

COMPLAINT NO. CP21-423

IN THE MATTER OF § TEXAS BOARD OF  
THE LICENSE OF § VETERINARY  
SCOTT BRIERS, D.V.M. § MEDICAL EXAMINERS

**ORDER CONTINUING TEMPORARY SUSPENSION AND AGREED ORDER  
IMPOSING OTHER SANCTIONS**

On this day the Texas Board of Veterinary Medical Examiners ("Board") considered the matter of the license of Scott Briers, D.V.M. ("Respondent").

Respondent, without admitting the truth of the Findings of Fact and Conclusions of Law set out in this Order, waived notice and hearing and agreed to the entry of this Order. Accordingly, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order as set forth below.

**FINDINGS OF FACT**

1. Respondent, Scott Briers, D.V.M., of Conroe, Texas, holds Texas veterinary license #7918.
2. On April 27, 2022, the Board temporarily suspended Respondent's license after receiving notice on August 2, 2021 that the Respondent abused a pet and was being investigated for Animal Cruelty by the Conroe Police Department-Case #21050448.
3. Respondent's continued practice of Veterinary constituted a continuing of imminent threat to the public welfare.
4. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
5. On May 11, 2022, a panel of the Enforcement Committee of the Texas Board of Veterinary Medical Examiners ("Board") FOUND after at least two separate incidents, after manifesting anger fits, Respondent physically abused animal patients in his veterinary clinic in 2021. Respondent's continued practice of veterinary Medicine constituted a continuing imminent threat to the public welfare. Thus, the temporary suspension of Respondent's license was continued.
6. On May 6, 2021, while examining a patient cat that had been brought into Conroe Veterinary Clinic for stomach issues, Dr. Briers was bitten on his hand by the cat.
7. Dr. Briers then grabbed said cat by the scruff of the neck, threw it against a wall, and then proceeded to stomp on it several times.

8. Dr. Briers administered said cat medication for the presenting signs.
9. Dr. Briers returned said cat to its owner. He only mentioned to the owner that said cat was difficult with the exam and that he treated the cat for its symptoms as presented.
10. Dr. Briers failed to tell the cat's owner that said cat bit him on the hand or about him throwing the cat down and stomping on it.
11. Moreover, Dr. Briers failed to document said occurrence in the patient's (cat) records.
12. Two days later, the owner called Dr. Brier expressing she was worried her cat had not eaten anything, didn't want to move around, and had fallen off the bed.
13. On May 8, 2021, the owner brought the cat back to the clinic to see Dr. Briers. Dr. Briers took x-rays of said cat and found a fractured left hip.
14. Dr. Briers showed the x-rays to the owner and explained the hip was fractured. He explained to the owner that after running some tests said cat had increased SDMA and ALT level.
15. Dr. Brier failed to explain the cause of the hip fracture and chose instead to talk the owner into euthanizing the cat due to its age and ailments in order to conceal his misconduct.
16. Dr. Briers omitted required documentation in the patient records to conceal his misconduct.
17. Dr. Briers manifested violent and angry behavior towards the cat due to an underlying mental problem impairing his ability to perform a professional service.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Chapter 801, the Board has jurisdiction over this matter. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules. Respondent received notice as required by law.
2. Respondent has violated Board Rule 573.22, Professional Standard of Care, Rule 573.54, Veterinarian Patient Record Keeping, of the Board's Rules of Professional Conduct.
3. Respondent has violated Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code, prohibiting engaging in practices or conduct that violates the board's rules of professional conduct.
4. The Board may issue a disciplinary order directing a veterinarian to participate in the peer assistance program under Section 801.157 if the board determines that the veterinarian is an impaired professional as defined by Section 467.001, Health and Safety Code.
5. Health and Safety Code 467.001 defines "Impaired professional" as an individual whose ability to perform a professional service is impaired by chemical dependency on drugs or alcohol

or by mental illness.

6. Respondent is subject to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.

7. Pursuant to Board Rule 575.25, Respondent's violations are Class A and B violations, and Respondent is subject to disciplinary action under that Rule.

### TERMS OF ORDER

Now, therefore, the Board and Respondent agree to the following terms:

#### 1. SUSPENSION AND PROBATION

- a. The temporary suspension of Respondent's license shall be continued and shall remain in effect until Respondent is cleared to practice by a Professional Recovery Network ("PRN") approved psychological evaluation. Immediately thereafter, the Respondent's license shall be suspended for five years with said suspension stayed and Respondent placed on probation for the entire period of the suspension. The first year of probated suspension Respondent shall be directly supervised. After the first year, Respondent shall be generally supervised.

