DOCKET NO. 2010-88

IN THE MATTER OF $ TEXAS BOARD OF

THE LICENSE OF $ VETERINARY

DAVID SNYDER, D.V.M. $ MEDICAL EXAMINERS

AGREED ORDER

On this the 10th day of Sept., 2010, came to be considered by the Texas Board of Veterinary Medical Examiners ("Board") the matter of the license of David Snyder, D.V.M. ("Respondent"). Pursuant to Section 801.408, Texas Occupations Code and Board Rule 575.27, an informal conference was held on June 29, 2010. The Respondent was not represented by legal counsel at the informal settlement conference. 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 a 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 an 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. On April 25, 2009, David Hays of Dallas, Texas, presented his six and one-half year-old male Husky, “Khan” for surgery to David Snyder, D.V.M. Hwy. 34 Animal Hospital in Terrell, Texas.

2. Dr. Snyder removed tumors from the chest of “Khan” but failed to perform a histopath on the tumors. Dr. Snyder, following the surgery, on April 29, 2009, administered 6mg Dexamethasone. Within one day, the surgical incisions had completely dehisct. Dr. Snyder repeatedly used Dexamethasone on an infected post-operative case. Dr. Snyder ripped out a tumor in the chest causing a lung to collapse. Dr. Snyder repeatedly used NSAIDs with steroids. Dr. Snyder’s prescriptions for pain control were insufficient. Dr. Snyder failed to provide an explanation of possible complications of an ACL repair on a very poor candidate. Dr. Snyder also placed “Khan” in wood shavings in a horse stall with an infected surgical site. Snyder’s records have unexplainable weight variations, no notes from surgery, no assessment of the animal and no
temperature of the animal. Dr. Snyder’s patient records do not meet the Board’s requirements.

3. Dr. Snyder’s failure to perform a histopath on a removed tumor, improper use of Dexamethasone, improper surgical technique in removal of the tumor, use of NSAIDs in conjunction with steroids for an extended period of time, insufficient pain control and placement of “Khan” in wood shavings with an infected surgical site does not represent the same degree of humane care, skill, and diligence in treating patients as is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in good standing in Terrell, Texas, or similar communities.

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 Finding of Fact 3, Respondent has violated Rule 573.22, PROFESSIONAL STANDARD OF HUMANE TREATMENT, of the Board’s Rules of Professional Conduct, which requires veterinarians to exercise the same degree of humane care, skill and diligence in treating patients as is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in good standing in the locality or community in which they practice, or in similar communities.

3. Based on the above Findings of Fact, Respondent has violated Rule 573.52 PATIENT RECORD KEEPING, which requires veterinarians to maintain a phone number for the client, and to identify the species, breed, age, and description of the patient, state any patient history, previous dates of visits, immunization records, temperature, weight, and dosages and routes of administration of each drug administered.

4. Based on the above Findings of Fact and Conclusions of Law 1 through 3, Respondent has violated Section 801.402 (6) 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:

(6) engages in practices or conduct that violates the board’s rules of professional conduct.

5. Based on Conclusions of Law 1 through 4, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

Agreed Order 2010-88
David Snyder, D.V.M.
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

(d) In addition to other disciplinary actions authorized by this subchapter, the board may require a license holder who violates this chapter to participate in a continuing education program.

5. Based on Conclusions of Law 1 through 3, the Board may order the license holder to refund an amount not to exceed the amount a client paid to the license holder instead of or in addition to imposing an administrative penalty, under Section 801.408 of the Veterinary Licensing Act, Texas Occupations Code.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that David Snyder, D.V.M., be FORMALY REPRIMANDED.

In addition, the Board ORDERS that David Snyder, D.V.M. complete an additional NINE (9) hours of continuing education, three (3) of which in recordkeeping, three (3) of which in surgery, and three (3) of which in pharmacology within one year of the date of this order. Documentation of the completion of the continuing education penalty shall be received within thirty (30) days of the end of the period to complete the continuing education. If Respondent fails to provide documentation of completion within forty-five (45) days of the end of the period to complete the continuing education, further enforcement action will be taken.

The Board further ORDERS that Respondent pay or send notification to the client of cancellation of the account payable, within 30 days of the date of this Order, RESTITUTION of TWO THOUSAND ONE HUNDRED AND TWENTY DOLLARS ($2,120.00). If Respondent fails to pay the restitution or send notification to the client of cancellation of the account payable, whichever is applicable, within 30 days of the date of this Order, enforcement action will be taken.

Agreed Order 2010-88
David Snyder, D.V.M.
The Board further ORDERS that:

1. Respondent 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. Respondent shall cooperate with the Board’s attorneys, investigators, compliance officers and other employees and agents investigating Respondent’s compliance with this 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 herein 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.

I, DAVID SNYDER, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND 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.

[Signature]
David Snyder, D.V.M.

7-31-2010
Date

Agreed Order 2010-88
David Snyder, D.V.M.
STATE OF TEXAS

COUNTY OF Kaufman

BEFORE ME, on this day, personally appeared DAVID SNYDER, 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 4 day of August, 2010.

Dalene Rhodes
Notary Public

DALENE RHODES
Notary Public, State of Texas
My Commission Expires
November 27, 2011

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 10 day of Sept, 2010.

Bud E. Alldredge, Jr., D.V.M.
President

Agreed Order 2010-88
David Snyder, D.V.M.