

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

DOCKET NUMBER 1995-01, JESS ODES ADKINS, D.V.M.  
LICENSE NUMBER 3046

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Jess Odes Adkins, 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. Adkins, will be granted a continuance at his option.

Dr. Adkins 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:**

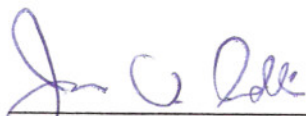
Dr. Adkins failed to adequately monitor the recovery of the complainant's pig from anesthesia after spay surgery, in violation of Rule of Professional Conduct 573.22. He also failed to maintain complete patient records, in violation of Rule of Professional Conduct 573.52.

**RECOMMENDED DISCIPLINARY ACTION:**

Official Reprimand.

**CONDITIONS:**

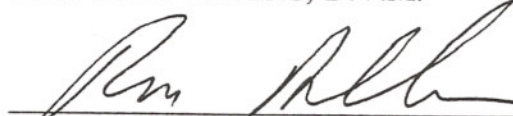
None.



JESS ODES ADKINS, D.V.M.

10-25-94

Date



RON ALLEN, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

The foregoing Agreed Settlement, entered into between Dr. Jess O. Adkins, the Board Secretary, and the 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 the 8th day of February, 1995, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Finding and Order issued.

Executed this the 8th day of February, 1995.

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

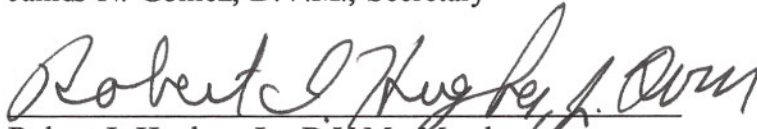
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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Date

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


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Date

  
Sharon O. Matthews, Member

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Date

  
Michael J. McCulloch, D.V.M.

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Date

  
Joyce G. Schiff, Member

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Date

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

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Date

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Clark S. Willingham, Member

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Date

DOCKETED COMPLAINT NO. 1995-01

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 3046
VS.	§	1994 RENEWAL CERTIFICATE
JESS ODES ADKINS	§	NUMBER 3485

COMPLAINT AFFIDAVIT

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

On or about May 23, 1994, Matthew Wendel, 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 Jess Odes Adkins, D.V.M., Adkins Veterinary Service, 337 West Commerce, Fairfield, Texas, 75840, Veterinary License Number 3046, 1994 Renewal Certificate Number 3485, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Matthew Wendel, do hereby present the following complaint against Jess Odes Adkins, D. V. M.

I.

On or about May 12, 1994, at 9:00 a.m., Cindy Berquist took her pot bellied pig, Petunia, to Dr. Jess Adkins at Adkins Veterinary Service, for a routine spay.

II.

On or about May 12, 1994, at 1:40 p.m., Ms. Berquist received a call on her answering machine stating that Petunia was ready to be picked up.

III.

After the surgery was completed, Dr. Adkins placed the animal in a shed near the clinic for recovery. He reported her to have normal breathing and slight ear and head movement. He then left the patient to draw blood from a horse approximately 50 yards away.

IV.

Ms. Berquist arrived at the clinic and entered the shed where she found the pig not breathing. Dr. Adkins performed about three compressions and pronounced the animal dead.

V.

By not properly monitoring the pot bellied pig after surgery, Dr. Adkins violated Rule of Professional Conduct 573.22, Professional Standard of Humane Treatment.

VI.

By not maintaining complete patient records which include such information as patient history, weight of the animal, anesthetic used for surgery and routine exam notes, Dr. Adkins violated Rule of Professional Conduct 573.52 Patient Record Keeping.

VII.

By violating Rules of Professional Conduct 573.22 and 573.52, Dr. Adkins also violated Section 14(a) (5) of the Veterinary Licensing Act, Article 8890, V.A.C.S.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Adkin's Veterinary License under the Texas Veterinary Licensing Act, V.A.C.S., Article 8890, (formerly Article 7465a) Section 14 which states in part:

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 law;

ARTICLE 8890, SECTION 14B

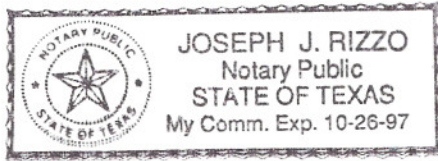
(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 29<sup>th</sup> day of September, 1994.

Further, Affiant sayeth not.

Matthew Wendel  
Matthew Wendel, Affiant

SUBSCRIBED and SWORN TO before me by the said Matthew Wendel this the 29<sup>th</sup>  
day of September, 1994.



Joseph J. Rizzo  
Joseph J. Rizzo, 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. Jess Odes  
Adkins, D.V..M. under Docketed Number 1995-01, this the 8<sup>th</sup> day of  
October, 1994.

John A. Wood  
John A. Wood, DVM, Board Secretary  
Texas Board of Veterinary Medical Examiners