#### 2. DIRECT SUPERVISION

During this period of this supervision, unless modified or terminated by a Superseding Order of the Board, Respondent shall be directly precepted as follows:

- a. Respondent shall be directly supervised by a responsible veterinarian. "Directly supervised" shall have the same meaning as defined in Texas Occupations Code 801.002(3). This provision is defined as follows by the Act: *"Direct supervision" means supervision of a person by a responsible veterinarian who is physically present on the premises;*
- b. While under this supervision, Respondent shall obtain prior written approval by the Board's Executive Director for any supervising veterinarian. Respondent shall submit the name of a potential supervisor within 30 days of being cleared to practice by the PRN.
- c. Respondent shall notify all present and prospective employers of this Order. Respondent shall cause employers to provide written acknowledgement to the Board that they have read and understood the Order. This acknowledgement must be provided within 30 days of the effective date of the Order for present employers, or within 15 days of undertaking new employment. This acknowledgment shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

### 3. GENERAL SUPERVISION

During the period of this Order, unless modified or terminated by a Superseding Order of the Board, Respondent shall be indirectly precepted as follows:

- a. Respondent shall be generally supervised by a responsible veterinarian. "General supervision" shall have the same meaning as defined in Texas Occupations Code 801.002(4). This provision is defined as follows by the Act: *"General supervision" means supervision of a person by a responsible veterinarian who is readily available to communicate with the person;*
- b. While under this supervision. Respondent shall obtain prior written approval by the Board's Executive Director on any change of supervising veterinarian approved in Section 2 above or, if no supervising veterinarian was approved in the above section, then Respondent shall submit the name of a potential supervisor within 30 days of beginning this general supervision period.
- c. Respondent shall notify all present and prospective employers of this Order. Respondent shall cause employers to provide written acknowledgement to the Board that they have read and understood the Order. This acknowledgement must be provided within 30 days of beginning the general supervision period, or within 15 days of undertaking new employment. This acknowledgment shall be submitted to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

### 4. ADMINISTRATIVE PENALTY

- a. Respondent shall pay an administrative penalty of five thousand dollars (\$5,000.00) within 30 days of the date the Board approves this Order. Payment shall be made directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701. Partial payments will not be accepted.
- b. If Respondent does not timely pay the administrative penalty, the Board may deny a request to renew Respondent's license until the outstanding administrative penalty is received, pursuant to Board Rule 573.62(b). Any monetary funds paid to the Board to renew a license shall first be applied to any outstanding unpaid administrative penalties, pursuant to Board Rule 571.57. Additionally, the matter may be referred to the Attorney General for collection, pursuant to Texas Occupations Code, Section 801.458.

### 5. CONTINUING EDUCATION

- a. In addition to the annual continuing education required for license renewal, Respondent shall complete three (3) hours of continuing education in the area of

Ethics and three (3) hours of continuing education in the area of Record Keeping within six months of the date the Board approves this Order. Respondent shall submit documentation of the completed continuing education penalty and the required annual continuing education to the Board within six months of the date the Board approves this Order. Documentation shall be submitted directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

#### 6. PEER ASSISTANCE PROGRAM PARTICIPATION

- a. Respondent shall enter into a contract with the Board's Peer Assistance Program (PAP) in order to receive a psychological evaluation and anger management treatment/counseling and remain in said program until cleared to practice or a duration five years whichever occurs sooner. Respondent shall enter into this contract and submit documentation of the contract to the Board within 30 days of the date the Board approves this Order. Documentation shall be submitted directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.
- b. For the duration of the PAP contract, Respondent shall timely and satisfactorily comply with all recommendations of the PAP Coordinator, which may include, but are not limited to:
  - i. In-patient or out-patient rehabilitation, treatment, and counselling; and
  - ii. Pre-approval by the PAP and the Board of Respondent's supervisors.
- c. Respondent shall timely pay all costs associated with participation in the PAP, including the costs of all testing, examinations, and treatment.
- d. Respondent shall execute all releases for medical records necessary for the PAP and the Board to evaluate Respondent's compliance with the PAP Coordinator's recommendations and this Order.

#### 7. ADHERENCE TO THE LAW AND BOARD RULES

- a. Respondent shall abide by the Board's Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.
- b. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Order.
- c. Failure by Respondent to comply with the terms of this Order, or with any other provisions of the Veterinary Licensing Act or the Board Rules, may result in further disciplinary action.

The effective date of the terms of this Order shall be the date it is adopted by the Board, unless stated otherwise.

*Certification and signature page follows.*

**RESPONDENT'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains the entire agreement, and there is no other agreement of any kind. I waive the right to any further proceedings, including a formal hearing, and the right to seek judicial review of this Order.

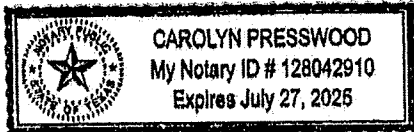
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions of the Order in a timely manner. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and appropriate disciplinary action as a result of my noncompliance.

Signed this 16 day of May, 2022.

Scott Briers  
Scott Briers, D.V.M.

Sworn and subscribed before me this 16 day of May, 2022.

SEAL:



Carolyn Presswood  
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order.

This Order is effective and final on this 13<sup>th</sup> day of June, 2022.

Keith Pardue  
Keith Pardue, J.D., Presiding Board Member