

Received

AUG 25 2017

DOCKET NO. 2017-145

Texas State Board of
Veterinary Medical Examiners

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
DEBORAH SCHAFFER, 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 Deborah Schaffer, 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, Deborah Schaffer, D.V.M., of Dallas, Texas, holds Texas veterinary license 5215.
2. On April 5, 2016, Ann Parrish presented her 12-year-old cat, Purrl, to Respondent at Veterinarians Dental A.S. in Dallas, Texas. Ms. Parrish was concerned that Purrl was having discomfort while eating. Upon examination, Respondent observed mild calculus and a periodontal abscess. Ms. Parrish authorized Respondent to perform bloodwork, a dental cleaning, necessary dental extractions, and other grooming procedures.
3. Respondent performed pre-operative dental radiographs. Respondent stated that a standard dental cleaning was performed. Respondent then extracted four teeth and sutured the gingival flaps. Respondent did not perform post-operative dental radiographs. Respondent released Purrl to Ms. Parrish and dispensed Nalbuphine drops for post-operative pain management. Nalbuphine provides short-term pain management and is not a standard medication for pain management following multiple dental extractions.
4. On April 6, 2016, Ms. Parrish returned to the facility with concerns that Purrl was not eating. Respondent directed Ms. Parrish to syringe feed Purrl during recovery and directed her to decrease Purrl's pain medicine by half. Ms. Parrish continued to syringe feed Purrl for several days, but Purrl also began eating on her own during this time. Ms. Parrish was concerned that Purrl appeared to be uncomfortable while eating and was not behaving normally.
5. On May 16, 2016, Ms. Parrish presented Purrl to Heidi Lobprise, D.V.M., for a dental examination. Dr. Lobprise performed dental radiographs that revealed a retained root at the site of an extraction Respondent performed. Dr. Lobprise performed surgery to remove the retained root.

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. 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 dentistry within one year 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 one year and 30 days 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.

3. REFUND TO CLIENT

- a. Respondent shall refund \$499 to Ann Parrish within 30 days of the date the Board approves this Order. Payment is to be made directly to Ms. Parrish. Partial payments are not acceptable.
- b. Respondent shall submit documentation of the refund to the Board within 45 days of the date the Board approves this Order. Documentation shall be submitted 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.

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 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.

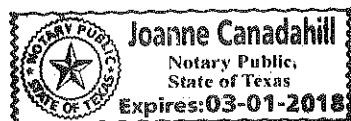
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions 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 19 day of August, 2017

Deborah Schaffer DVM
Deborah Schaffer, D.V.M.

Sworn and subscribed before me this 19th day of Aug, 2017.

SEAL:



Joanne Canadahill
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 10th day of October, 2017.

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