IN THE MATTER

OF THE LICENSE OF

WILLIAM TAYLOR, JR. D.V.M.

$ TEXAS STATE BOARD OF

$ VETERINARY MEDICAL EXAMINERS

DOCKET NO. 2014-09

AGREED ORDER

On this, the 22 day of October, 2013, came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board") the matter of the license of WILLIAM TAYLOR, JR., D.V.M. ("Respondent"). Pursuant to Section 801.2056, Texas Occupations Code, a committee of the Board’s staff met on September 23, 2013 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 his understanding of the alleged violations and the adequacy and sufficiency of the notice mailed to him.

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

1. The Board has jurisdiction over the subject matter and Respondent. Respondent has received all notice which may be required by law and by the Board’s rules. All jurisdictional requirements have been satisfied.

2. Thomas Hooper, D.V.M. failed to renew his Texas veterinary license by March 1, 2013.

3. Respondent owns and operates the Taylor Veterinary Clinic in Longview, Texas.

4. Over the last two years, Respondent has hired Dr. Hooper repeatedly to work for him as a relief veterinarian. Dr. Hooper worked for Respondent as a veterinarian after his Texas veterinary license expired on March 1, 2013.

5. On July 29, 2013, Respondent heard from a veterinary colleague that Dr. Hooper did not have a current Texas veterinary license. Dr. Hooper was scheduled to work for Respondent as a relief veterinarian on August 1, 2013. On July 30, 2013, Respondent called the Board, and
learned that Dr. Hooper’s license was expired. Respondent called Dr. Hooper, and told him that Respondent would not employ him again as a relief veterinarian until he could show proof of current Texas veterinary licensure and controlled substance registration with the Texas Department of Public Safety.

6. Respondent assisted the Board by volunteering the names of other veterinarians in the area who he knew also employed Dr. Hooper as a relief veterinarian.

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 5, Respondent has violated Rule 573.12, RESPONSIBILITY FOR LICENSURE OF LICENSED PERSONS, of the Board’s Rules of Professional Conduct, which states that a licensee must ensure that a person practicing veterinary medicine under the licensee’s supervision is licensed to practice veterinary medicine.

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

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, WILLIAM TAYLOR, JR., 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.

William Taylor, Jr., D.V.M.                                      Date

10-9-13
STATE OF TEXAS
COUNTY OF ___REGG___

BEFORE ME, on this day, personally appeared William Taylor, Jr., 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 ___9___ day of ___Oct___, 2013.

DEBBIE RENSHAW
Notary Public
COMM. EXP. 06-06-2014

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the ___27___ day of ___October___, 2013.

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