TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
1946 South IH 35, Suite 306  
Austin, TX 78704  

DOCKET NUMBER 1993-01 - HENRY A. TILLETT, III, D.V.M.  
LICENSE NUMBER: 1324  

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Tillet, the Texas State Board of Veterinary Medical Examiners staff, and 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. Tillet will be granted a continuance at his option.

Dr. Tillet does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, 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:

- Failure to exercise humane care, skill and diligence when treating patients.

RECOMMENDED DISCIPLINARY ACTION:

1. An Official Reprimand

CONDITIONS:

2. Take and pass the State Board Jurisprudence Examination.
3. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.
4. File a report with the Board no later than February 28, 1994, certifying that the continuing education requirement has been met.

Henry A. Tillet  
HENRY A. TILLETT, D.V.M.  

Date  
10-12-92

Buddy Matthijetz, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
The foregoing Agreed Settlement, entered into between Dr. Tillett, the Board Secretary, 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 the 3rd day of February, 1993, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Findings and Orders issued.

Executed this the 3rd, day of February, 1993.

Larry M. Dubuisson, D.V.M., President

February 3, 1993

Date

Clark S. Willingham, Vice-President

Date

Al F. Hopkins, Jr., D.V.M., Secretary

Date

Olivia R. Eudaly, Member

Date

James N. Gomez, D.V.M., Member

Date

Robert D. Lewis, D.V.M., Member

Date

Joyce A. Schiff, Member

Date

Guy A. Sheppard, D.V.M., Member

Date

John A. Wood, D.V.M., Member

Date
DOCKETED COMPLAINT NO. 1993-01
TEXAS STATE BOARD OF VETERINARY () TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS () LICENSE NO. 1324
vs.
() 1992 RENEWAL CERTIFICATE
HENRY A. TILLETT, III, D.V.M. () NUMBER 2810

COMPLAINT AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and
for Texas, on this day personally appeared MATTHEW WENDEL, who
after being duly sworn, did depose and say:
On or about May 29, 1992, MATTHEW WENDEL, being an employee of
the Texas State Board of Veterinary Medical Examiners, did in
the course of such employment, make certain investigations in-
to the professional conduct of one HENRY A. TILLETT, III,
D.V.M., 4800 W. Hwy. 80, West, Midland, Texas, 79703, Veteri-
nary License Number 1324, 1992 Renewal Certificate Number
2810, a practitioner of veterinary medicine in the State of
Texas. As an employee of the Texas Board of Veterinary Medi-
cal Examiners, I, MATTHEW WENDEL, do hereby present the fol-
lowing complaint against HENRY A. TILLETT, III, D.V.M.

I.
On or about Friday, May 8, 1992, Vicky Carnett took her 1 year
4 month old chow, "Zack", to Dr. Henry Tillett so that he
would castrate the dog.

II.
Vicky Carnett was instructed by Dr. Tillett to lead the dog
to a grassy area where Dr. Tillett administered 30 mg. of
Rompun to allow Zack to become tranquil and empty the contents of his stomach. Dr. Tillett did not perform a pre-anesthetic exam before administering the Rompun.

III.

After Zack became tranquil, Dr. Tillett led Zack into the clinic, placed him on the surgery table and administered 35 mg of Ketaset based on an estimated weight of 35 pounds. Dr. Tillett did not perform a pre-anesthetic exam before administering the Ketaset.

IV.

On or about Friday, May 8, 1992, surgery was performed and an unknown amount of antibiotic was placed in the scrotum. The incision was left open for drainage.

V.

After completion of the surgery, Zack was placed on the floor and tied to a pot belly stove, where he could be observed.

VI.

Later that same day Zack was released to the owners. The owners reported that Zack never seemed to "come back around". Zack died on Sunday afternoon May 10, 1992. No necropsy was performed.

VII.

By not performing a pre-anesthetic exam on "Zack", as described in paragraphs 2 and 3, Dr. Tillett failed to exercise the same degree of skill and diligence in treating
patients as are ordinarily used in the same or similar circumstances by average veterinarians in his locality, in violation of Rule 573.22, Professional Standard of Humane Treatment and Section 14 (a) (5) of the Texas Veterinary Licensing Act, Article 8890, V.A.C.S.

VIII.
The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Tillett's Veterinary License under the Texas Veterinary Licensing Act, V.A.C.S., Article 8890, (formerly Article 7465a) Section 14 which states in part:

ARTICLE 8890, SECTION 14 (a)
"... the Board may revoke or suspend a license, impose a civil penalty, place a person whose license has been suspended on probation, or reprimand a licensee... if it finds that a licensee:

(5) 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 law;

ARTICLE 8890, SECTION 14B
(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess a civil penalty against that person in addition to taking action under Section 14 or 14A of this Act.
The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 21st day of October, 1992.

Further, Affiant sayeth not.

[Signature]
MATTHEW WENDEL, Affiant

SUBSCRIBED and SWORN TO before me by the said MATTHEW WENDEL this the 21st day of October, 1992.

[Signature]
ROSALVA TORRES, 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. Henry A. Tillett, III, D.V.M. under Docketed Number 1993-01, this the 21st day of October, 1992.

[Signature]
LARRY M. DUBUISSON, D.V.M., Secretary
Texas Board of Veterinary Medical Examiners