

TEXAS STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

VS

JOHN MARK BAKER, D.V.M.

TEXAS VETERINARY
MEDICAL LICENSE NO. 3227

TEXAS VETERINARY MEDICAL
RENEWAL CERTIFICATE (1978)
NUMBER 2383

FINDINGS, CONCLUSIONS, AND ORDERS OF THE BOARD

On the 6th day of December, A.D. 1978, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Sheraton-Marina Inn, 300 North Shoreline Blvd., Corpus Christi, Nueces County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint, as well as for the consideration of other Board business, and the above entitled and numbered complaint having been previously scheduled for hearing and Defendant, the said DR. JOHN MARK BAKER, having waived service of citation and ACCEPTED SERVICE in said cause by sworn instrument dated the 21st day of November A.D. 1978, and the entire membership of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present, to-wit:

DR. WALLACE H. CARDWELL, President	of Elgin, Texas
DR. FRANK E. MANN, JR., Vice President	of Wharton, Texas
DR. CHARLES W. EDWARDS, JR., Secretary	of Marfa, Texas
DR. DAN J. ANDERSON, Member	of Fort Worth, Texas
DR. JAMES GANDY, Member	of Brownwood, Texas
DR. JOHN E. WILKINS, JR., Member	of Greenville, Texas

The President of the Board, DR. WALLACE H. CARDWELL, ordered the case to proceed at which time it was ascertained that DR. JOHN MARK BAKER was present in person; whereupon he entered his plea of GUILTY to said Docketed Complaint. The Board then proceeded to hear the evidence presented by the State, and by DR. JOHN MARK BAKER, in his behalf, and on the same day, Wednesday, December 6, 1978, all of the above members of said Board being present and participating, makes the following findings, to-wit:

FINDINGS OF FACT

1. The Board finds that all statutory requisites to its jurisdiction have been met.
2. On or about July 13, 1978 MR. TEDDY TAYLOR was employed by DR. JOHN MARK BAKER in his veterinary clinic.
3. That the said MR. TEDDY TAYLOR is a recognized Animal Technician.
4. That the said TEDDY TAYLOR is not now, nor was he then, nor has he ever been licensed by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS to practice veterinary medicine.
5. That on or about July 13, 1978 DR. JOHN MARK BAKER left the said TEDDY TAYLOR in his clinic without proper supervision for the purpose of practicing veterinary medicine.
6. That on or about July 13, 1978 the said MR. TEDDY TAYLOR, in the absence of the DR. JOHN MARK BAKER from his veterinary clinic did administer rabies and distemper injections to a pet presented to the clinic by MR. WILLIAM C. ANDERSON, and charged and collected a fee for services rendered.
7. That on or about July 13, 1978 the said MR. TEDDY TAYLOR issued or caused to be issued Rabies Tag Number 5063 and issued a certificate signed J. MARK BAKER, D.V.M. indicating that rabies, distemper, hepatitis and paraenfluenza had been administered.

CONCLUSIONS OF LAW

1. That leaving an unlicensed individual in charge of his veterinary clinic during his absence for the purpose of administering rabies and other injections and issuing vaccination certificates with DR. JOHN MARK BAKER's signature affixed thereto is a violation of Rule 15, Rules of Professional Conduct duly promulgated by the Board and Subsections (e) and (f) of Section 14 of Article 7465a, Vernon's Annotated Texas Statutes.
2. That authorizing an unlicensed individual to administer rabies injections during his absence is a violation of Rule 14, Rules of Professional Conduct duly promulgated by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS in accordance with law.

DR. JOHN MARK BAKER

The Board finds that the facts and conclusions brought out at such hearing justify and require the following orders:

ORDERS OF THE BOARD

IT IS ORDERED that Texas Veterinary Medical License No. 3227, and 1978 Renewal Certificate No. 2383 heretofore issued to the said DR. JOHN MARK BAKER be and they are HEREBY SUSPENDED for a period of six (6) months from the date of this Order, PROVIDED HOWEVER, that the execution of this Order of Suspension be and it is HEREBY STAYED and the said DR. JOHN MARK BAKER is placed on probation for a period of six (6) months upon the following terms and conditions:

1. That the said DR. JOHN MARK BAKER will not engage in any dishonest or illegal practices in or connected with the practice of veterinary medicine within the State, nor violate any of the provisions of Article 7465a, of the revised Civil Statutes of Texas, or of any Statutes of Texas or any other State or of the United States or any additions or amendments thereto pertaining to veterinary medicine.

