

TEXAS STATE BOARD OF	§	BEFORE THE TEXAS STATE
VETERINARY MEDICAL EXAMINERS	§	
	§	
VS.	§	BOARD OF VETERINARY
	§	
CLARENCE R. BROWN, D.V.M.	§	MEDICAL EXAMINERS

CAME ON TO BE HEARD on the 30th day of September, 1985, the matter of Clarence R. Brown, D.V.M., and Clarence R. Brown being present, and the Board, having made its deliberation, makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

I.

Clarence R. Brown, D.V.M., is a doctor of veterinary medicine licensed to practice in the State of Texas, License No. 3378, and renewal License No. 3335, with offices in Frisco, Texas.

II.

Clarence R. Brown, D.V.M., on September 16, 1985, received due notice of this hearing.

III.

Clarence R. Brown, D.V.M., has stipulated and admitted that between the dates of September 1, 1983, through July 13, 1985, he wrote 83 prescriptions for the drug Tylenol with codeine #3 at Eckerd's #980 in The Colony, Denton County, Texas.

IV.

Clarence R. Brown, D.V.M., has stipulated and admitted that the above mentioned prescriptions were made out to either "Brown, D.V.M., Patients" or to a named person together with the name of an animal for which the drug was purported to be prescribed.

V.

Clarence R. Brown, D.V.M., has stipulated and admitted that none of the drugs acquired through the use of the above named prescriptions through Eckerd's Drug Stores were used for the practice of veterinary medicine but that all of the above mentioned prescriptions for Tylenol #3 with codeine, a schedule III Controlled Substance, were diverted to non-veterinary use.

CONCLUSIONS OF LAW

Clarence R. Brown, D.V.M., has violated the Texas Veterinary Licensing Act, Article 7465a, Section 14(C) in having engaged in dishonest or illegal practices in connection with the practice of veterinary medicine.

ORDER

It is therefore ORDERED that the license of Clarence R. Brown, No. 3335, to practice veterinary medicine in the State of Texas be suspended for a period of three years, probated for that entire period, commencing on September 30, 1985, and ending October 1, 1988, upon the following conditions of probation:

1. that Clarence R. Brown, D.V.M. surrender his federal narcotics license for the period of probation;
2. that Clarence R. Brown, D.V.M. for a period of six months enroll in a chemical dependence support counseling program and report quarterly on his involvement to the Board's office;
3. that the professionals in his workplace be informed of this Order of the Board and of the circumstances giving rise to it, for the duration of the probation.

SIGNED this 4th day of October, 1985.

TEXAS STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

BY Demarious K. Frey  
DEMARIOUS K. FREY, D.V.M.  
President

COMPLAINT NO. 1985-3

THE STATE OF TEXAS	X	BEFORE THE BOARD OF VETERINARY
vs.	X	MEDICAL EXAMINERS
CLARENCE R. BROWN, D.V.M.	X	STATE OF TEXAS

COMPLAINT AFFIDAVIT FORM

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared E. RANDAL ALLEN, who after being by me duly sworn, did depose and say:

"I, E. RANDAL ALLEN, 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 CLARENCE R. BROWN, D.V.M., Texas Veterinary License No. 3378, 1985 Renewal Certificate No. 3335, a licensed practitioner of veterinary medicine in the State of Texas.

As an employee of the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS, I, E. RANDAL ALLEN, do hereby present to the Executive Secretary of the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS, the following complaint against CLARENCE R. BROWN, D.V.M., who is hereinafter called Respondent.

I.

Between the dates of September 1, 1983 through July 13, 1985 CLARENCE R. BROWN, D.V.M. did write 83 prescriptions for the drug TYLENOL with codeine #3 at Eckerd's #980 in The Colony, Denton County, Texas. The above mentioned prescriptions were made to either "Brown, D.V.M. Patients" or to a named person together with the name of an animals for which the drug was to be prescribed. None of the drugs acquired by giving the above named prescriptions to Eckerd's Drug Stores were used for Dr. Brown's practice of veterinary medicine and all of the above mentioned prescriptions for Tylenol #3 with codeine which is a Schedule III Controlled Substance, were diverted to non-veterinary use.

II.

CLARENCE R. BROWN, D.V.M. has violated the Veterinary Licensing Act, Article 7465a, Section 14 (c) in that he has engaged in dishonest or illegal practices in connection with the practice of veterinary medicine. The writing of fraudulent prescriptions as described in paragraph I of this complaint is made illegal by the Texas Controlled Substances Act, Article 4475-15 of Vernon's Civil Statutes of the State of Texas.

III.

CLARENCE R. BROWN, D.V.M. is a licensed practitioner of veterinary medicine in the State of Texas having received veterinary license number 3378 on June 23, 1973 and having renewed said license on February 26, 1985 and receiving renewal certificate number 3335 on that date.

WHEREFORE, PREMISES CONSIDERED, I, E. RANDAL ALLEN, do hereby suggest and request that the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS immediately take appropriate action to notify CLARENCE R. BROWN, D.V.M. of this complaint against him and upon proper notice and hearing make findings that CLARENCE R. BROWN, D.V.M. has violated the Veterinary Licensing Act and order that the license of CLARENCE R. BROWN, D.V.M. be revoked, suspended, or reprimanded, in accordance with the laws of the State of Texas.


The foregoing complaint is submitted to the Executive Secretary of the Texas Board of Veterinary Medical Examiners on this the 13th day of September, 1985.



E. RANDAL ALLEN

THE STATE OF TEXAS }  
COUNTY OF TRAVIS }

SWORN AND SUBSCRIBED TO BEFORE ME BY E. RANDAL ALLEN this the 13th day of September, 1985, to certify which witness my hand and seal of office.

  
JUDY C. SMITH  
Notary Public in and for Texas

My commission expires September 13, 1989.

Filed this 13th day of September, 1985, Texas Board of Veterinary Medical Examiners.

  
ROGER D. SHIPMAN, EXECUTIVE SECRETARY