

3. On July 24, 2012, Agreed Order Number 2012-99 (the "Order") regarding Respondent was approved by the Board. The Order required Respondent to continue his Peer Assistance Contract under the Board's Peer Assistance Program (the "Contract") for an additional five years from the date of the Order; follow all recommendations of the Peer Assistance Program Coordinator; participate in and complete a relapse assessment with a mental health provider selected and approved by the Peer Assistance Program; and follow all recommendations of the assessment. In addition, the Order required that, at the request of a representative of the Board, with or without notice, Respondent to submit to appropriate examinations, including screenings for alcohol and drugs, through either a saliva, urine, blood, sweat, or hair specimen, to determine by laboratory analysis whether he is free of prohibited drugs and alcohol. The Order further provided that any violation of the terms of the Contract subjects Respondent to possible immediate revocation of his license.

4. Under the Order, Respondent's license is suspended for five years with the suspension stayed and Respondent placed on probation for the entire five years. During his probation, Respondent is required to abstain from the consumption of prohibited substances as defined below, except as prescribed by another physician to Respondent for legitimate and documented therapeutic purposes. As used in this provision, "consumption" means any manner of ingestion, including oral, injection, topical, inhalation, or otherwise. Prohibited substances, as used in this order, includes:
 - 1) alcohol in any form;
 - 2) Dangerous drugs, as defined in Chapter 483, Tex. Health & Safety Code;
 - 3) Controlled substances, as defined in Chapter 481, Tex. Health & Safety Code;
 - 4) Any substance, in any form, including over-the-counter (OTC) agents and food products, that may cause a positive drug or alcohol test.

The following is an illustrative, but not exclusive, list of prohibited substances:

- 1) Stimulants
- 2) Appetite suppressants
- 3) Medication for ADD/ADHD
- 4) Anti-anxiety agents
- 5) Antidepressants
- 6) Antihistamines
- 7) Anticholinergics
- 8) Antispasmodics
- 9) Recreational, mind-altering drugs
- 10) Any product containing pseudophedrine or epinephrine
- 11) Alcohol
- 12) Any product containing alcohol, including mouthwashes, cough medicines, after shave lotions, colognes, hand sanitizing formulas, and dietary and herbal supplements
- 13) Food containing any of the above and/or poppy seeds.

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5. The Order states that if Respondent consumes any prohibited substance in any form without prescription or order authorized by a physician for a legitimate medical purpose, Respondent shall immediately report his consumption in writing within 24 hours to the General Counsel of the Board. Further, a violation of the Order includes: (1) a positive or a positive-dilute screen for prohibited drugs or alcohol, or a metabolite of prohibited drugs or alcohol; (2) an adulterated specimen; (3) a substituted specimen; or (4) a refusal or failure to submit to random screenings. Should a specimen be reported as negative-dilute, Respondent may be required to undergo additional testing and may be subject to further Board action. A violation may be based on drug and alcohol screening under the Peer Assistance Program or any other drug and/or alcohol testing.
6. Eden Folks, LBSW, Social Worker, with the Professional Recovery Network ("PRN") reported to the Board that on February 7, 2014, PRN received notice that Respondent submitted a positive urine drug screen on January 31, 2014. Ms. Folks stated that on February 10, 2014, she spoke with Respondent and he admitted to consuming beer.

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 Findings of Fact 1 through 6, Respondent has violated Rule 573.62 VIOLATION of BOARD ORDER/NEGOTIATED SETTLEMENTS, which requires a licensee to abide by the terms of Board Orders.
3. Based on Conclusions of Law 1 through 2, 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.

4. Based on Conclusions of Law 1 through 3, 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.

.... (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.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent, be FORMALLY REPRIMANDED.

The Board further ORDERS that Respondent's license be SUSPENDED for FIVE years, with said SUSPENSION STAYED and Respondent placed on PROBATION for the entire period of SUSPENSION.

In addition, the Board ORDERS that Respondent to complete a Peer Assistance Contract under the Board's Peer Assistance Program for five years (5) from the date of this Order. Respondent shall follow all recommendations of the Peer Assistance Program Coordinator. If Respondent has more than one missed call in a six month period, one missed drug screening in a six month period, or tests positive without a legitimate prescription for any drug Respondent tests positive for, under the Respondent's Peer Assistance Contract, further and immediate disciplinary action may be taken by the Board and is considered a violation of this Board Order.

The Board ORDERS Respondent to notify his employer(s) of this Order. Respondent shall provide the Board with a signed acknowledgment from his employer within 30 days of the date of this Order acknowledging that she or he has read and understands this Order.

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 provision of the Act or the Board Rules, may result in further disciplinary action.

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Respondent, by signing this Agreed Order, acknowledges his understanding of the Agreed Order, the notice, Findings of Fact and Conclusions of Law herein set forth, 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 hearing and any right to seek judicial review of this Order. Respondent acknowledges that he is entitled to be represented by an attorney of Respondent's choice at his expense in any hearing before the Board.

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 date of this Agreed Order shall be the date it is adopted by the Texas Board of Veterinary Medical Examiners.

I, EDDY SORANAKA, 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.

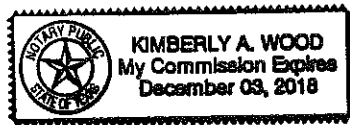

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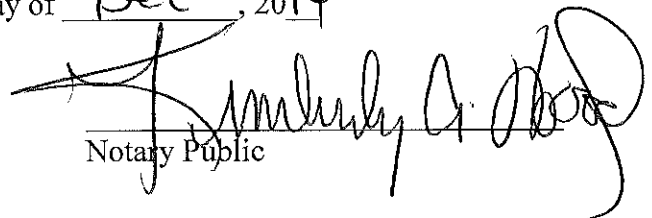
Dec 11, 2014
DATE

STATE OF TEXAS
COUNTY OF Bell

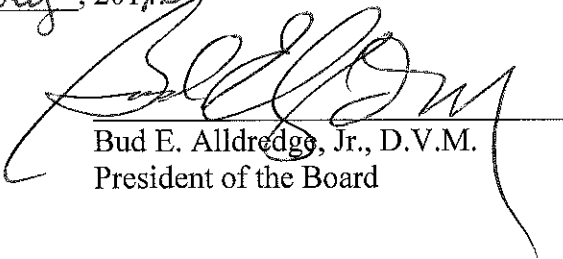
BEFORE ME, on this day, personally appeared EDDY SORANAKA, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 11th day of Dec, 2014




Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL
EXAMINERS on this the 27 day of January, 2014¹⁵



Bud E. Alldredge, Jr., D.V.M.
President of the Board