LICENSURE ORDER 2010-61

IN THE MATTER OF $ TEXAS BOARD
THE APPLICATION FOR $ OF
LICENSURE OF $ VETERINARY
STEPHEN A. TUCKER, D.V.M. $ MEDICAL EXAMINERS

AGREED LICENSURE ORDER

On this the 22nd day of March, 2010, came to be considered by the Texas Board of Veterinary Medical Examiners (“Board”), duly in session, the Matter of the Application for Licensure of STEPHEN A. TUCKER, D.V.M. (“Applicant”). Applicant appeared before the Board without counsel. Applicant addressed the Board and, after considering his Application, the Board recommended that Applicant be granted a Texas veterinary license with certain terms and conditions as set forth by this Order. Based on the recommendation of the Board, and with the consent of Applicant, as evidenced by Applicant’s signature on this Licensure Order, the Board makes the following Findings of Fact and Conclusions of Law, and enters this Order.

Findings of Fact

1. Applicant graduated from Auburn University, College of Veterinary Medicine. Applicant took and passed the National Board Examination (NBE) in 1977, the Clinical Competency Test (CCT) was not given at that time.

2. Applicant, upon graduation, attained a veterinary license in Virginia where he practiced for two years. In 1979, he earned a veterinary license in Arizona and practiced there for the following 15 years.

3. Applicant appeared before the Arizona State Veterinary Medical Examining Board (Arizona Board) in 1988 due to the violation of several Arizona statutes, including but not limited to, substance abuse. He was placed on probation with the Arizona Board. Subsequently, he violated the terms of his probation and an amended order was filed. Applicant violated the terms of the amended order and his Arizona license was revoked in May of 1994.

4. Applicant admits to alcoholism, his attempts at sobriety, and various forms of rehabilitation since his license revocation in Arizona. In 2006, he was hospitalized due to his alcoholism and returned to Alcoholics Anonymous he states that he has been sober since his hospitalization. He has been working as a veterinary technician since February of 2009 at the Briarcrest Veterinary Clinic in Houston, but desires to return to the practice of veterinary medicine.

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TEXAS STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
5. Applicant has received all notice required by law related to this proceeding. All jurisdictional requirements have been satisfied. Applicant waives any defect in notice and any further right to notice or hearing under the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board’s Rules.

Conclusions of Law

1. Applicant is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board’s Rules.

Order

NOW, THEREFORE, THE BOARD AND APPLICANT AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

Based on the above Findings of Fact and Conclusions of Law, the Board orders that STEPHEN A. TUCKER, D.V.M. is hereby permitted to sit for, take, and pass the State Board Examination (SBE) within one year of the effective date of this Order, and upon completion of the following terms and conditions shall be granted a Texas Veterinary License.

1. Applicant must submit for approval, prior to commencing the practice of veterinary medicine, the name of a monitoring licensed veterinarian to the Executive Director of the Board.

2. The approved monitor must submit a letter to the Board acknowledging that they have been made aware of the terms and conditions placed on Applicant’s license, and their responsibility to submit quarterly reports.

3. Applicant must enter into a five (5) year contract with the Texas Veterinary Medical Association’s Peer Assistance Program. The program administrator must:
   a. Submit verification that Applicant is participating in the program; and
   b. Submit regular reports of the Applicant’s progress in the program.

4. Applicant must submit a letter of recommendation from a veterinarian licensed in Texas

The Board further ORDERS that:

1. Applicant must obtain 50 hours of Continuing Education within 2 years to be completed within 24 months of the date his license is issued.

2. Applicant must work under the general supervision of the approved monitor for a period of twenty-four (24) months.

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3. It is the responsibility of the Applicant to ensure that the approved monitor submits 4 reports at quarterly intervals to begin 3 months from the date of licensure and continuing for the term of this order regarding Applicant’s proficiency and attesting to Applicant’s:
   a. Adherence to the laws and rules;
   b. Veterinary skills; and
   c. Proper record keeping.

4. Applicant 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.

5. Applicant shall cooperate with the Board’s attorneys, investigators, compliance officers and other employees and agents investigating Applicant’s compliance with this Order.

6. Failure by Applicant to comply with the terms of this Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

Applicant, by signing this Agreed Licensure Order, acknowledges his understanding of the Order, the notice, and Findings of Fact and Conclusions of Law herein set forth herein, and agrees that he will satisfactorily comply with the mandates of the Order or be subject to appropriate disciplinary action by the Board. The effective date of this Order shall be the date it is adopted by the Board. Applicant, by signing this Order, waives his right to a formal hearing and any right to seek judicial review of this Order. Applicant acknowledges that he had the right to be represented by legal counsel in this matter.

**APPLICANT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. THIS IS A FINAL ORDER.**

I, STEPHEN A. TUCKER, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED LICENSURE ORDER. I UNDERSTAND THAT BY SIGNING THIS ORDER, 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]

STEPHEN A. TUCKER, D.V.M.

03/31/2010

Date

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STATE OF TEXAS §
COUNTY OF Harris §

BEFORE ME, on this day, personally appeared STEPHEN A. TUCKER, 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 31 day of March, 2010.

BRIDGETTE TERREL-CALLOWAY
Notary Public, State of Texas
My Comm. Expires Feb. 12, 2011

BRIDGETTE TERREL-CALLOWAY
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on March 22, 2010.

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

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