



The Board ... ORDERS that Respondent's license be SUSPENDED for FIVE YEARS and the ability for the Board to modify that suspension under Board rule 575.38 is contingent on two factors. Respondent has to be in compliance with the Board's Peer Assistant Program for one year before the date of the request for the modification and the Board's Peer Assistance Program must determine that, in their opinion, Respondent is safe to practice veterinary medicine before Respondent's suspension may be modified.

4. On March 1, 2015, Applicant's veterinary license expired, and on March 1, 2016, Applicant's veterinary license was cancelled.
5. On June 9, 2016, Applicant submitted an application for a veterinary license.

#### **Conclusions of Law**

1. Applicant is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's rules.
2. Based on Findings of Fact 1 through 5, Applicant has violated Section 801.402(3) and (17) of the Veterinary Licensing Act, Texas Occupations Code, and is subject to disciplinary action by the Board:

801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY ACTION. A person is subject to denial of a license or to disciplinary action under Section 801.401 if the person:

(3) is chronically or habitually intoxicated, chemically dependent, or addicted to drugs.

3. Based on Conclusions of Law 1 and 2, Applicant is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may:

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose an administrative penalty

(e) The board may issue a disciplinary order directing a veterinarian to participate in the peer assistance program under Section 801.157 if the board determines that the veterinarian is an impaired professional as defined by Section 467.001, Health and Safety Code.

NOW, THEREFORE, THE BOARD AND APPLICANT AGREE AS FOLLOWS:

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Applicant is hereby granted permission to take the state licensing examination. Applicant must take and pass the state licensing examination within one year of the date of this Order. If Applicant passes the state licensing examination, she may be granted a Texas license subject to the following terms and conditions:

The Board ORDERS that Applicant's license be SUSPENDED for five years, with said SUSPENSION STAYED and Applicant be placed on PROBATION for the entire period of SUSPENSION.

In addition, the Board ORDERS Applicant to complete a Peer Assistance Contract under the Board's Peer Assistance Program for five years (5) from the date the Board signs this Order. Applicant shall follow all recommendations of the Peer Assistance Program Coordinator. If Applicant has more than one missed call in a six-month period, one missed drug screening in a six-month period, or tests positive without a legitimate prescription for any drug Applicant tests positive for, under the Applicant's Peer Assistance Contract, further and immediate disciplinary action may be taken by the Board and is considered a violation of this Board Order.

The Board ORDERS that for the first six months of practice following the issuance of a veterinary license, Applicant must practice in a group setting where other veterinarians are practicing. The Board further ORDERS that for the first six months of practice following the issuance of a veterinary license, Applicant must practice under the direct supervision of a veterinarian approved by the Board's Peer Assistance Program and the Board. The Board may delegate its approval authority to the Executive Director.

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The Board further ORDERS that:

1. Applicant shall abide by the Rules of Professional Conduct, the Texas Veterinary Licensing Act and the laws of the State of Texas and the United States.
2. Applicant shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Applicant's compliance with this order.
3. Failure by Applicant to comply with the terms of this Agreed Order or with any other provision of the Act or the Board Rules, may result in further disciplinary action.

Applicant, by signing this Agreed Order, acknowledges her understanding of the Agreed Order, the notice, Findings of Fact and Conclusions of Law herein set forth, and agrees that she will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board.

Applicant, by signing this Agreed Order, waives her right to a hearing and any right to seek judicial review of this Order. Applicant acknowledges that she had the right to be represented by legal counsel in this matter.

**APPLICANT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. APPLICANT AGREES THAT THIS IS A FINAL ORDER.**

The date of this Agreed Order shall be the date it is adopted by the Texas Board of Veterinary Medical Examiners.

**Signature page follows.**

I, CONSTANCE SACK, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED LICENSING ORDER. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

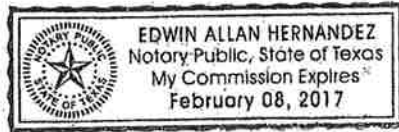
Constance Sack  
CONSTANCE SACK, D.V.M.

7/18/16  
DATE

STATE OF Texas  
COUNTY OF Dallas

BEFORE ME, on this day, personally appeared Constance Sack, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Licensing Order, and acknowledged to me that she executed the same for the purposes stated therein.

Given under the hand and seal of office this 18<sup>th</sup> day of July, 2016.



[Signature]  
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the \_\_\_\_\_, 20\_\_.

R. Lenarduzzi  
Roland Lenarduzzi, D.V.M., Board President