

IN THE MATTER OF	§	BEFORE THE TEXAS STATE
	§	
THE LICENSE OF	§	BOARD OF VETERINARY
	§	
DAVIS L. BROWN, D.V.M.	§	MEDICAL EXAMINERS

AGREED ORDER

The Texas State Board of Veterinary Medical Examiners (“the Board”) makes the following findings:

1. On November 23, 2000, Mr. Bill E. Young of Sugar Land, Texas presented his hunting dog “Val DeLamont”, to Davis L. Brown, D.V.M., at the Alamosa Animal Hospital in Alice, Texas. The dog had apparently been attacked by javelinas and injured severely. Dr. Brown performed surgery on “Val” and kept her at the clinic in recovery until Dr. Brown informed Mr. Young that Mr. Young could take her home on December 3.

2. On December 2, Dr. Brown informed Mr. Young that “Val” had taken a turn for the worse and suggested that the dog continue to receive treatment at the clinic. Mr. Young agreed. On Wednesday, December 6, Dr. Brown informed Mr. Young that the dog was healing properly and could be taken home at any time. Mr. Young asked if “Val” could remain at the clinic until the next weekend at which time she could be picked up. Dr. Brown said that he would take the dog home with him each night until Mr. Young picked her up. Mr. Young agreed to this arrangement.

3. On Thursday, December 7, Dr. Brown told Mr. Young that “Val’s” recovery was “a done deal.” Dr. Brown further told Mr. Young that he, Dr. Brown, was traveling to Austin, but that he would be back by Saturday, December 9, in time for the dog to be picked up and taken home. Dr. Brown did not indicate that he would take “Val” with him to Austin.

4. On Friday, December 8, Mr. Young’s wife received a call from Dr. C. R. Brieger, owner of the Alamosa Animal Hospital, telling her that “Val” was dead. Dr. Brieger informed her that Dr. Brown had taken the dog from the clinic and had taken her on a trip to Austin. On Saturday, December 9, Mr. Young was told by Dr. Brieger that Dr. Brown had been arrested in San Antonio after leading police on a high speed chase and was being evaluated in a psychiatric facility for apparent alcohol abuse and bipolar disorder. “Val” was not with Dr. Brown at the time of his arrest.

5. On December 23, Dr. T. F. Hubert, a veterinarian at the Alamosa Animal Hospital, wrote a "To Whom It May Concern" letter stating that "Val" had escaped from Dr. Brown's custody in Three Rivers during his trip to Austin and had apparently been hit and killed by a motor vehicle.

6. In response to the complaint filed by Mr. Young concerning Dr. Brown's actions leading to the death of "Val," Dr. Brown stated that he felt very "euphoric" on both December 6 and 7. He acknowledged a history of mood swings in the last 20-30 years. He admitted to a series of unusual actions on December 7, including tipping a waitress \$200 and deciding to buy a pair of Lear jets. The clinic staff confirmed other examples of bizarre behavior on that day. On the same date, Dr. Brown decided to take his two dogs and "Val" to Austin although Dr. Hubert counseled Dr. Brown against it.

7. On his trip, Dr. Brown stopped in Three Rivers to look at vans for sale, and the dogs were let out of the truck. "Val" did not return, but due to his euphoric state, Dr. Brown resumed his trip without the dog. While he was in Three Rivers, Dr. Brown was questioned by a sheriff's deputy to whom Dr. Brown offered a check in the amount of \$1M. Dr. Brown also admitted that he was drinking during the day.

8. When Dr. Brown approached San Antonio, he sped through the city until he was stopped by police and arrested and charged with driving while intoxicated. His vehicle was impounded and his dogs were placed in a city dog pound. On December 8 Dr. Brown's wife took Dr. Brown to a hospital in downtown San Antonio where he was examined. He was then transferred to another hospital where he stayed for 10 days. During that hospital stay, he was diagnosed with bipolar disorder. Upon discharge from the hospital, Dr. Brown arranged for psychiatric counseling in Corpus Christi.

9. Based on his arrest in San Antonio, Dr. Brown was convicted of driving while intoxicated (DWI), given six months probation, required to take a DWI course, and attend a DWI impact meeting. His drivers license was also suspended but he was given a license that permits him to drive to work.

Based on the above events, the Board finds that it is in the best interest of the public and Dr. Brown that the Board adopt this Order.

THEREFORE, IT IS ORDERED BY THE BOARD THAT:

1. Within thirty (30) days of this Order, Dr. Davis L. Brown shall meet with the Program Director of the Board's Peer Assistance Program ("Program Director") and, if recommended by the Program Director, Dr. Brown shall enter the Program and comply fully with all of its requirements.

2. Dr. Brown shall retain the services of a psychiatrist to evaluate Dr. Brown's bipolar

condition and recommend treatment. Dr. Brown shall schedule office visits at least once every ninety (90) days and more often if directed by the psychiatrist.

3. By not later than the 10th day of August, November, February, and May of each year, Dr. Brown shall have his treating psychiatrist submit a written report to the Program Director and the Board relating to Dr. Brown's treatment and status during the previous period and setting forth his professional opinion as to Dr. Brown's current psychiatric condition and fitness to practice veterinary medicine. Dr. Brown must inform the psychiatrist of this responsibility and ensure timely compliance.

4. Dr. Brown shall comply with all provisions of the Veterinary Licensing Act and other state and federal rules and statutes regulating the practice of veterinary medicine.

5. Dr. Brown shall immediately inform the Executive Director of any circumstances which occur after the date of this Order which may constitute a violation of this order. Dr. Brown shall cooperate with the Board, its attorneys, investigators, compliance officers and other employees and agents, to verify that he has complied and is in compliance with this Order. The conditions of this Order shall remain in effect until terminated or modified by the Board.

6. Any violations of this Order will result in disciplinary action by the Board against Dr. Brown, including revocation or suspension of his veterinary license.

BY SIGNING THIS ORDER, DAVIS L. BROWN, D.V.M., AGREES TO ITS TERMS AND WAIVES THE NEED FOR A FORMAL HEARING OR ADMINISTRATIVE DUE PROCESS UNDER THE VETERINARY LICENSING ACT OR THE TEXAS ADMINISTRATIVE PROCEDURE ACT, GOV'T CODE §§2001.051 et.seq.

THIS ORDER IS A PUBLIC DOCUMENT.

The effective date of this Order shall be the date it is signed and entered by the Board.

I, DAVIS L. BROWN, D.V.M., HAVE READ AND UNDERSTAND THE PROVISIONS OF THIS ORDER. I UNDERSTAND THAT BY SIGNING. I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THE ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

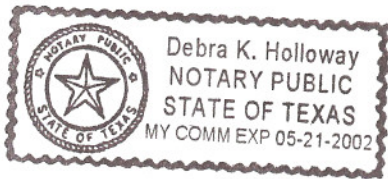
DATED: 5-9, 2001

Davis L Brown DVM
Davis L. Brown, D.V.M.

STATE OF TEXAS
COUNTY OF Dunn

BEFORE ME, on this day personally appeared Davis L. Brown, D.V.M., known to me, who first being duly sworn, signed the foregoing Agreed Order in my presence.

SIGNED on this 9th day of May, 2001.



Debra K Holloway
Notary Public, in and for the
State of Texas

SIGNED AND ENTERED BY THE TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS ON this 21 day of June, 2001.

J Lynn Lawhon
J. Lynn Lawhon, D.V.M., President of the
Board