

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
1946 South IH 35, Suite 1
Austin, TX 78704

DOCKET NUMBER 1993-04 - KENNETH B. BEASLEY, D.V.M.
LICENSE NUMBER 1968

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Beasley, the Texas State Board of Veterinary Medical Examiners staff, and in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement the defendant, Dr. Beasley will be granted a continuance at his option.

Dr. Beasley does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that, accordingly, the Board may treat the allegations of fact and law as true, which findings shall have the same force and effect as if evidence and argument were presented in support of the allegations, and based thereon, the Board found the allegations to be true. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

SUMMARY OF CHARGES:

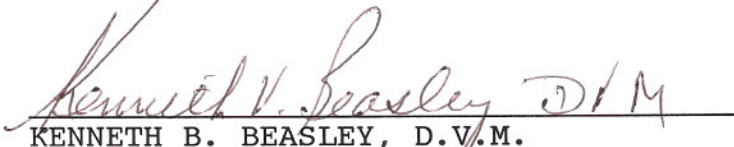
Failure to exercise humane care, skill and diligence when treating a patient, and failure to properly label medications dispensed.

RECOMMENDED DISCIPLINARY ACTION:


1. An Official Reprimand

CONDITIONS:

1. Obtain twenty (20) hours of continuing education by February, 1994, with 5 of the hours being in heartworm eradication programs and medications.
2. Take and pass the State Board Jurisprudence Examination.
3. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.
4. File a report with the Board no later than February 28, 1994, certifying that the continuing education requirement has been met.


KENNETH B. BEASLEY, D.V.M.

27 Jan 1993
Date


Buddy Matthijetz, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

DOCKETED COMPLAINT NO. 1993-04

TEXAS STATE BOARD OF VETERINARY () TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS () LICENSE NO. 1968
vs. () 1992 RENEWAL CERTIFICATE
Kenneth B. Beasley, D.V.M. () NUMBER 2354

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 April 27, 1992, 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 KENNETH V. BEASLEY, D.V.M., 7521 Jensen Drive, Houston, Texas 77093, Veterinary License Number 1968, 1992 Renewal Certificate Number 2354, 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 KENNETH V. BEASLEY, D.V.M.

I.

On or about March 30, 1992, William Ware took his male collie "Laddie" to the Camden Veterinary Clinic, operated by Kenneth V. Beasley, D.V.M., for yearly vaccinations and a heartworm check.

II.

"Laddie" tested microfilaria positive. Dr. Beasley did not vaccinate "Laddie" at that time but opted to treat for heartworms.

III.

Dr. Beasley administered one injection of 1/2 cc of Ivomec (ivermectin 1%) mixed with 2 cc of Albon with B12. Dr. Beasley dispensed to the owner 3 cc of Ivomec mixed with 2 ounces of Vi-Sorbin, to be given to "Laddie" one dropper full, once a day for a month.

IV.

The label attached to the medication dispensed to Mr. Ware did not include the name, address and telephone number of the clinic, the dispensing veterinarian's name, the client name, the quantity and strength of the product and precautionary statements, as required by Rule of Professional Conduct 573.40, Labeling of Medications Dispensed.

V.

By failing to properly label the medication, as described in paragraph IV, Dr. Ware violated Rule of Professional Conduct 573.40.

VI.

By administering 1/2 cc Ivomec, equivalent to 5,000 ug, to "Laddie", without weighing him, Dr. Beasley exceeded the 200 ug/kg toxic range for a collie weighing 22 kilograms. The medication was sufficient to cause toxicity in an ivermectin sensitive dog. Dr. Beasley also failed to advise his client to observe the collie closely for at least 8 hours after treatment because of the sensitivity of collies to ivermectin. This activity violated Rule 573.22, Standard of Humane Treatment.

VII.

By violating Rules of Professional Conduct 573.22 and 573.40, Dr. Beasley has violated Section 14(a)(5), Texas Veterinary Licensing Act, Article 8890, V.A.C.S.

VIII.

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

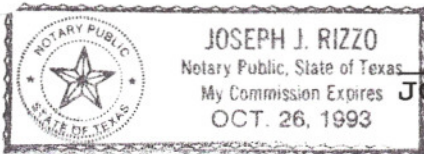
(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess a civil penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 9th day of December, 1992.

Further, Affiant sayeth not.

Matthew Wendel
MATTHEW WENDEL, Affiant

SUBSCRIBED and SWORN TO before me by the said MATTHEW WENDEL this the 9th day of December, 1992.



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. Thaddeus M. Howard, D.V.M. under Docketed Number 1993-03, this the 14 day of December, 1992.

Alton F. Hopkins
ALTON F. HOPKINS, D.V.M., Secretary
Texas Board of Veterinary Medical Examiners