2. The said DR. JOHN MARK BAKER will observe and abide by each of the Rules of Professional Conduct promulgated by the State Board of Veterinary Medical Examiners in the State of Texas for licensed veterinarians now in effect, or placed in effect, during said period of suspension or any part of said period.

3. The said DR. JOHN MARK BAKER shall file with the Executive Secretary of the State Board of Veterinary Medical Examiners an affidavit to the effect that he has fully and faithfully complied with the terms and conditions of probation herein imposed. The said affidavit shall be transmitted to the Board Office by Certified United States Mail, Return Receipt Requested. The said affidavit shall be executed by DR. JOHN MARK BAKER so as to be received in the Board Office on or before the 1st day of April, 1979 and on or before the 1st day of July, 1979.


It is further ORDERED, ADJUDGED and DECREED that upon full compliance with the terms and conditions set forth and upon expiration of the term of the probation, the license of the said DR. JOHN MARK BAKER and the annual renewal certificate then in effect shall be restored to its full privileges, free and


DR. JOHN MARK BAKER

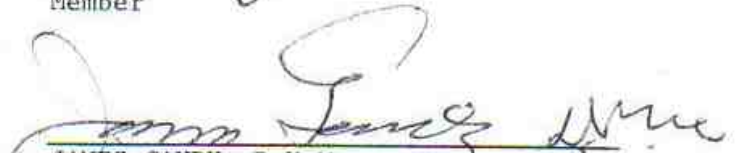
clear of the conditional terms of probation herein imposed; PROVIDED HOWEVER, that in the event the said DR. JOHN MARK BAKER violates or fails to comply with any terms or conditions of this Order during said period of probation, the Board upon receipt by it of satisfactory evidence thereof, may forthwith terminate said probation, cancel and revoke the stay of execution and direct that the Order of Suspension herein made become effective immediately.

MADE the 6th day of December, 1978, and ENTERED the 15th day of January, 1979.


WALLACE H. CARDWELL, D.V.M.
President


DAN J. ANDERSON, D.V.M.
Member


FRANK E. MANN, JR., D.V.M.
Vice President


JAMES GANDY, D.V.M.
Member


CHARLES W. EDWARDS, JR., D.V.M.
Secretary


JOHN E. WILKINS, JR., D.V.M.
Member

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

BEFORE ME, a Notary Public in and for Travis County, Texas, on this day personally appeared ERNIE M. CARROLL, who after being by me duly sworn upon oath deposes and says that;

The said ERNIE M. CARROLL, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of his employment make certain investigations into the professional conduct of one DR. JOHN MARK BAKER, Texas Veterinary Medical License No. 3227, 1978-1979 Renewal Certificate No. 2383, a practitioner of veterinary medicine in the State of Texas, and in the course of said investigation it has come to the attention of the said ERNIE M. CARROLL that on or about the dates hereinafter specified that the said DR. JOHN MARK BAKER did commit one or more of the following acts, and/or omissions, or a combination thereof or all of same said acts and/or omissions being in violation of Article 7465a of the Civil Statutes of Texas (V.A.T.S.) and within the contemplation of Sections 14 and 15 of said statute, as follows, to wit:

1. That on or about July 13, 1978 and for several days thereafter, the said DR. JOHN MARK BAKER left an individual by the name of TEDDY TAYLOR in his clinic without proper supervision at 7800 College Circle North, Fort Worth, Tarrant County, Texas for the purpose of practicing Veterinary Medicine in his absence even though the said TEDDY TAYLOR did not have a current Texas license.

2. That on or about July 13, 1978, the said TEDDY TAYLOR an unlicensed person, while employed or associated by DR. JOHN MARK BAKER in his veterinary clinic in Fort Worth, Tarrant County, Texas did administer rabies and distemper injections to a pet presented to the clinic by WILLIAM C. ANDERSON for which a fee of \$15.00 was charged, collected and Rabies Tag No. 5063 was issued in the absence of DR. JOHN MARK BAKER.

The above complaint, containing two counts, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners this the 10th day of NOVEMBER, A.D., 1978.

Ernie M. Carroll
ERNIE M. CARROLL

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

SWORN AND SUBSCRIBED TO BEFORE ME BY ERNIE M. CARROLL, this the 10th day of November, A.D., 1978, to certify which witness my hand and seal of office.

Ora Lee Lindholm
ORA LEE LINDHOLM
Notary Public in and for Travis County, Texas