

DOCKET NO. DK2017-241

IN THE MATTER OF	§	TEXAS BOARD OF
THE LICENSE OF	§	VETERINARY
ELIZABETH ROGERS, 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 Elizabeth Rogers, 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, Elizabeth Rogers, D.V.M., of Frisco, Texas, holds Texas veterinary license 8897.
2. On March 31, 2017, Daphne Chang presented her eight year old female Netherland Dwarf Rabbit, Koala Bear, to Respondent at Family Friends Vet Hospital in Frisco, Texas, for a follow-up examination regarding gastrointestinal stasis.
3. Respondent sedated Koala Bear to perform lab work and radiographs. Respondent directed two veterinary assistants to take thoracic and abdominal radiographs. Respondent was present in the room during the process. Respondent then directed a veterinary assistant to hold Koala Bear in a towel while Respondent unsuccessfully attempted to draw blood from the jugular. Koala Bear was sedate but rousable during this process.
4. Respondent stated that she was not satisfied with the ventrodorsal (VD) radiograph, so she retook this view after attempting to draw blood. The second VD radiograph indicated a spinal fracture. Respondent reviewed this radiograph but did not note the fracture.
6. Koala Bear was still sleepy when Ms. Chang took her home. Upon arriving home, Ms. Chang noted that Koala bear was using only her front legs to get out of the carrier, and her hind legs were not moving. Ms. Chang placed Koala Bear back in the carrier because she had been told the sedation would last 6-8 hours.
7. The following morning, Ms. Chang telephoned Respondent who recommended Koala Bear be brought back to her for an examination. Ms. Chang presented Koala Bear to Eftihia Giannopoulos, D.V.M., at City Vet in Oak Lawn, Texas. Dr. Giannopoulos performed radiographs

which revealed luxation at L5-L6 and a possible L5 fracture near the caudal endplate. Koala Bear was given supportive treatments but died on April 4, 2017.

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 Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code.
4. Respondent is subject to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.
5. 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 one thousand dollars (\$1,000.00) 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. 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.

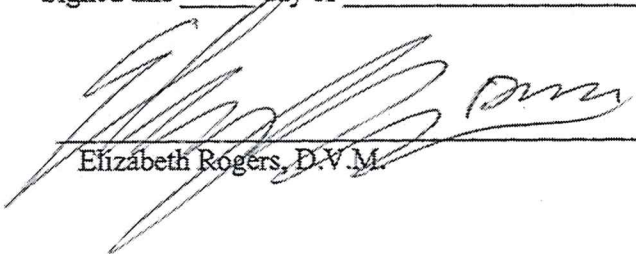
Certification and signature page follows.

RESPONDENT'S CERTIFICATION

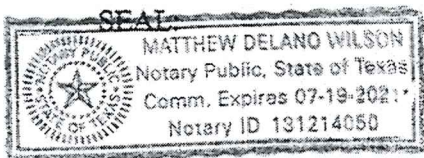
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I deny the violation(s) herein. I understand that this Order contains the entire 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 14th day of June, 2018

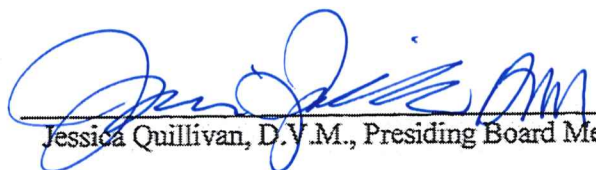

Elizabeth Rogers, D.V.M.

Sworn and subscribed before me this 14th day of June, 2018.




Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 31st day of July, 2018.


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