

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

DOCKET NUMBER 1994-06, GEORGE W. BEELER, D.V.M.
LICENSE NUMBER 3373

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Beeler, 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. Beeler will be granted a continuance at his option.

Dr. Beeler 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 maintain controlled substances records; failure to maintain patient records for controlled substances dispensed, delivered, or ordered delivered; failure to establish a veterinarian/client/patient relationship prior to dispensing, delivering or ordering delivered a prescription drug; failure to determine that drugs dispensed or administered were therapeutically indicated for the health and/or well being of the animal. Further, through the foregoing acts, Dr. Beeler failed to adhere to the law as it pertains to the practice of veterinary medicine.

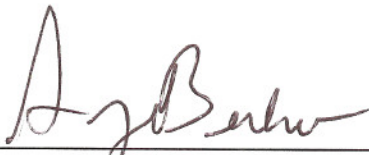
RECOMMENDED DISCIPLINARY ACTION:

1. Five years suspension with the entire period probated.
2. Pay an administrative penalty in the sum of \$1,000.00.

CONDITIONS:

1. During the probationary period, obtain 10 hours of continuing education annually in Practice Management. This is in addition to the 15 hours required for annual renewal of a license.
2. Will request reinstatement of DEA and DPS Controlled Substances Registration Certificates only after appearing before the Board and obtaining their approval that they will not object to the reissuance of the Certificates. The Certificates were surrendered in conjunction with this case.
3. File quarterly reports during the probationary period certifying compliance with this Order, to include the continuing education programs attended.

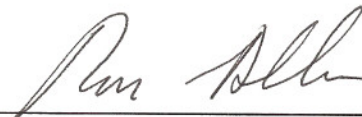
4. Accept periodic, unannounced inspections by Board staff.
5. Take and pass the Texas Board Jurisprudence Examination as scheduled by Board staff.
6. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.



GEORGE W. BEELER, D.V.M.

12-25-93


Date



Ron Allen, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

The foregoing Agreed Settlement, entered into between Dr. Beeler, the Board Secretary, and 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 2nd day of February, 1994, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Findings and Orders issued.

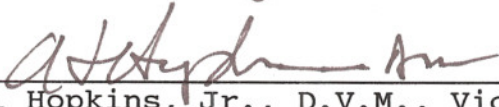
Executed this the 2nd, day of February, 1994.



Mr. Clark S. Willingham, President

February 2, 1994

Date



Al Hopkins, Jr., D.V.M., Vice- President

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Date

John A. Wood, D.V.M., Secretary

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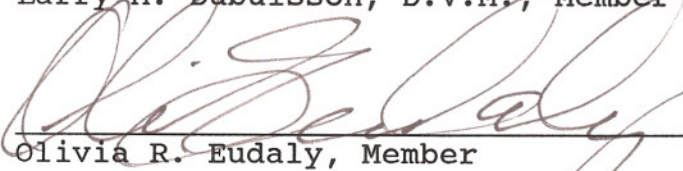
Date



Larry M. Dubuisson, D.V.M., Member

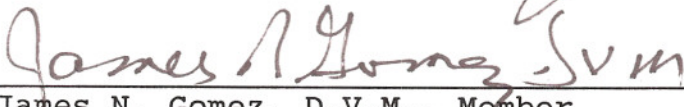
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Date



Olivia R. Eudaly, Member

Date



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

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Date

Robert D. Lewis, D.V.M., Member

"

Date



Joyce G. Schiff, Member

"

Date



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

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Date

DOCKETED COMPLAINT NO. 1994-06

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
vs.
George W. Beeler, D.V.M.

() TEXAS VETERINARY MEDICAL
() LICENSE NO. 3373
() 1993 RENEWAL CERTIFICATE
() NUMBER 1711

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 September 14, 1993, 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 George W. Beeler, D.V.M., Route 3, Box 307, Crockett, Texas, 75835, Veterinary License Number 3373, 1993 Renewal Certificate Number 1711, 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 George W. Beeler, D.V.M.

I.

From January 3, 1991 to May 27, 1993, George W. Beeler, DVM, ordered and obtained the following Schedule III Controlled Substances;

1. Winstrol-V 50mg Injectable1,380 ml
2. Winstrol-V 2mg Tablets.....3,300 tablets
3. Testosterone 100mg Suspension.....1,320 ml
4. Nandrolone 100mg Deconate-Injectable..... 24 ml
5. Equipoise 50mg Injectable.....1,390 ml

II.

An audit conducted on September 23, 1993, revealed that Dr. Beeler had on hand and in his possession the following controlled substances:

1. Winstrol-V 50mg Injectable..... 90 ml
2. Winstrol-V 2mg Tablets.....950 tablets
3. Testosterone 100mg Suspension..... 0 ml
4. Nandrolone 100mg Decanote Injectable..... 2 ml
5. Equipoise 50mg Injectable..... 40 ml

III.

By subtracting the drugs on hand from the drugs ordered during the period of January 3, 1991 to May 27, 1993, the audit revealed that the following controlled substances had been disposed of in some manner:

1. Winstrol-V 50mg Injectable.....1,290 ml
2. Winstrol-V 2mg Tablets.....2,350 tablets
3. Testosterone 100mg Suspension.....1,320 ml
4. Nandrolone 100mg Deconate..... 22 ml
5. Equipoise 50mg Injectable.....1,350 ml

IV.

As to accounting for the disposal of the drugs described in paragraphs II and III, Dr. Beeler has not maintained the required controlled substance inventory records, he has not completed or maintained patient records that reflect the disposal of the drugs, and he cannot account for the disposal of the drugs.

V.

Dr. Beeler failed to maintain veterinary/client/patient relationships for the animals that were dispensed the drugs, per paragraphs II and III.

VI.

By failing to properly maintain required controlled substance records and/or patient records for the controlled substances described in paragraphs I through IV, Dr. Beeler violated Rule 573.04 by violating Section 481.128(3) of Chapter 481, Texas Health and Safety Code, Rule 573.50 and Rule 573.52 of the Rules of Professional Conduct and Sections 7(d) and 14(a)(3), and (5) of the Veterinary Licensing Act, Article 8890.

VII.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Beeler'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 7(d)

"The Board shall require its licensees to maintain a record-keeping system for controlled substances, as prescribed by Chapter 481, Health and Safety Code. The records are subject to review by law enforcement agencies and by representatives of the Board. A failure to keep such records shall be grounds for revoking, cancelling, suspending or probating the license of any practitioner of veterinary medicine."

George W. Beeler, DVM

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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:

(3) has engaged in dishonest or illegal practices in or connected with the practice of veterinary medicine;

(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)

"The Board may impose an administrative penalty against a person who violates a provision of this Act or a rule or order adopted under this Act."

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 29th day of November, 1993

Further, Affiant sayeth not.

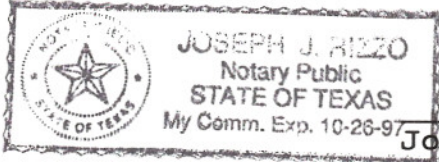


Matthew Wendel, Affiant

George W. Beeler, DVM

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SUBSCRIBED and SWORN TO before me by the said Matthew Wendel
this the 29th day of November, 1993.



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. George
W. Beeler, D.V.M. under Docketed Number 1994-06, this the
1 day of December, 1993.

John A. Wood
JOHN A. WOOD, D.V.M., Secretary
Texas Board of Veterinary Medical Examiners