DOCKET NO. 2014-113

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
AMY STARR, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

On this the 21st day of October, 2014 came to be considered by the Texas Board of Veterinary Medical Examiners (“Board”) the matter of the license of AMY STARR, D.V.M. (“Respondent”). Pursuant to Section 801.2056, Texas Occupations Code, a committee of the Board’s staff met on March 20, 2014, to consider alleged violations of the Veterinary Licensing Act and the Board’s rules by Respondent.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a conference under Section 801.2056 and thereby dispose of the compliance issues set out below. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving the right to a conference, Respondent acknowledges her understanding of the alleged violations and the adequacy and sufficiency of the notice mailed to her.

Upon the recommendation of the Staff 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


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. Respondent is the owner of the Paws N Hooves Mesa Veterinary Clinic (“Clinic”) in El Paso, Texas.
4. On January 7, 2014, the Board received an application from Dr. Desiree Laredo for a provisional veterinary license. In reviewing a letter of reference for Dr. Laredo from Respondent, the Board discovered that Respondent allowed Dr. Laredo to perform veterinary tasks while Dr. Laredo was a student at a non-accredited college of veterinary medicine, St. George University, where Dr. Laredo attended, was later accredited but was not accredited at the time of her clinical externship with Respondent. Respondent directly supervised Dr. Laredo for six (6) weeks in 2010.

5. After Dr. Laredo’s graduation, she was again employed at the Clinic and supervised by Respondent between July 2011 and December 2011. Dr. Laredo did not obtain her veterinary license until 2012.

6. During Dr. Laredo’s employment at the Clinic, Respondent admitted that Dr. Laredo was allowed to assist in orthopedic and abdominal surgeries and difficult spays. Respondent further stated that Dr. Laredo was essential in diagnosing many cases.

**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 573.10, SUPERVISION OF NON-LICENSED PERSONS, of the Board’s Rules of Professional Conduct, which prohibits a veterinarian from allowing a non-veterinarian employee to perform surgery or diagnose animal diseases and/or conditions and states that a veterinarian is subject to discipline when she improperly delegates care and/or treatment duties to a non-veterinarian.

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:
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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 573.10, SUPERVISION OF NON-LICENSED PERSONS, of the Board's Rules of Professional Conduct, which prohibits a veterinarian from allowing a non-veterinarian employee to perform surgery or diagnose animal diseases and/or conditions and states that a veterinarian is subject to discipline when she improperly delegates care and/or treatment duties to a non-veterinarian.

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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.  

5. Based on Conclusions of Law 2 through 4, Respondent may be disciplined in the manner set out in Section 801.451, IMPOSITION OF ADMINISTRATIVE PENALTY, of the Veterinary Licensing Act, which authorizes an administrative penalty for violations of the Act and Board rules.  

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 receive a FORMAL REPRIMAND.  

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of ONE THOUSAND DOLLARS ($1,000.00). If Respondent fails to pay the administrative penalty within 45 days of the date of this Agreed Order, Respondent’s license may be suspended until the penalty is paid.  

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 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 her understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law set forth herein, and agrees that she 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 her right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that she 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, AMY STARR, 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.**

Amy Starr, D.V.M.  
Date: 6-26-14

STATE OF TEXAS  
COUNTY OF DALLAS

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

Given under the hand and seal of office this 26 day of June, 2014.

Yadira Silva
Notary Public

Agreed Order 2014-113
AMY STARR, D.V.M.
SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 21st of October, 2014.

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