

DOCKET NO. 2013-58

IN THE MATTER OF § TEXAS BOARD OF  
THE LICENSE OF § VETERINARY  
WILLIAM A. BOYD, D.V.M. § MEDICAL EXAMINERS

**AGREED ORDER**

On this the 25 day of March, 2013, came to be considered by the Texas Board of Veterinary Medical Examiners ("Board") the matter of the license of William A. Boyd, D.V.M. ("Respondent"). Pursuant to Section 801.408, Texas Occupations Code, and Board Rule 575.29, an informal conference was held on January 8, 2013. Respondent attended the informal conference and was represented by counsel, Jack Sanders, Jr. The Board was represented at the conference by the Board's Enforcement Committee.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a formal adjudicative hearing and thereby informally dispose of the issues without a formal adjudication. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving an adjudicative hearing, Respondent acknowledges his understanding of the alleged violations and the adequacy and sufficiency of the notice provided to him.

Upon the recommendation of the Enforcement Committee and with Respondent's consent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order as set forth below.

**Findings of Fact**

1. Respondent, William A. Boyd, D.V.M. of Marshall, Texas, holds Texas veterinary license 3375.
2. The Board has jurisdiction over the subject matter and Respondent. Respondent received notice, which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied under Tex. Occ. Code Ann. Title 4 ("Act"). By entering into this Agreed Order, Respondent waives any defect in the notice and any further right to notice and hearing under the Act; Tex. Gov't Code Ann. §§ 2001.051-.054; and the Rules of the Texas Board of Veterinary Medical Examiners ("Board Rules") (22 Tex. Admin. Code, Chapter 575).

Agreed Order 2013-58  
William A. Boyd, D.V.M.

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Page 1

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3. Respondent is employed as a veterinarian at All Cypress Veterinary Hospital ("Hospital") in Marshall, Texas.
4. On Monday, July 18, 2011, Ronald Porter and Terri Artt presented their four-year old, 13-pound mixed-breed dog named "Robin" to Hospital for hospitalization because "Robin" was experiencing seizures. Patricia Gale Thompson, D.V.M. undertook treatment of "Robin." "Robin" remained hospitalized at the Hospital from July 18, 2011 until July 21, 2011.
5. On Wednesday, July 20, 2011, Dr. Thompson was out of the office, so Dr. Boyd took over treatment of "Robin."
6. Dr. Boyd took radiographs of "Robin's" spine and noted severe spinal trauma. Dr. Boyd consulted with a veterinarian specialized in neurosurgery from the Dallas Veterinary Surgical Center, but did not note the consultation in the patient record.
7. The patient records for the time when "Robin" was hospitalized do not contain any notes documenting physical or neurologic examinations by Dr. Boyd. Dr. Boyd's patient records for his treatment of "Robin" lack required information including the details necessary to substantiate or document the examination, diagnosis, and treatment provided, and/or surgical treatment performed; and the names, dosages, concentration, and routes of administration of each drug prescribed, administered and/or dispensed.

#### **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 Findings of Fact 1 through 7, Respondent has violated Rule 573.52, PATIENT RECORDKEEPING, of the Board's Rules of Professional Conduct, by failing to record required information in the patient record, including but not limited to details necessary to substantiate or document the examination, diagnosis, and treatment provided, and/or surgical treatment performed; the names, dosages, concentration, and routes of administration of each drug prescribed, administered and/or dispensed; and the date and substance of any consultation concerning a case with a specialist or other more qualified veterinarian.
3. Based on Findings of Fact 1 through 7 and Conclusions of Law 1 and 2, Respondent has violated Sections 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

Section 801.401 if the person:...

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

4. Based on Conclusions of Law 1 through 3, 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: (a)

- (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 an administrative penalty.

.... (d) In addition to other disciplinary actions authorized by this subchapter, the board may require a license holder who violates this chapter to participate in a continuing education program.

5. Based on Conclusions of Law 1 through 3, Respondent may be disciplined in the manner set out in Section 801.451, IMPOSITION OF ADMINISTRATIVE PENALTY, of the Veterinary Licensing Act, which authorizes an administrative penalty for violations of the Act and Board rules.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent receive an INFORMAL REPRIMAND.

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of FIVE HUNDRED DOLLARS (\$500.00). If Respondent fails to pay the administrative penalty within 45 days of the date of this Order, Respondent's license may be suspended until the penalty is paid, and any payment by the Respondent to the Board to renew his license will be applied toward the payment of any administrative fee owed to the Board, and further enforcement action may be taken.

In addition, the Board ORDERS that Respondent complete an additional THREE (3) hours of continuing education in recordkeeping within one year of the date of this Order. Documentation of the completion of the continuing education penalty shall be received within thirty (30) days after one year of the date of this Order. If Respondent fails to provide documentation of completion within forty-five (45) days of one year of the date of this Order, Respondent's license may be suspended until the continuing education penalty is completed and documentation is received by the Board.

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 Agreed 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 his understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law set forth herein, and agrees that he 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 his right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he had the right to be 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. 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, WILLIAM A. BOYD, 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.

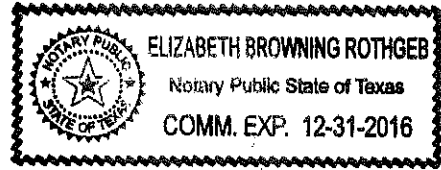
William A. Boyd, D.V.M.  
WILLIAM A. BOYD, D.V.M.

2-4-2013  
DATE

STATE OF TEXAS §  
COUNTY OF Harrison §

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

Given under the hand and seal of office this 4<sup>th</sup> day of Feb., 2013



Elizabeth Browning Rothgeb  
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 25<sup>th</sup> of March, 2013.

Bud E. Alldredge, Jr.  
Bud E. Alldredge, Jr., D.V.M., President