May 10, 2016

Jeffrey Schall, DVM
PO Box 321
Haslet, TX 76052

By USPS Certified Mail, RRR; USPS First Class Mail; and email: jschalldvm@yahoo.com

Re: Notice of Hearing on Order of Temporary Suspension

Dear Dr. Schall,

The Executive Disciplinary Committee of the Texas Board of Veterinary Medical Examiners met on May 10, 2016, pursuant to Section 801.409 of the Texas Veterinary Licensing Act, and Board Rule 575.35, Temporary License Suspension Proceedings. The Executive Disciplinary Committee determined that your continued practice of veterinary medicine constitutes a continuing or imminent threat to the public welfare. The Executive Disciplinary Committee therefore determined that your license is temporarily suspended until the Enforcement Committee of the Board meets to review your case. Please see the Order of Temporary Suspension enclosed with this letter.

Pursuant to Board Rule of Professional Conduct 575.35(f), the Enforcement Committee will hold an Informal Conference in above-referenced case on May 23, 2016 at 8:30 a.m. The conference will be held in the William Hobby Building at 333 Guadalupe, Austin, Texas 78701. Because several conferences will be held this day, the start time above is the time for the start of the conferences and not the time that this particular case will be heard. The Enforcement Committee will review your case and determine whether your license should remain suspended and formal disciplinary procedures initiated against you. The Order of Temporary Suspension enclosed with this letter sets out the facts and allegations that the Enforcement Committee will be considering with regard to your case.

The hearing before the Enforcement Committee will take place before a committee usually made up of two veterinary Board members, a public member of the Board, the Executive Director of the Board, the Director of Enforcement, the Board Investigator who investigated the case, and the Board’s attorney. You have the right to be present and address the Committee. You also have the right to be represented by counsel.

Under Board Rule of Professional Conduct 575.35(g), the possible outcomes of the hearing are: (1) lifting the temporary suspension and reinstituting the license without conditions; (2) offering you an agreed settlement order that will lift the suspension, continue the suspension, or impose other sanctions as appropriate; or (3) preparing a notice of hearing setting out the details of the
complaint and recommended sanctions, and forwarding the notice of hearing to the State Office of Administrative Hearings for a setting of an administrative hearing no later than July 8, 2016.

Please bring any relevant records you may possess that relate to the facts and allegations contained in the Order of Temporary Suspension, and any witnesses with relevant knowledge whose testimony you wish to present to the Enforcement Committee.

If you have any questions, please contact me.

Sincerely,

Maggie Griffith
General Counsel
(512) 305-7572

Enclosed: Temporary Suspension Order
TEXAS VETERINARY LICENSE NO. 8608

IN THE MATTER § BEFORE THE EXECUTIVE
OF § DISCIPLINARY COMMITTEE
THE LICENSE § OF THE TEXAS BOARD
OF § OF VETERINARY MEDICAL
JEFFREY SCHALL, D.V.M. § EXAMINERS

ORDER OF TEMPORARY SUSPENSION
(WITHOUT NOTICE OF HEARING)

On May 10, 2016, came to be heard before the Executive Disciplinary Committee of the Texas Board of Veterinary Medical Examiners (the “Board”), composed of Roland Lenarduzzi, D.V.M., President/Chair, Joe Mac King, D.V.M., and James McAdams, members of the Board (the “Panel”) duly in session, the matter of the Application for Temporary Suspension of the license of Jeffrey Schall, D.V.M. (“Respondent”). Respondent did not appear in person and Maggie Griffith, General Counsel, represented Board Staff. Based on evidence submitted, the Board through this panel makes the following Findings of Fact and Conclusions of Law and enters this 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. Roland Lenarduzzi, D.V.M., President of the Board appointed himself Chair, as well as Joe Mac King, D.V.M., and James McAdams, members of the Board to sit as the Executive Disciplinary Panel in this matter, pursuant to the Veterinary Licensing Act, TEX. OCC. CODE ANN. Title 4, (the “Act”) §801.409(a) and 22 TEX. ADMIN. CODE §575.35.

3. The Panel convened without notice, pursuant to §801.409(c) of the Act.

4. On May 9, 2016, Board staff received a mental health/substance abuse evaluation from the Board’s peer assistance provider, Professional Recovery Network (PRN), regarding Respondent.

5. On April 28, 2016, Respondent was evaluated by Cheryl Rayl, MS, LPC-S, MAC, pursuant to a PRN request. Ms. Rayl’s evaluation indicated that her diagnostic impression was Alcohol Use Disorder, moderate. The evaluation also indicated that the Respondent does not possess the skill and competence to practice as a veterinarian without posing a risk to himself or others.

Order of Temporary Suspension
Jeffrey Schall, D.V.M.
Page 1 of 3
6. As part of the evaluation, Ms. Ray administered drug test and an EtG test. The results were positive for EtG (a metabolite of alcohol) and benzodiazepines.

7. Texas Occupations Code, Chapter 801 and the Board’s Rules of Professional Conduct, 22 Tex. Admin. Code, Chapter 573, (Board’s Rules or Board Rule) govern the actions of licensed veterinarians when practicing veterinary medicine.

8. Texas Occupations Code §801.402(3) provides that a person is subject to disciplinary action if the person is “chronically or habitually intoxicated, chemically dependent, or addicted to drugs.”

9. 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.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Panel concludes the following:

1. Based on the above Findings of Fact, the Panel, including two veterinarians licensed to practice veterinary medicine in this state, finds that the Respondent is a continuing threat and real danger to the health of the Respondent’s patients and/or to the public from the acts or omissions of Respondent caused through Respondent’s repeated and continued violations of the Act.

2. Based on the above Findings of Fact, the Panel finds that the continued practice of veterinary medicine by Respondent constitutes a continuing or imminent threat to the public welfare that requires immediate effect of this Order of Temporary Suspension on the date rendered.

3. Section 801.409 of the Act authorizes the Panel to temporarily suspend or restrict the veterinary license of Respondent if the Panel determines from evidence presented to it that the Respondent’s continuation in the practice of veterinary medicine would constitute a continuing or imminent threat to the public welfare.

4. Section 801.409 of the Act authorizes the Panel to temporarily suspend or restrict the license of the Respondent in a proceeding without notice, if at the time the suspension is ordered, a hearing on whether disciplinary proceedings under this chapter should be initiated against the Respondent is scheduled to be held not later than the 14th day after the date of the suspension.

5. Based on the evidence presented and the Findings of Fact set forth herein, Respondent has violated Texas Occupations Code 801.402(3).

6. Based on the evidence presented and the above Findings of Fact and Conclusions of Law, the Panel determines that Respondent’s continuation in the practice of veterinary medicine would constitute a continuing and imminent threat to the public welfare.

Order of Temporary Suspension
Jeffrey Schall, D.V.M.
Page 2 of 3
ORDER

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

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

2. This Order of Temporary Suspension (WITHOUT NOTICE OF HEARING) is final and effective on the date rendered.

3. Notice of this Order of Temporary Suspension (WITHOUT NOTICE OF HEARING) shall be given immediately to Respondent.

4. A hearing on the Application for Temporary Suspension will be scheduled before the Board’s Enforcement Committee to be held no later than fourteen (14) days from the date of suspension at the offices of the Board.

5. This Order of Temporary Suspension (WITHOUT NOTICE OF HEARING) shall remain in effect until such time as a hearing on the Application for Temporary Suspension is conducted and the Enforcement Committee enters an order or until superseded by an Order of the Board.

Signed and entered this May 10, 2016.

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