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

DOCKET NUMBER 1995-17  
RONALD WAYNE USSELLY, DVM  
LICENSE NUMBER 5569  

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Ronald Wayne Ussery, the Executive Director of the Texas State Board of Veterinary Medical Examiners, 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. Ussery, may be granted a continuance at his option.

Dr. Ussery does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that: (1) the Board may treat the allegations of fact and law as true; and (2) the findings shall have the same force and effect as if evidence and argument were presented in support of the allegations. 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: Dr. Ussery has by dispensing federal legend drugs for human use and not for the treatment of animals, violated Rule 573.60, Practice Prohibition, and Rule 573.41(b), Use of Prescription Drugs of the Rules of Professional Conduct, and Section 14(a)(5) Veterinary Licensing Act Article 8890.

RECOMMENDED DISCIPLINARY ACTION:

License Suspension of Twelve (12) Months with said suspension stayed and placed on probation for a period of twelve (12) months.

CONDITIONS:

Agree to abide by the Rules of Professional Conduct, Veterinary Licensing Act, and laws of the State and the United States.

[Signatures]

RONALD WAYNE USSELLY, DVM  
9/25/85  
Date

RON ALLEN, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS  
9/22/85  
Date
The foregoing Agreed Settlement, entered into between Dr. Ronald W. Ussery, the Board Secretary, and the Board's 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 5th day of October, 1995, 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 5th day of October, 1995.

Alton F. Hopkins, Jr., D.V.M., President

Date

John A. Wood, D.V.M., Vice-President

Date

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

Date

Robert I. Hughes, Jr., D.V.M., Member

Date

Sharon O. Matthews, Member

Date

Michael J. McCulloch, D.V.M.

Date

Joyce G. Schiff, Member

Date

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

Date

Clark S. Willingham, Member

Date
DOCKETED COMPLAINT NO. 1995-17

TEXAS STATE BOARD OF VETERINARY § TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS § LICENSE NO. 5569
vs. § 1995 RENEWAL CERTIFICATE
RONALD W. USSERY, DVM § NUMBER 3778

COMPLAINT AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Charles Adkins, who after being duly sworn, did depose and say:

On or about March 13, 1995, Charles Adkins, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one Ronald Wayne Ussery, D.V.M., Highway 476, Pleasanton, Texas 78064, Veterinary License Number 5569, 1995 Renewal Certificate Number 3778, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas State Board of Veterinary Medical Examiners, I, Charles Adkins, do hereby present the following complaint against Ronald Wayne Ussery, D. V. M.

I.

Between March 1994 and May 1994, Ronald Wayne Ussery dispensed to Jennifer Wells the medications tetracycline, and SMZ-TMP (Bactrin), both of which are "legend drugs", for her own personal use and not for the treatment of animals.
II.

On or about May 17, 1995, Dr. Ussery was interviewed on site and provided a disclosure statement in which he admitted to dispensing medications in the form of tetracycline and Bactrin, both of which are "legend drugs", to Jennifer Wells because of their "special relationship."

III.

Because of the activity described above, it is alleged that Dr. Ussery may have violated Rule 573.60 Practice Prohibition and 573.41 (b) Use of Prescription Drugs, of the Rules of Professional Conduct and Section 14(a)(5) of the Veterinary Licensing Act, V.A.C.S., Article 8890.

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 the 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 an administrative 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 the Texas Board of Veterinary Medical Examiners on this the __ day of September, 1995.

Further, Affiant sayeth not.

Charles Adkins, Affiant
SUBSCRIBED and SWORN TO before me by the said Charles Adkins this the 30th day of September, 1995.

Mike Carroll, 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. Ronald Wayne Ussery, D.V.M. under Docketed Number 1995-17 this the 23rd day of September, 1995.

James N. Gomez, D.V.M., Board Secretary
Texas State Board of Veterinary Medical Examiners