DOCKET NO. 2006-30

IN THE MATTER OF § TEXAS STATE BOARD OF

THE LICENSE OF § VETERINARY MEDICAL EXAMINERS

CHRISTY WEBB, D.V.M. §

AGREED ORDER

On this the 15th day of June, 2006, came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board") the matter of the license of CHRISTY WEBB, D.V.M. ("Respondent"). Pursuant to Section 801.408, Texas Occupations Code and Board Rule 575.27, an informal conference was held on April 7, 2006. The Respondent appeared without counsel. 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 August 7, 2005, a Bassett hound named "Bowser" owned by Dwayne Edwards, Amarillo, Texas, was hit by a car. Mr. Edwards' father, Mike Edwards, delivered the dog to the Small Animal Emergency Clinic, Amarillo, Texas, where the dog was examined by Christy Webb, D.V.M. Dr. Webb determined that "Bowser" had suffered a left hip laceration, left femoral fracture, and possible pelvic fracture. Dr. Webb offered treatment options, including fracture repair and complete cage rest. Dwayne Edwards and his father conferred on the telephone and decided on euthanasia and Mike Edwards paid for the procedure.

2. Dr. Webb did not immediately euthanize the dog. The emergency clinic's head technician, Shawn Morris, and his son, asked Dr. Webb not to euthanize "Bowser," but instead allow them to take the dog home and care for him. The dog was released with Rimadyl and antibiotics and Mr. Morris was given instructions for strict cage rest for the dog for six weeks. No radiographs were taken. Over the next several weeks, Mr. Morris reported that "Bowser's" condition was improving. However, the dog was not examined again by Dr. Webb.

3. On September 20, 2005, Dwayne Edwards saw "Bowser" in someone else's yard. Mr. Edwards picked up the dog and transported him home. The dog appeared to be in considerable
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pain. Mr. Edwards took the dog to Merten Pearson, D.V.M., who confirmed that “Bowser” had a broken leg and hip. Dr. Pearson said that the fractures had begun to heal in the wrong positions.

4. On the evening of September 20th, Mr. Edwards and his wife went to the Animal Emergency Clinic for an explanation of what had happened. They spoke with Patricia Chase, D.V.M., the manager of the clinic. Dr. Chase explained the chain of events. After viewing Dr. Pearson’s radiographs with two other veterinarians, Dr. Chase determined that the fractured femur should be repaired by a board certified surgeon at the emergency clinic’s expense. Dr. Chase opined that most femoral fractures do not heal without adequate stabilization, which was not suggested by Dr. Webb when the dog was given to Mr. Morris. On September 26th, the dog was transported to an Albuquerque specialist clinic for the surgery and afterwards returned to the owners. A few days later, Dr. Webb was terminated from the emergency clinic.

5. The actions of Dr. Webb in not euthanizing a patient despite the instructions of the client; advising cage rest without stabilization for an animal with a fractured femur; and not providing follow-up on the dog’s condition after release, do not represent the same degree of humane care, skill, and diligence in treating patients as is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in good standing in Amarillo, Texas or similar communities.

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 Findings of Fact 1 through 5, Respondent has violated Rule 573.22, PROFESSIONAL STANDARD OF HUMANE TREATMENT, of the Board’s Rules of Professional Conduct, which requires veterinarians to exercise the same degree of humane care, skill and diligence in treating patients as is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in good standing in the locality or community in which they practice, or in similar communities.

3. Based on Finding of Fact 5 and Conclusion of Law 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
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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 CHRISTY WEBB, D.V.M., be FORMALLY REPRIMANDED.

The Board further ORDERS that Respondent take and pass the Board’s jurisprudence examination within 45 days of the date of this Order. If Respondent fails to take and pass the jurisprudence examination within 45 days of the date of this Order, Respondent’s license shall be suspended until Respondent does take and pass the examination. Respondent may not re-take the examination any more frequently than 10 working days from the date of her last sitting for the examination. Should Respondent engage in the practice of veterinary medicine when under suspension, she will be subject to immediate disciplinary action.

The Board further ORDERS that Respondent shall, by December 31, 2006, acquire six (6) hours of continuing education in orthopedics. These hours shall be in addition to the seventeen (17) hours required in 2006 for license renewal in 2007 (total required in 2006: 23 hours). Within 30 days of the end of calendar year 2006, Respondent shall provide proof to the Board that the 23 hours required by this paragraph were obtained.

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.
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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 she is not 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, CHRISTY WEBB, 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.

Christy Webb, D.V.M.

Date 5/22/20
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STATE OF TEXAS  $  
COUNTY OF $ ____________ 

BEFORE ME, on this day, personally appeared CHRISTY WEBB, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that she executed the same for the purposes stated therein.

Given under the hand and seal of office this 7th day of May, 2006.

JUDY BAITZ  
Notary Public, State of Texas  
My Commission Expires 11-02-2006  

Signed and entered by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 15th day of June, 2006.

Robert Lastovica, D.V.M., President