



4. On April 15, 2002, Ms. Briggs presented her cat to Harold J. Krug, D.V.M., because the cat had stopped eating. Dr. Krug determined that Dr. Ballard had diagnosed early kidney disease and started IV fluids on the cat. He was not able to determine if any treatment had been suggested aside from the herbs. Dr. Krug did additional lab work that confirmed early kidney disease. Dr. Krug prescribed Cyproheptadine as an appetite stimulate. Later, the cat began to eat better and gained some weight.

### Conclusions of Law

1. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules.

2. Based on Finding of Fact 2, Dr. Ballard has violated Rule 573.15, ALTERNATIVE THERAPIES - HOLISTIC MEDICINE, by not providing a consent form to the client prior to prescribing Chinese herbs to the cat.

3. Based on Finding of Fact 3, Dr. Ballard has violated Rules 573.12, ALTERNATE THERAPIES – CHIROPRACTIC AND OTHER FORMS OF MUSCULOSKELETAL MANIPULATION; 573.14, ALTERNATIVE THERAPIES – ACUPUNCTURE; AND 573.15, ALTERNATIVE THERAPIES – HOLISTIC MEDICINE.

4. Based on Conclusions of Law 1 through 3, Dr. Ballard has violated Section 801.402 (6) of the Veterinary Licensing Act, Texas Occupations Code, and is subject to disciplinary action by the Board:

801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY ACTION. A person is subject to denial of a license or to disciplinary action under 801.401 if the person:

(6) engages in practices or conduct that violates the board's rules of professional conduct.

5. Based on Conclusions of Law 1 through 4, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may:

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose a civil penalty.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that PARTICIA BALLARD, D.V.M., be OFFICIALLY REPRIMANDED.

The Board further ORDERS that the consent forms used in Dr. Ballard's alternative therapies practice be revised to comply with Rules 573.12, .14 and .15. Copies of the revised forms shall be sent to the Board within thirty (30) days of this Order.

The Board further ORDERS that:

1 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.

2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Order.

3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

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

Respondent, by signing this Agreed Order, waives her right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that she was not represented by legal counsel in this matter.

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 effective date of this Agreed Order shall be the date it is adopted by the Board.

I, PATRICIA BALLARD, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE

ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND,  
VERBAL, WRITTEN OR OTHERWISE.

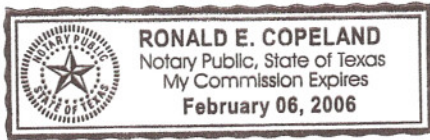
Patricia Ballard Owen  
Patricia Ballard, D.V.M.

4-15-03  
Date

STATE OF TEXAS           §  
COUNTY OF Denton   §

BEFORE ME, on this day, personally appeared PATRICIA BALLARD, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that she executed the same for the purposes stated therein.

Given under the hand and seal of office this 15th day of April, 2003.



REOFCAD  
Notary Public

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

J. Lynn Lawhon  
J. Lynn Lawhon, D.V.M., President