TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
1946 South IH 35, Box 113
Austin, TX 78704
(512) 447-1183

DOCKET NO. 1989-7
GRADY K. STOWE, D.V.M.
LICENSE NUMBER: 2972

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Stowe and the Texas State Board of Veterinary Medical Examiners staff in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement the defendant, Dr. Stowe, will be granted a continuance at his option.

Dr. Stowe does not contest the allegations set forth in the Complaint and agrees that, accordingly, the Board may treat the allegations of fact and law as true, which findings shall have the same force and effect as if evidence and argument were presented in support of the allegations, and based thereon, the Board found the allegations to be true. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

SUMMARY OF CHARGES:

Ordering and using Controlled Substances when not necessary or needed for the care of animals and failure to maintain patient records on the Controlled Substances.

RECOMMENDED DISCIPLINARY ACTION:

1. Reprimand
2. Pay a Civil Penalty in the sum of $500.00.

CONDITIONS:

1. Submit sample copies of drug inventory records for review by the Board Staff.
3. Take and pass the State Board Jurisprudence Examination as scheduled by the Board staff not later than August 31, 1989.
4. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.

[Signature]

Donald B. Wilson, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
The foregoing Agreed Settlement, entered into between Dr. Grady K. Stowe, Board Secretary, Dr. Robert D. Lewis and Board Executive Staff and having been presented to the Texas State Board of Veterinary Medical Examiners as a No contest Plea, was accepted by the Board, and the Board, on June 15th, 1989 ORDERED that all penalties and conditions as stated therein be complied with the same as if the Board had heard evidence and testimony and as a result of such hearing had issued Findings and Orders.

Executed this the 15th, day of June, 1989.

Jim F. Humphrey, President

Fred K. Soifer, D.V.M., Vice-President

Robert D. Lewis, D.V.M., Secretary

W. L. "Dub" Anderson, D.V.M., Member

Larry M. Dubuisson, D.V.M., Member

Olivia R. Eudaly, Member

Mike Levi, Member

Mary E. Mainster, D.V.M., Member

Edward S. Murray, D.V.M., Member
DOCKETED COMPLAINT NO. 1989-7

TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

VS.

GRADY K. STOWE, D.V.M.

TEXAS VETERINARY MEDICAL LICENSE NO. 2972

1989 RENEWAL CERTIFICATE NUMBER 1451

COMPLAINT AFFIDAVIT FORM

BEFORE ME, the undersigned authority, a Notary Public and for Texas, on this day personally appeared JOE RIZZO, who after being duly sworn, did depose and say:

"I, JOE RIZZO, being an employee of the Texas Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one DR. GRADY K. STOWE P.O. Box 1380, Vernon, Wilbarger County, Texas, Texas Veterinary License Number 2972, 1989 Renewal Certificate Number 1451, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, JOE RIZZO do hereby present the following complaint against GRADY K. STOWE, D.V.M., who is hereinafter called Respondent.

I.

The Respondent ordered the following Controlled Substances from Henry Schein, Inc. on or about December 7, 1987 for use by persons and not animals.

<table>
<thead>
<tr>
<th>CONTROLLED SUBSTANCE</th>
<th>QUANTITY RECEIVED</th>
<th>STRENGTH</th>
<th>DATE SHIPPED</th>
<th>INVOICE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valium aka Diazepam (Sch. IV)</td>
<td>1 x 500</td>
<td>10 mg.</td>
<td>12/7/87</td>
<td>5163594013</td>
</tr>
<tr>
<td>Phenaphen #3 w/codeine (Sch.III)</td>
<td>1 x 500</td>
<td>1/2 gr.</td>
<td>12/7/87</td>
<td>5163594013</td>
</tr>
</tbody>
</table>

II.

Respondent failed to maintain patient records substantiating use of the Controlled Substances reflected in Paragraph I.

III.

By ordering and using the Controlled Substances listed in Paragraph I for persons and when not necessary or required for the care of animals, Respondent has violated Rule 33 of the Rules of Professional Conduct which states:

Rule 33
It shall be unprofessional and a violation of the Rules of Professional Conduct for the veterinary profession for a veterinarian to prescribe, provide, obtain, order, administer, possess, dispense, give or deliver to or for any person, narcotic drugs, dangerous drugs, or any controlled substances that are not necessary or required for the care of animals, or where the use or possession of such drugs would promote addiction thereto. For purposes of the rule the term
promote addiction thereto. For purposes of the rule the term Narcotic Drugs, Dangerous Drugs, and Controlled substances shall mean those which are defined and recognized as such by any law of the State of Texas or of the United States.

IV.

By failing to maintain patient records to substantiate the use of the Controlled Substances listed in Paragraph I, Respondent has violated Rule 32 of the Rules of Professional Conduct which states:

Rule 32  
Individual records will include, but are not limited to, identification of patient, patient history, including immunization records, dates of visits, x-rays, names and dosages of medications administered and/or dispensed, and other details as necessary to substantiate diagnosis and treatment.

Patient records shall be maintained for a period of three years and are the responsibility and property of the employing veterinarian.

V.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Stowe’s veterinary License under the Texas Veterinary Licensing Act, Article 7465a, V.A.T.C.S., Section 14(e) which states:

Article 7465a, Section 14(e), Veterinary Licensing Act — " . . . the Board may revoke or suspend a license, place a person whose license has been suspended on probation or reprimand a licensee, . . . if it finds that an applicant or licensee:  
(e) has engaged in practices or conduct in connection with the practice of veterinary medicine which are violative of the standards of professional conduct as duly promulgated by the Board in accordance with the law."

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 15th day of April, 1989.

Further, Affiant sayeth not.

JOE RIZZO, Affiant

SUBSCRIBED and SWORN TO before me by the said JOE RIZZO, this the 30th day of April, 1989.

JUDY C. SMITH  
Notary Public  
STATE OF TEXAS  
My Commission Exp. 9-13-89  
JUDY C. SMITH  
Notary Public in and for Texas  
The foregoing Complaint is hereby filed and docketed with the Texas State Board of Veterinary Medical Examiners and styled Texas State Board of Veterinary Medical Examiners vs. Grady K. Stowe, D.V.M., under Docket Number 1989-7, this the 28th day of April, 1989.

ROBERT D. LEWIS, D.V.M., Secretary
Texas State Board of Veterinary Medical Examiners