complainant for administration to his cat, in violation of Rules of Professional Conduct 573.40.

RECOMMENDED DISCIPLINARY ACTION:

Official Reprimand.

CONDITIONS:

(1) Take and pass the jurisprudence examination.
(2) Agrees to abide by the Rules of Professional Conduct, Texas Veterinary Licensing Act and Laws of the State and United States.

Michael H. Reves, D.V.M.  
10-26-94  
Date

Ron Allen  
10-21-94

Ron Allen, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
The foregoing Agreed Settlement, entered into between Dr. Michael H. Reves, 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

Date

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

Date

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

Date

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

Date

Sharon O. Matthews

Date

Sharon O. Matthews, Member

Date

Michael J. McCulloch, D.V.M.

Date

Joyce G. Schiff, Member

Date

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

Date

Clark S. Willingham, Member

Date
DOCKETED COMPLAINT NO. 1995-03

TEXAS STATE BOARD OF VETERINARY § TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS § LICENSE NO. 5129
vs. § 1994 RENEWAL CERTIFICATE
MICHAEL H. REVES, D.V.M. § NUMBER 3230

COMPLAINT AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Mike Carroll, who after being duly sworn, did depose and say:

On or about February 8, 1994, Mike Carroll, 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 Michael H. Reves, D.V.M., 12888 I-10 East, Houston, Texas, 77015, Veterinary License Number 5129, 1994 Renewal Certificate Number 3230, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Mike Carroll, do hereby present the following complaint against Michael H. Reves, D.V.M.

I.

On or about January 8, 1994, Laura Carroll took her cat to Dr. Michael Reves, who dispensed Pro-Spot 10, a federal legend drug, for her cat's flea problem.
II.

Dr. Reves failed to properly label the Pro-Spot 10 he dispensed to Ms. Carroll, in that he did not affix his label to the immediate container or factory label with the information required by Rule of Professional Conduct 573.40.

III.

By improperly labeling the Pro-Spot 10 dispensed to Ms. Carroll's cat, as described in paragraph 2, Dr. Reves violated Rule of Professional Conduct 573.40, LABELING of MEDICATIONS DISPENSED.

IV.

By violating Rule of Professional Conduct 573.40, Dr. Reves has violated Section 14(a)(5), Texas Veterinary Licensing Act, Article 8890, V.A.C.S.

V.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Reves' veterinary license under the Texas Veterinary Licensing Act, V.A.C.S., Article 8890, (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;

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.
The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 6th day of October, 1994.

Further, Affiant sayeth not.

Mike Carroll, Affiant

SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 6th day of October, 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. Michael H. Reves, D.V.M. under Docketed Number 1995-03, this the 8th day of October, 1994

John A. Wood, DVM, Board Secretary

Texas State Board of Veterinary Medical Examiners