

DOCKET NO. LA2019-095

IN THE MATTER OF	§	TEXAS BOARD OF
THE LICENSE APPLICATION OF	§	VETERINARY
JOEL AKIN, D.V.M.	§	MEDICAL EXAMINERS

**AGREED LICENSING ORDER**

On this day the Texas Board of Veterinary Medical Examiners (“Board”) considered the matter of the license application of Joel Akin, D.V.M. (“Respondent”).

Respondent, without admitting the truth of the Findings of Fact and Conclusions of Law set out in this Order, waived notice and hearing and agreed to the entry of this Licensing Order. Accordingly, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order as set forth below.

**FINDINGS OF FACT**

1. Respondent, Joel Akin, D.V.M., of Arlington, Texas, was issued a veterinary license on December 20, 1990.
2. On October 7, 1999, the Board approved Agreed Order DK1999-18. On June 12, 2003, the Board approved Agreed Order DK2003-28. On October 16, 2008, the Board approved Agreed Order DK2008-42. On February 12, 2009, the Board approved Agreed Order DK2009-14. All four of these orders disciplined Respondent for violations of Board Rule 573.64, regarding continuing education.
3. On February 12, 2009, the Board approved Agreed Order DK2009-21, which disciplined Respondent for violations of Section 801.303, Occupations Code, and Board Rule 573.4, by practicing veterinary medicine with an expired license.
4. On July 16, 2013, the Board approved Agreed Order DK2013-051, which disciplined Respondent for violations of Board Rule 573.78, regarding defaulting on child support payments. On June 3, 2014, the Board approved Agreed Order DK2014-107, which disciplined Respondent for violations of Board Rule 573.78, regarding defaulting on child support payments, Board Rule 573.43, regarding controlled substances registration, and Board Rule 573.75, regarding the duty to cooperate with the Board. On October 18, 2016, the Board approved Agreed Order DK2015-205, which disciplined Respondent for violations of Board Rule 573.78, regarding defaulting on child support payments.
5. On January 26, 2016, the Board approved Agreed Order DK2016-021, which disciplined Respondent for violations of Section 801.402(3), Occupations Code, by being chronically or habitually intoxicated, Board Rule 573.70, regarding reporting of criminal activity, and Board Rule 573.76, regarding notification of licensee addresses. This order required Respondent to participate

in the Board's Peer Assistance Program (PAP), and suspended his license until he was determined to be safe to practice. Respondent's license was to be placed on probated suspension for five years following this determination, and Respondent was ordered to participate in the PAP for the duration of the order.

6. On July 29, 2016, the Office of the Attorney General notified the Board that Respondent had defaulted on his child support and instructed the Board not to permit Respondent to renew his license pursuant to Chapter 232, Family Code. Respondent's license expired on March 31, 2017. Respondent's license was cancelled on March 31, 2018. On July 26, 2018, the Office of the Attorney General notified the Board that Respondent had resolved the pending child support matter and was eligible to renew his license. On September 14, 2018, Respondent submitted an application to reinstate his veterinary license.

7. During the period of his probation and while Respondent's license was cancelled, Respondent continued to fully cooperate with the PAP.

### **CONCLUSIONS OF LAW**

1. Pursuant to Texas Occupations Code, Chapter 801, the Board has jurisdiction over this matter. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules. Respondent received notice as required by law.

2. Respondent has violated Board Rule 573.78, Default on Student Loan/Child Support Payments, of the Board's Rules of Professional Conduct.

3. Respondent has violated Section 801.402(3), (4), and (6) of the Veterinary Licensing Act, Texas Occupations Code.

4. Respondent is subject to denial of a license or to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.

5. Pursuant to Board Rule 575.25, Respondent's violations are Class B violations, and Respondent is subject to disciplinary action under that Rule.

6. Respondent is eligible for a veterinary license subject to the terms and conditions contained in this Order.

### **TERMS OF ORDER**

Now, therefore, the Board and Respondent agree to the following terms:

1. **SUSPENSION AND PROBATION**

- a. Respondent's license shall be suspended for five (5) years, effective from the date Respondent's license is issued, with said suspension stayed and Respondent placed

on probation for the entire period of the suspension.

i. During the period of probation, the following terms shall apply:

1. For the first two years of the period of probation, Respondent shall be supervised by a responsible veterinarian. Respondent shall obtain prior written approval by the Board's Executive Director for any supervising veterinarian.
2. Respondent shall notify all present and prospective employers of this Order. Respondent shall cause employers to provide written acknowledgement to the Board that they have read and understood the Order. This acknowledgement must be provided within 30 days of the effective date of the Order for present employers, or within 15 days of undertaking new employment. This acknowledgment shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

- b. If Respondent does not timely and satisfactorily comply with any of the terms of this Order, the Board may rescind Respondent's probation pursuant to Board Rule 575.36.

## 2. ADHERENCE TO THE LAW AND BOARD RULES

- a. Respondent shall abide by the Board's Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.
- b. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Order.
- c. Failure by Respondent to comply with the terms of this Order, or with any other provisions of the Veterinary Licensing Act or the Board Rules, may result in further disciplinary action.

The effective date of the terms of this Order shall be the date the Respondent's license is issued, unless stated otherwise.

*Certification and signature page follows.*

**RESPONDENT'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains the entire agreement, and there is no other agreement of any kind. I waive the right to any further proceedings, including a formal hearing, and the right to seek judicial review of this Order.

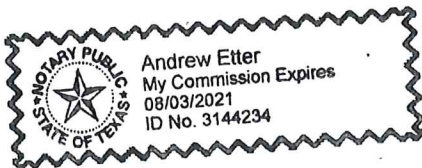
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board and issuance of my license. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions of the Order in a timely manner. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and appropriate disciplinary action as a result of my noncompliance.

Signed this 19th day of December, 2018.

Dr. Joel B. Akin  
Joel Akin, D.V.M.

Sworn and subscribed before me this 19th day of December, 2018.

SEAL:



[Signature]  
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 29 day of January, 2019.

[Signature]  
Jessica Quillivan, D.V.M., Presiding Board Member