

DOCKETED COMPLAINT NO. 1987-14

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| TEXAS STATE BOARD OF VETERINARY | } | TEXAS VETERINARY MEDICAL |
| MEDICAL EXAMINERS | } | LICENSE NO. 3713 |
| vs. | } | 1986 RENEWAL CERTIFICATE |
| T. DON ANDERSON, D.V.M. | } | NUMBER 3159 |

COMPLAINT AFFIDAVIT FORM

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

"I, THOMAS CHESHIRE 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 T. DON ANDERSON, D.V.M., Route 1, Box 97, Blossom, Lamar County, Texas, Texas Veterinary License Number 3713, 1986 Renewal Certificate Number 3159, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, THOMAS CHESHIRE do hereby present the following complaint against T. DON ANDERSON, D.V.M., who is hereinafter called Respondent.

I.

Between the dates of December 19, 1982 through September 5, 1985, T. DON ANDERSON, D.V.M. issued blank Texas Animal Health Commission Official Health Certificates (TAHCOHC) for shipments of livestock which he did not personally inspect.

II.

On or about December 19, 1982 through September 5, 1985 T. DON ANDERSON, D.V.M. signed blank Official Health Certificates and therefore did not accurately and fully complete said Certificates.

III.

T. DON ANDERSON, D.V.M. failed to take the necessary measures to prevent the spread of communicable diseases of livestock by signing and issuing blank Official Health Certificates.

IV.

T. DON ANDERSON, D.V.M. failed to carry out the responsibilities of an accredited veterinarian as enumerated and therefore T. DON ANDERSON's U. S. Department of Agriculture Accreditation was revoked effective December 5, 1986 for a period of two (2) years. (See Attachment A)

V.

By issuing blank Official Health Certificates with his signature affixed thereto, T. DON ANDERSON, D.V.M. has violated Rule 16 of the Rules of Professional Conduct duly promulgated by the Board which reads:

Rule 16 -

A licensed veterinarian in this State shall not issue a certificate of health unless he shall know of his own knowledge by actual inspection and appropriate tests of the animals that said animals meet the requirements for the issuance of such certificate.

VI.

The Texas State Board of Veterinary Medical Examiners has authority to take disciplinary action against Dr. Anderson's license under the Texas Veterinary Licensing Act, Article 7465a, V.A.T.S., Section 14(e) and Rule 25 of the Rules of Professional Conduct which states in part:

Article 7465a, Section 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."

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 foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 1st day of May, 1987.

Further, Affiant sayeth not.

Thomas C. Cheshire
THOMAS CHESHIRE, Affiant

SUBSCRIBED and SWORN TO before me by the said THOMAS CHESHIRE, this the
1st day of May, 1987.

Judy C. Smith
JUDY C. SMITH, Notary Public in and
for the State of Texas

My Commission Expires: September 13, 1989.

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. T. DON ANDERSON, D.V.M., under Docket Number 1987-14, this the
5th day of May, 1987.

W. L. Anderson, D.V.M.
W. L. "DUB" ANDERSON, D.V.M., Secretary
Texas Board of Veterinary Medical Examiners



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Veterinary
Services

CONSENT AGREEMENT

In response to my alleged violation(s) of the "Standards for Accredited Veterinarians" (9 CFR 161.2), occurring during the period 1983-85:

1) I, Dr. T. DON ANDERSON, admit that the Secretary of Agriculture has jurisdiction in this matter.

2) I hereby consent to the revocation of my veterinary accreditation in lieu of further proceedings under the Rules of Practice Governing Revocation or Suspension of Veterinarians' Accreditation (9 CFR 162.1 et seq.), to begin upon the date of my receipt of the Order revoking my veterinary accreditation.

3) I understand that the order issued revoking my veterinary accreditation shall have the same force and effect as if entered after a formal hearing.

4) I understand that the order issued revoking my veterinary accreditation shall be effective in all States in which I am an accredited veterinarian upon my receipt of said order.

5) I understand that effective upon my receipt of the order issued revoking my accreditation, I will not be permitted to perform any functions specified in Parts 1, 2, 3, and 11 of Subchapter A, and Subchapters B, C, and D, all of Chapter I (Animal and Plant Health Inspection Service, U. S. Department of Agriculture) of Title 9, Code of Federal Regulations, and I will not be permitted to perform functions required by Cooperative State-Federal Disease Control and Eradication Programs.

6) I understand that the revocation of my veterinary accreditation will be effective for a period of not less than two(2) years.

7) I understand that at the end of two years after the effective date of the revocation of my veterinary accreditation, I may reapply for accreditation in accordance with 9 CFR 161.1(b).

Tommy Don Anderson
(Signature)

12-5-86
(Date Signed)

I certify this is a true copy

Rita Sheldon
Rita Sheldon, Secretary





United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Veterinary
Services

611 E. 6th, Rm. 200
Austin, Texas 78701

ORDER FOR REVOCATION OF VETERINARY ACCREDITATION

The accreditation of Dr. Tommy Don Anderson, under the provisions of the regulations in Title 9, Code of Federal Regulations, Parts 160-162, "Accreditation of Veterinarians and Suspension or Revocation of Such Accreditation" is hereby revoked. Said revocation is effective in all states in which Dr. Anderson is an accredited veterinarian. This Order is final and shall have the same force and effect as if entered after a formal hearing. This Order is effective upon the date of receipt of this order by Dr. Anderson.

Esters & Co.
Area Veterinarian in Charge, Texas

Dec 5, 1986
Date

I certify this is a true copy

Rita Sheldon
Rita Sheldon, Secretary

