

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
1946 South IH 35, Suite 306  
Austin, Texas 78704

DOCKET NUMBER 1995-04, Michael C. Becker, D.V.M.  
LICENSE NUMBER 5368

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Michael C. Becker, the Executive Director of the Texas State Board of Veterinary Medical Examiners, 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. Becker, will be granted a continuance at his option.

Dr. Becker does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that (1) the Board may treat the allegations of fact and law as true and (2) the findings shall have the same force and effect as if evidence and argument were presented in support of the allegations. 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:**

Failed to properly secure drugs and to maintain proper records for acquisition and disposition of controlled substances, in violation of Rule 573.50 and 573.61.

**RECOMMENDED DISCIPLINARY ACTION:**

License Suspension of five (5) years.

License Suspension with said suspension stayed and placed on probation for a period of five (5) years.

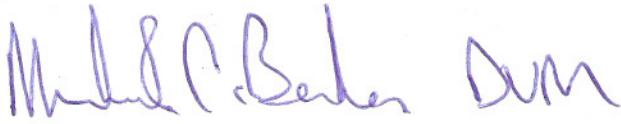
Administrative Penalty in the amount of \$3,000 dollars.

**CONDITIONS:**

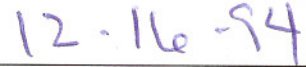
Five (5) hours of continuing education in the area of Recordkeeping. Shall be in addition to the 15 hours required for license renewal.

Michale Becker, DVM  
Negotiated Settlement  
Page 2 of 2

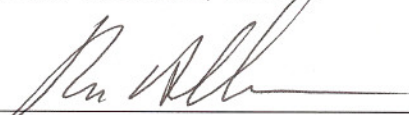
Agreement to abide by the Rules of Professional Conduct, Texas Veterinary Licensing Act and  
Laws of the State and United States during probation.



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Michael C. Becker, D.V.M.



\_\_\_\_\_  
Date




\_\_\_\_\_  
RON ALLEN, Executive Director



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TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

The foregoing Agreed Settlement, entered into between Dr. Michael C. Becker, the Board Secretary, and the Board Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 8th day of February, 1995, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Finding and Order issued.

Executed this the 8th day of February, 1995.



Alton F. Hopkins, Jr., D.V.M., President

\_\_\_\_\_  
Date



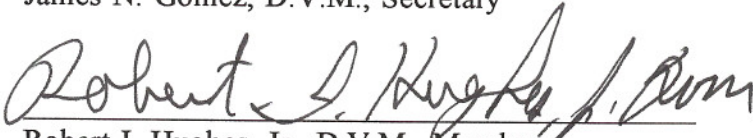
John A. Wood, D.V.M., Vice-President

\_\_\_\_\_  
Date



James N. Gomez, D.V.M., Secretary

\_\_\_\_\_  
Date



Robert I. Hughes, Jr., D.V.M., Member

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Date



Sharon O. Matthews, Member

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Date



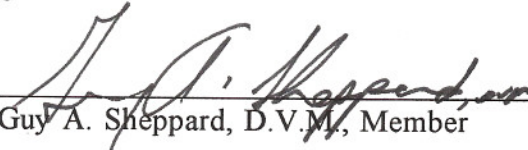
Michael J. McCulloch, D.V.M.

\_\_\_\_\_  
Date



Joyce G. Schiff, Member

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Date



Guy A. Sheppard, D.V.M., Member

\_\_\_\_\_  
Date

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Clark S. Willingham, Member

\_\_\_\_\_  
Date

DOCKETED COMPLAINT NO. 1995-04

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 5368
vs.	§	1994 RENEWAL CERTIFICATE
MICHAEL C. BECKER, D.V.M.	§	NUMBER 0641

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 April 13, 1994, 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 Michael C. Becker, D.V.M., 804 West Avenue, San Antonio, Texas, 78201, Veterinary License Number 5368, 1994 Renewal Certificate Number 0641, 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 Michael C. Becker, D. V. M.

I.

On or about April 6, 1989, a compliance inspection was conducted at the Central-West Animal Hospital, San Antonio, Texas, owned and operated by Michael C. Becker, DVM. Dr. Becker acknowledged that his controlled substances record keeping was not in compliance with Rule of Professional Conduct 573.50 and agreed to voluntarily comply with the rule in the future.

Michael C. Becker, DVM

Page 2 of 5

II.

On April 13, 1994, a second compliance inspection conducted a DR. Becker's clinic revealed that

Dr. Becker possessed the following controlled substances:

- Beuthanasia - D - Schedule III
- Pentothal - Schedule III
- Tussigon 5 mg tabs - Schedule III
- Tussigon Syrup - Schedule III
- Winstrol - V inj. - Schedule III
- Winstrol - V 2 mg tabs - Schedule III
- Diazepam inj. - Schedule IV
- Diazepam 5 mg tabs - Schedule IV

Dr. Becker was unable to produce controlled substances inventories and records that accurately accounted for the acquisition and disposition of the drugs listed above or other controlled substances obtained from April 6, 1989 to April 13, 1994.

III.

The compliance inspection also revealed that Dr. Becker failed to properly secure the drugs listed in paragraph 2, in violation of Texas Department of Public Safety Drug Rule 13.43; Health and Safety Code, Section 481.128 (a) (8), and Rules of Professional Conduct 753.61 and 573.4.

IV.

By failing to maintain accurate controlled substance records at his place of business, as described in paragraph 2, Dr. Becker violated Texas Department of Public Safety Drug Rule 13.61; Health and Safety Code, Section 481.128 (a) (8), and Rules of Professional Conduct 573.50 and 573.4.

Michael C. Becker, DVM

page 3 of 5

V.

By violating Rules of Professional Conduct 573.4, 573.50 and 573.61, Dr. Becker violated Section 14 (a) (5), Texas Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT..

VI.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Becker's veterinary license under the Texas Veterinary Licensing Act, Article 8890, TEX. REV. CIV. STAT., (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 a law;

Michael C. Becker, DVM

page 4 of 5

ARTICLE 8890, SECTION 14B

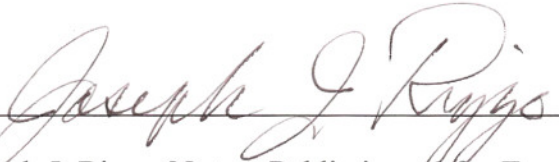
(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.

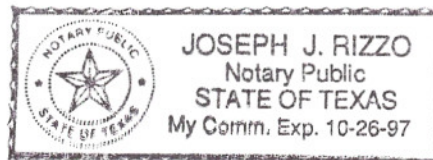
The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 16<sup>TH</sup> day of NOVEMBER, 1994.

Further, Affiant sayeth not.

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

SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 16<sup>TH</sup> day of NOVEMBER, 1994.

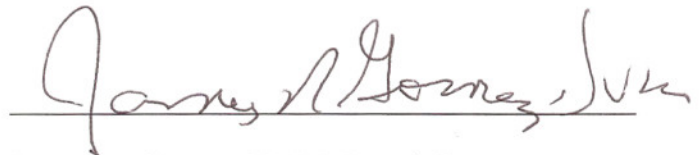
  
\_\_\_\_\_  
Joseph J. Rizzo, Notary Public in and for Texas



Michael C. Becker, DVM

page 5 of 5

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. Michael C. Becker, D.V.M. under Docketed Number 1995-04 this the 16TH day of NOVEMBER, 1994

A handwritten signature in cursive script, reading "James N. Gomez, DVM", written over a horizontal line.

James N. Gomez, DVM, Board Secretary

Texas State Board of Veterinary Medical Examiners