



4. During a compliance inspection by the Board, Dr. Arend was not able to produce records to substantiate his satisfaction of the continuing education requirement in 1995.
5. Dr. Arend was given the opportunity to submit documentation to the Board. Dr. Arend has not submitted documentation to substantiate his satisfaction of the continuing education requirement for 1995.

#### Conclusions of Law

1. Respondent is required to comply with the provision of the Act and Board Rules.
2. Section 14 (a) of the Act authorizes the Board to revoke or suspend a license, impose a civil penalty, place a licensee on probation, or reprimand a licensee based upon findings of non-compliance with the Act or Board Rules.
3. Based on Findings of Fact 3 through 5, Dr. Arend has violated Rule 573.64 - Continuing Education Requirements of the Rules of Professional Conduct.
4. Based on Conclusion of Law 3, Respondent is subject to disciplinary action by the Board under the Act §14(a) (5) and 13 (g).

#### NOW THEREFORE, THE BOARD AND RESPONDENT AGREE AS FOLLOWS:

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Dr. Arend receive an OFFICIAL REPRIMAND under the following terms and conditions:

1. Respondent shall pay an administrative penalty in the amount of \$250, payable within forty-five (45) days of the Board's approval of the Agreed Order.
2. 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.
3. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this order.
4. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Act or the Board Rules, may result in further disciplinary action.

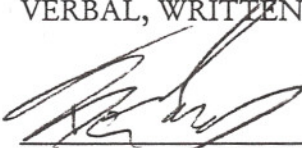
Respondent, Robert Arend, D.V.M., by signing this Agreed Order, acknowledges his understanding of the Agreed Order, the notice, Findings of Fact and Conclusions of Law herein set forth, and agrees that he will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action of the Board.

Respondent, Robert Arend, D.V.M., by signing this Agreed Order, waives his right to a formal hearing and any right to seek judicial review of this Agreed Order.

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 date of this Agreed Order shall be the date it is adopted by the Texas State Board of Veterinary Medical Examiners.

I, ROBERT AREND, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

  
\_\_\_\_\_  
Robert Arend, D.V.M.  
Respondent

9 SEPT, 1998  
DATE

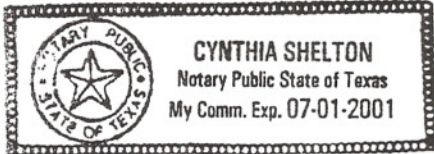
STATE OF TEXAS §  
COUNTY OF Tarrant §

BEFORE ME, on this day, personally appeared Robert Arend, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 9th day of September, 1998.

Cynthia Shelton  
Notary Public

Notary Seal



This agreed order has been entered between Dr. Robert Arend and Ron Allen, the Executive Director of the Texas State Board of Veterinary Medical Examiners, in concurrence with the Board Secretary. It is presented to the Board as a recommendation only.

[Signature]  
RON ALLEN  
Executive Director, TSBVME

September 10, 1998  
DATE

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 10th day of October, 1998.

[Signature]  
MICHAEL J. MCCULLOCH, D.V.M.  
President

DOCKETED COMPLAINT NO. 1998-15

TEXAS STATE BOARD OF VETERINARY § TEXAS VETERINARY MEDICAL  
MEDICAL EXAMINERS § LICENSE NO. 5689  
vs. § 1998 RENEWAL CERTIFICATE  
ROBERT AREND, DVM § NUMBER 0749

COMPLAINT AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Mike Carroll, who after being duly sworn, did depose and say:

On or about June 10, 1998, Mike Carroll, 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 Robert Arend, D.V.M., Animal Clinic of Watauga, 5424 Basswood Blvd., Fort Worth, Texas, 76137, Veterinary License Number 5689, 1998 Renewal Certificate Number 0749, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Mike Carroll, do hereby present the following complaint against Robert Arend, D.V.M.

I.

On or before March, 1, 1996, Robert J. Arend, D.V.M., submitted his application to renew his license to practice veterinary medicine for the 1996 license year.

II.

During a compliance inspection by the Board, Dr. Arend was not able to produce records to substantiate his satisfaction of the continuing education requirement in 1995.

III.

Dr. Arend was given the opportunity to submit documentation to the Board. Dr. Arend has not submitted documentation to substantiate his satisfaction of the continuing education requirement in 1995.

IV.

Based on paragraphs I through III, Dr. Arend has violated Rule 573.64 - Continuing Education Requirements of the Rules of Professional Conduct.

V.

Based on paragraphs I through IV, Dr. Arend has also violated Section 14 (a) (5) of the Veterinary Licensing Act, article 8890.

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 the law;

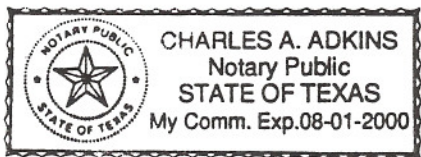
The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 25TH day of SEPTEMBER 1998.

Further, Affiant sayeth not.

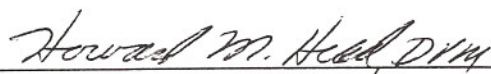
  
\_\_\_\_\_  
Mike Carroll, Affiant

SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 25th day of SEPTEMBER, 1998.

  
\_\_\_\_\_  
Charles A. Adkins, 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. Robert Arend, D.V.M. under Docketed Number 1998-15 this the 25th day of September 1998.

  
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Howard M. Head, DVM, Board Secretary  
Texas State Board of Veterinary Medical Examiners