DOCKET NO. 2008-05

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
SHAWNA L. WALTERS, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

On this the 29th day of November, 2007, came on to be considered by the Texas Board of Veterinary Medical Examiners ("Board") the matter of the license of Shawna L. Walters, D.V.M. ("Respondent"). Pursuant to Section 801.408, Texas Occupations Code and Board Rule 575.27, an informal conference was held on October 29, 2007. The Respondent was represented by counsel, Keith O'Connell. The Board was represented at the conference by the Board's Enforcement Committee.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a formal adjudicative hearing and thereby informally dispose of the issues without a formal adjudication. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving an adjudicative hearing, Respondent acknowledges her understanding of the alleged violations and the adequacy and sufficiency of the notice provided to her.

Upon the recommendation of the Enforcement 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. On December 6, 2006 through December 8, 2006, Shawna L. Walters, D.V.M., of Caldwell, Texas, was in the State of Washington to examine a litter of puppies. The litter was produced by one of her stud dogs. The bitch was co-owned by Jayson and Tabitha Reimer and Simone Alberts in Washington. Dr. Walters sent the health certificates, dated December 16, 2006, from Texas, to Ms. Alberts via express mail. The health certificates certify Dr. Walters examined the puppies on December 16, 2006. Dr. Walters was not in Washington State on December 16, 2006. Three puppies from the litter were shipped from the Seattle, Washington airport on December 20, 2006 using the health certificates provided by Dr. Walters from Texas.

2. Based on paragraph 1, Dr. Walters incorrectly stated the date of examination on the health certificates. Dr. Walters provided invalid health certificates to the Reimers and Ms. Alberts from Texas to a jurisdiction where she did not have the ability to practice veterinary medicine and

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stating a date the puppies had been examined which was not accurate.

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 Finding of Facts 1 and 2, Respondent has violated Rule 573.26, HONESTY, INTEGRITY, and FAIR DEALING, of the Board’s Rules of Professional Conduct, which requires veterinarians to conduct their practice with honesty, integrity, and fair dealing to clients in time and services rendered. Dr. Walters failed to provide a valid health certificate to the Reimers and Ms. Alberts by sending a health certificate from Texas to Washington State showing she had examined an animal on a date she had not examined the animal and outside of her jurisdiction to practice veterinary medicine.

3. Based on Finding of Facts 1 and 2 and 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 3, 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:
   (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.
NOW, THEREFORE, THE BOARD AND RESPONDENT AGREE AS FOLLOWS:

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Shawna L. Walters, D.V.M., be INFORMALLY REPRIMANDED.

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 provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

Respondent, by signing this Agreed Order, acknowledges her understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law herein set forth herein, and agrees that she 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 her right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he had the right to be represented by legal counsel in this matter.

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. NOTHING IN THIS ORDER SHALL BE DEEMED A WAIVER OF RESPONDENT’S RIGHTS UNDER STATUTE OR UNDER THE UNITED STATES OR TEXAS CONSTITUTIONS TO APPEAL AN ORDER OR ACTION OF THE BOARD SUBSEQUENT TO THIS AGREED ORDER EXCEPT AS RESPONDENT MAY HAVE OTHERWISE AGREED TO HEREIN. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

The effective date of this Agreed Order shall be the date it is adopted by the Board.
I, SHAWNA L. WALTERS, D.V.M., HAVE READ AND UNDERSTAND THE
FOREGOING AGREED ORDER. I UNDERSTAND 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.

[Signature]
Shawna L. Walters, D.V.M.

12-18-07
Date

STATE OF TEXAS
COUNTY OF Brazos

BEFORE ME, on this day, personally appeared Shawna L. Walters, 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 18 day of December, 2007.

[Seal]
SHIRLEY A. LAMPO
MY COMMISSION EXPIRES
November 19, 2010
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL
EXAMINERS on this the 14th day of February, 2008.

[Signature]
Texas Board of Veterinary Medical
Examiners, President Vice-President

Patrick Allen, D.V.M
Printed Name