TEXAS VETERINARY LICENSE NO. 8608

IN THE MATTER OF

BEFORE THE ENFORCEMENT COMMITTEE

THE LICENSE OF THE TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

JEFFREY SCHALL, D.V.M.

ORDER CONTINUING TEMPORARY SUSPENSION

On May 23, 2016, came to be heard before the Enforcement Committee of the Texas Board of Veterinary Medical Examiners (the “Board”), composed of Roland Lenarduzzi, D.V.M., Janie Carpenter, D.V.M., and Keith Pardue, members of the Board duly in session, the matter of the Application for Temporary Suspension of the license of Jeffrey Schall, D.V.M. (“Respondent”). Respondent appeared telephonically. Maggie Griffith, General Counsel, represented Board Staff. Based on evidence submitted, the Board through the Enforcement Committee makes the following Findings of Fact and Conclusions of Law and enters this Order Continuing the Order of Temporary Suspension:

FINDINGS OF FACT

1. Respondent is a Texas veterinarian and holds Texas Veterinary License No. 8608, issued by the Board on May 14, 1999, which was in full force and effect at all times material and relevant to this Order. All jurisdictional requirements have been satisfied.

2. The Enforcement Committee convened on May 23, 2016, with notice to Respondent, pursuant to §801.409(c) of the Act.

3. 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.

4. 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.

5. The Board’s Rules of Professional Conduct, 22 TEX. ADMIN. CODE §§ 571-577, (Board’s Rules or Board Rule) govern the actions of licensed veterinarians when practicing veterinary medicine.
6. Based on the foregoing paragraphs, the Board alleges that Respondent has violated §801.402(3) of the Veterinary Licensing Act, Occupations Code, and is therefore 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.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Enforcement Committee concludes the following:

1. Section 801.409 of the Act authorizes the Enforcement Committee to continue a temporary suspension of the veterinary license of Respondent if the Enforcement Committee determines from evidence presented to it that formal disciplinary proceedings should be initiated against Respondent.

2. Based on the evidence presented and the Findings of Fact set forth herein, the Enforcement Committee finds that Respondent violated various sections of the Act, specifically 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 the evidence presented and the above Findings of Fact and Conclusions of Law, the Enforcement Committee determines that the Board should initiate disciplinary proceedings against Respondent.

4. Based on the evidence presented and the above Findings of Fact and Conclusions of Law, the Enforcement Committee determines that Respondent’s continuation in the practice of veterinary medicine constitutes a continuing threat to the public welfare, and that it is therefore appropriate to continue the temporary suspension of Respondent’s license.

ORDER

Based on the above Findings of Fact and Conclusions of Law, the Enforcement Committee ORDERS that:

1. Respondent’s Texas veterinary license is hereby TEMPORARILY SUSPENDED.

2. This Order of Continued Temporary Suspension is final and effective on the date rendered.

3. A hearing before the State Office of Administrative Hearings will be scheduled to occur on or before July 8, 2016, at the State Office of Administrative Hearings, 300 W. 15th Street, 4th Floor, Austin, Texas 78701, in accordance with §801.409(d) of the Act.
4. This Order of Continued Temporary Suspension shall remain in effect until superseded by an Order of the Board.

Signed and entered this May ________, 2016.

____________________________
Roland Lenarduzzi, D.V.M.
President, Texas Board of Veterinary Medical Examiners