

1994-08

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STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

STATE OF TEXAS

COUNTY OF DENTON

BEFORE ME, the undersigned notary public, on this the 8 day of Aug, 1995, personally appeared MARK ALLEN ANDREWS, D.V.M., located at 837 Old Justin Road, Argyle, Denton County, Texas 76226, who after being duly sworn, upon oath, deposed and said;

I, MARK ALLEN ANDREWS, D.V.M., holder of Texas Veterinary License Number 5227, and 1995 Renewal Certificate Number 1338, voluntarily state the following:

I, MARK ALLEN ANDREWS, D.V.M., being of sound mind and capable of making such decision, hereby request that the Texas State Board of Veterinary Medical Examiners accept this voluntary surrender of my veterinary license. I request the Board to take appropriate action to cancel same, effective immediately. I understand that according to Rule 575.22 Reinstatement of Veterinary Licenses, of Chapter 575 General Rules of Practice and Procedure, that a person whose license to practice veterinary medicine has been cancelled or evoked, whether by voluntary action or by disciplinary action of the Board, may after 5 (five) years from the effective date of such cancellation or revocation, petition the Board for reinstatement of the license, unless another time is provided in the cancellation or revocation Order, or unless no allowance was made in the order for reinstatement. I understand that reinstatement of my license will be considered upon my petition to the Texas State Board of Veterinary Medical Examiners, and at the sole discretion of the Board, and will include any conditions the Board deems necessary.

Mark Allen Andrews
Mark Allen Andrews, DVM

SUBSCRIBED and Sworn to by the said MARK ALLEN ANDREWS, D.V.M. before me, on this the 8 day of August, 1995, to certify which, witness my hand and seal of office.



Cindy Lane
Notary Public in and for Texas

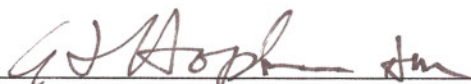
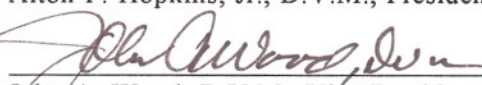
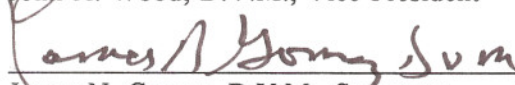
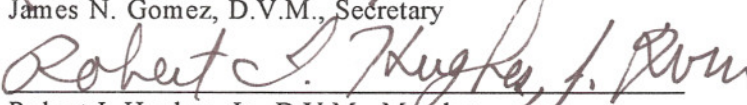
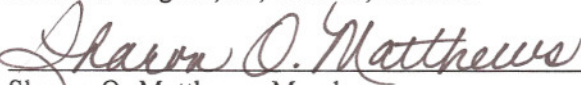
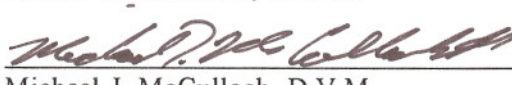
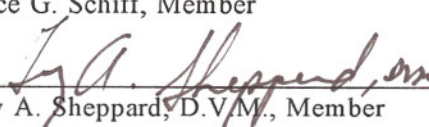
FINDINGS AND ORDERS OF THE BOARD
DOCKETED CASE 1994-08

TEXAS STATE BOARD OF VETERINARY	0	TEXAS
MEDICAL EXAMINERS	0	VETERINARY
vs.	0	LICENSE
MARK ALLEN ANDREWS, D.V.M.	0	NUMBER 5227

BOARD ORDER ACCEPTING
LICENSE FOR SURRENDER AND CANCELLATION

On the 5th day of October, 1995, the attached affidavit was presented to the Board for acceptance. Accordingly, the Board accepted Texas veterinary License Number 5227, previously issued to Dr. Mark Allen Andrews, for surrender, and ordered License Number 5227 cancelled.

EXECUTED this the 5th day of October, 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	_____	Date
 Robert I. Hughes, Jr., D.V.M., Member	_____	Date
 Sharon O. Matthews, Member	_____	Date
 Michael J. McCulloch, D.V.M.	_____	Date
_____ Joyce G. Schiff, Member	_____	Date
 Guy A. Sheppard, D.V.M., Member	_____	Date
_____ Clark S. Willingham, Member	_____	Date

SECOND AMENDED DOCKETED COMPLAINT NO. 1994-08

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 5227
VS.	§	1994 RENEWAL CERTIFICATE
MARK ALLAN ANDREWS, D.V.M.	§	NUMBER 0638

SECOND AMENDED 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 June 14, 1993, 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 Mark Allan Andrews, D.V.M., Veterinary House Calls, Inc., 837 Old Justin Road, Argyle, Texas 76226, Veterinary License Number 5227, 1994 Renewal Certificate Number 0638, 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 Mark Allan Andrews, D. V. M.

I.

At approximately 3:00 p.m., on or about May 15, 1993, Sylvia Pitchford took her cat, "Callie", to Dr. Mark Andrews to have the cat spayed.

II.

At approximately 7:30 p.m., the same day, Ms. Pitchford picked up the cat from Dr. Andrews' wife, who released the cat in a nonambulatory condition. Ms. Pitchford checked on "Callie" at about 9:30 p.m., and noted that "Callie" had not yet regained consciousness. When she checked on "Callie" at about 9:00 a.m. the following morning, "Callie" was dead.

III.

A necropsy was performed by Francis P. Moynagh, D. V. M., who reported the necropsy diagnosis as "acute hemorrhage into peritoneal cavity from cervical stump and mesentery".

IV.

The histopathology report completed by the Texas Veterinary Medical Diagnostic Laboratory indicated "intra-abdominal hemorrhage" as cause of death.

V.

By releasing a patient in a nonambulatory condition, as described in paragraph II, Dr. Andrews violated Rule 573.22, Professional Standard of Humane Treatment, in that he did not exercise the same degree of humane care, skill and diligence in treating patients as are ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in the community in which they practice.

VI.

By violating Rules 573.22, Dr. Andrews violated Section 14(a) (5) of the Texas Veterinary Licensing Act, Article 8890, V.A.C.S.

VII.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Andrew'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

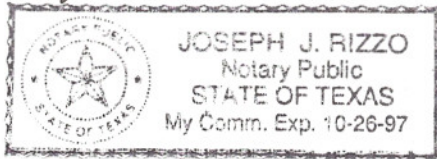
(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical
Examiners on this the 27th day of July, 1994.

Further, Affiant sayeth not.

Matthew Wendel
Matthew Wendel, Affiant

SUBSCRIBED and SWORN TO before me by the said Matthew Wendel this the 27th
day of July, 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. Mark
Allan Andrews, D.V.M. under Docketed Number 1994-08, this the 13th day of
August, 1994.

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