DOCKET NO. 2016-149

IN THE MATTER OF § TEXAS BOARD OF

THE LICENSE OF § VETERINARY

JEFFREY SCHALL, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

On this the 19th day of July, 2016, came to be considered by the Texas Board of Veterinary Medical Examiners ("Board") the matter of the license of Jeffrey Schall, D.V.M. ("Respondent"). Pursuant to Section 801.409 of the Texas Occupations Code, and Board Rule 575.35, an informal conference was held on May 23, 2016. Respondent appeared telephonically. The Board was represented at the conference by the Board’s Enforcement Committee.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive the formal adjudicative hearing and thereby informally dispose of the issues without a formal adjudication. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving the adjudicative hearing, Respondent acknowledges his understanding of the alleged violations and the adequacy and sufficiency of the notice provided to him.

Upon the recommendation of the Enforcement Committee and with Respondent’s consent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order as set forth below.

Findings of Fact

1. Respondent, Jeffrey Schall, D.V.M. of Haslet, Texas, holds Texas veterinary license S6087.

2. The Board has jurisdiction over the subject matter and Respondent. Respondent received notice, which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied under Tex. Occ. Code Ann. Title 4 ("Act"). By entering into this Agreed Order, Respondent waives any defect in the notice and any further right to notice and hearing under the Act; Tex. Gov’t Code Ann. §§ 2001.051-.054; and the Rules of the Texas Board of Veterinary Medical Examiners (“Board Rules”) (22 Tex. Admin. Code, Chapter 575).

3. On or about April 28, 2016, Respondent underwent a psychological evaluation by Cheryl Rayl, MS, LPC-S, MAC, who determined that Respondent could not safely practice veterinary medicine.
4. On May 10, 2016, the Executive Disciplinary Committee entered an Order of Temporary Suspension (Without Notice of Hearing) against Respondent, finding that a temporary suspension of his license was necessary because Respondent was a continuing or imminent threat to the public welfare.

5. On or about May 16, 2016, Respondent entered a 30-day treatment program.

Conclusions of Law

1. Respondent 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 the evidence presented and the Findings of Fact set forth herein, the Enforcement Committee finds that Respondent violated Section 801.402(3) of the Act, which authorizes the Board to take disciplinary action under Section 801.401 against the Respondent if the Respondent is chronically or habitually intoxicated, chemically dependent, or addicted to drugs.

3. Based on Conclusions of Law 1 and 2, Respondent 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: (a)

(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.

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

Respondent's Texas veterinary license is hereby SUSPENDED. Respondent's license SHALL remain suspended until (1) an evaluator approved by the Professional Recovery Network (PRN) determines that Respondent is able to safely practice veterinary medicine; (2) Respondent appears before the Enforcement Committee of the Board; and (3) the Enforcement Committee votes to reinstate Respondent's license.

The Board further ORDERS that:

1. Respondent shall abide by the Rules of Professional Conduct, the Texas Veterinary

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Licensing Act, the laws of the State of Texas, and the laws of the United States.

2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Agreed Order.

3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

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

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

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

The effective date of this Agreed Order shall be the date it is adopted by the Board.

Signature page follows.
I, JEFFREY SCHALL, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED 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.

Jeffrey Schall, D.V.M.  6-1-2016

STATE OF TEXAS
COUNTY OF Denton

BEFORE ME, on this day, personally appeared Jeffrey Schall, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 1 day of June, 2016

MELISSA DIANNE MORROW  
NOTARY PUBLIC  
STATE OF TEXAS  
MY COMM. EXP. 7/7/2019

Melissa Morrow
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 19 July, 2016

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