

4. On August 10, 2012, and continuing both before and after that date, the website for the Clinic at <http://wseh.net/Staff> contained a section labeled "Interns," which showed photos, names, veterinary schools and graduation dates of five individuals, each of which employed the title "MV" after his or her name. "MV" stands for "Medico Veterinario" in Spanish, and translates to "veterinary doctor" in English.

5. The Clinic website indicated that each of the individuals under the "Interns" label had graduated from unaccredited veterinary schools in Brazil—the school and graduation date for each was noted under their photo, name and "MV" title.

6. Under the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, all interns at veterinary clinics must be licensed veterinarians, unless the intern is a full-time student of an accredited college of veterinary medicine working under the direct supervision of a veterinarian.

7. According to Respondent, the individuals described as interns on the website did not perform the work of interns in a veterinary clinic practicing veterinary medicine, but instead acted as veterinary technicians under veterinary supervision.

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 7, Respondent has violated Rule 573.30, ADVERTISING, of the Board's Rules of Professional Conduct, by advertising that veterinary interns treated animals at the Clinic when the individuals were only employed as veterinary technicians, and using the term "intern" and the title "MV," which could induce the belief that the interns were legally authorized and qualified to practice veterinary medicine in Texas, when in reality the individuals described as "interns" were unlicensed veterinary technicians who could not legally practice veterinary medicine in Texas.

3. Based on Findings of Fact 1 through 7 and Conclusions of Law 1 and 2, Respondent has violated Sections 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 practice 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 receive an INFORMAL REPRIMAND.

The Board also ORDERS that Respondent remove the titles "Intern" and "MV" from the description of veterinary technicians on his website.

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 his understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law 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 H. STEPHENS, 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.

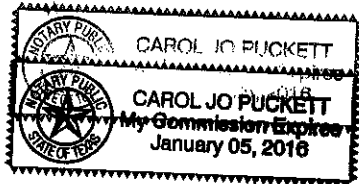
[Signature]
DAVID H. STEPHENS, D.V.M.

2-11-2013
DATE

STATE OF TEXAS §
COUNTY OF Denton §

BEFORE ME, on this day, personally appeared David H. Stephens, 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 11th day of February, 2013.



[Signature]
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 25th of March, 2013.

[Signature]
Bud E. Alldredge, Jr., D.V.M., President