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

DOCKET NUMBER 1988-30
LEONARD W. VENHAUS, D.V.M.
LICENSE NUMBER: 2669

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Leonard Venhaus, Respondent, his attorney, Mr. John Gilbert, 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, Dr. Venhaus or the Texas State Board of Veterinary Medical Examiners, will be granted a continuance at their option.

Dr. Venhaus 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:
1. Respondent failed to maintain adequate drug inventory records.
2. Respondent failed to maintain adequate patient records.
3. Respondent failed to completely label a drug dispensed.
4. Respondent’s U.S. Dept. of Agriculture Accreditation was revoked effective October 9, 1988, for a period of two years.

RECOMMENDED DISCIPLINARY ACTION:
1. A two (2) year suspension, all probated but thirty (30) days. Probation effective October 6, 1988.
2. Pay a civil penalty in the amount of $2,000.00.

CONDITIONS:
1. The thirty (30) day suspension is to commence prior to January 6, 1989; and shall be served in thirty (30) consecutive days once started.
2. Submit quarterly reports certifying continued compliance with the Orders during the probationary period, with the first report due January 6, 1989.
3. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.
4. Take and pass the State Board Jurisprudence Examination as scheduled by the Board staff.
5. Obtain fifteen (15) hours of Continuing Education per year of the probationary period.

[Signature]
LEONARD W. VENHAUS, D.V.M.

[Signature]
Donald B. Wilson, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

Witness
The foregoing Agreed Settlement, entered into between Dr. Leonard W. Venhaus, the Board Secretary, Dr. Fred Soifer 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 October 6, 1988 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, Conclusions and Orders.

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

Date: October 6, 1988

J. F. Humphrey, Vice-President

Date

Fred K. Soifer, D.V.M., Secretary

Date

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

Date

Olivia R. Budaly, Member

Date

Mike Levi, Member

Date

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

Date

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

Date

Edward S. Murray, D.V.M., Member

Date
DOCKETED COMPLAINT NO. 1988-30

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS

vs.

LEONARD W. VENHAUS, D.V.M.

TEXAS VETERINARY MEDICAL LICENSE NO. 2669

1988 RENEWAL CERTIFICATE NUMBER 0753

COMPLAINT AFFIDAVIT FORM

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

"I, MAX BLANTON, 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. LEONARD W. VENHAUS, Angleton Veterinary Clinic, Inc., Angleton, Brazoria County, Texas, Texas Veterinary License Number 2669, 1988 Renewal Certificate Number 0753, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, MAX BLANTON, do hereby present the following complaint against LEONARD W. VENHAUS, D.V.M., who is hereinafter called Respondent.

I.

Respondent failed to maintain adequate drug inventory records.

II.

Respondent failed to maintain adequate patient records.

III.

Respondent failed to completely label a drug dispensed.

IV.

Respondent's U. S. Department of Agriculture Accreditation was revoked effective October 9, 1988, for a period of two years.

V.

Respondent's failure to maintain adequate drug inventory records, as described in Paragraph I of this complaint, constitutes violation of Rule 30, Rules of Professional Conduct which states:
Rule 30 -
Texas veterinarians shall maintain at their place of business records of all drugs listed in Schedule II of 21 Code of Federal Regulation, Part 1300 to end, in their possession. These records shall be maintained for a minimum of five (5) years. The Board shall prescribe a form for keeping records of those Schedule II substances which shall contain the following:
A. Date of Acquisition
B. Quantity Purchased
C. Date Administered, Dispensed, or Prescribed
D. Quantity Administered, Dispensed, or Prescribed
E. Name of Client and Patient receiving the Drug(s)
F. Diagnosis
G. Balance on hand

VI.
Respondent's failure to maintain adequate patient records, as outlined in Paragraph II, constitutes a violation of Rule 32 of the Rules of Professional Conduct which states in part:

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.

VII.
By failing to adequately label a drug as outlined in Paragraph III, the Respondent has violated Rule 34 of the Rules of Professional Conduct which states in part:

Rule 34:
It is the responsibility of the veterinarian to label all medications and/or other veterinary products dispensed. This label must include:
A. Names, address and telephone number of clinic,
B. Name of veterinarian dispensing, . . .
E. Quantity and strength of product,
F. Directions for administration, . . .

VIII.
By having his U.S. Dept. of Agriculture Accreditation revoked through the acts outlined in Paragraph IV, Respondent has violated Rule 25 of the Rules of Professional Conduct which states:

Rule 25:
A licensed veterinarian whose accreditation has been or is subject to being removed by State or Federal authority may be subject to disciplinary action by the Texas State Board of Veterinary Medical Examiners upon proof of the acts or omissions constituting the grounds for removal of his accreditation.
The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Respondent's veterinary license under Article 7465a, Veterinary Licensing Act, Section 14A which states:

**Article 7465a, Veterinary Licensing Act, Sec. 14A —**
Following notice and a hearing, the Board may suspend or revoke a license, place a license on probation, or reprimand a licensee who knowingly failed to report a disease to the Texas Animal Health Commission as required by Section 161.101, Agriculture Code.

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

**Article 7465a, Sections 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, or."

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 5th day of October, 1988.

Further, Affiant sayeth not.

[Signature]
MAX BLANTON, Chief Investigator

SUBSCRIBED and SWORN TO before me by the said MAX BLANTON this the 5th day of October, 1988.

[Seal]
JUDY C. SMITH, Notary Public
STATE OF TEXAS
My Comm. Exp. 9-13-83

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. Leonard W. Venhaus, D.V.M., under Docket Number 1988-30, this the 6th day of October, 1988.

[Signature]

FRED K. SCIFER, D.V.M., Secretary
Texas State Board of Veterinary Medical Examiners