

DOCKETED COMPLAINT NO. 1986-1

TEXAS BOARD OF VETERINARY	χ	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	χ	LICENSE NO. 4691
vs.	χ	1986 RENEWAL CERTIFICATE
KELLEE K. CAMPBELL, D.V.M.	χ	NUMBER 3084

FINDINGS, CONCLUSIONS AND ORDERS OF THE BOARD

On the 13th day of May, 1986, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Ramada Inn in College Station, Brazos County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint as well as for consideration of other Board business, and the above entitled and numbered complaint having been previously scheduled for hearing and Defendant, the said KELLEE K. CAMPBELL, D.V.M., having been duly notified and the following members of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present, to-wit:

DR. EDWARD S. MURRAY, President	of Spur, TX
DR. ED B. AVERY, Vice-President	of Pearsall, TX
DR. K. D. DORRIS, Secretary	of Stephenville, TX
DR. W. L. "DUB" ANDERSON, Member	of Addison, TX
MR. JIM HUMPHREY, Member	of Henrietta, TX
MR. MIKE LEVI, Member	of Spicewood, TX
DR. MARY E. MAINSTER, Member	of San Antonio, TX
DR. FRANK E. MANN, JR., Member	of Wharton, TX
DR. FRED K. SOIFER, Member	of Houston, TX

At 9:00 a.m., the appointed hour, the President of the Board, DR. EDWARD S. MURRAY ordered the case to proceed at which time it was ascertained that KELLEE K. CAMPBELL, D.V.M. and her legal counsel, DOUGLAS BROTHERS, were present in person; the Board then proceeded to hear the evidence presented by the State, and by DOUG BROTHERS, Attorney for KELLEE K. CAMPBELL, D.V.M., and on the same day, May 13, 1986, all of the above members of said Board being present and participating, makes the following findings, to-wit:

FINDINGS OF FACT

I.

KELLEE K. CAMPBELL, D.V.M. is a doctor of veterinary medicine, licensed to practice veterinary medicine in the State of Texas under License Number 4691 with offices at 12315 Dessau Road, Austin, Travis County, Texas.

II.

KELLEE K. CAMPBELL, D.V.M. received notice of this hearing on May 2, 1986

III.

On March 6, 1986, KELLEEE K. CAMPBELL, D.V.M. caused LISA FOX, her employee, to administer a rabies vaccination to a dog presented o her by ERNIE M. CARROLL at the veterinary clinic of DR. KELLEEE K. CAMPBELL in Austin, Travis County, Texas.

IV.

On March 6, 1986, KELLEEE K. CAMPBELL, D.V.M. caused LISA FOX, her employee, to issue a certificate of vaccination from Dessau Veterinary Clinic to ERNIE M. CARROLL to which he signed DR. KELLEEE K. CAMPBELL's name.

V.

On March 6, 1986, KELLEEE K. CAMPBELL, D.V.M. caused LISA FOX, her employee to issue a metal dog tag with the inscription "Dessau Veterinary Clinic" to ERNIE M. CARROLL.

VI.

On March 6, 1986, ERNIE M. CARROLL paid \$8.00 to the veterinary clinic of DR. KELLEEE K. CAMPBELL for said rabies vaccination.

VII.

LISA FOX was not licensed to practice veterinary medicine in the State of Texas on March 6, 1986.

VIII.

LISA FOX has never been licensed to practice veterinary medicine in the State of Texas.

IX.

On March 6, 1986, no licensed veterinarian was present on the premises of the veterinary clinic of DR. KELLEEE K. CAMPBELL located at 12315 Dessau Road in Austin, Travis County, Texas.

CONCLUSIONS OF LAW

I.

The Board concludes that DR. CAMPBELL does not contest the allegations set forth in the Complaint 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, she is not admitting 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.

ORDER

It is hereby ORDERED that Texas Veterinary License No. 4691 heretofore issued to KELLEEE K. CAMPBELL, D.V.M. by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, be and the same is HEREBY SUSPENDED for a period of one (1) year, from the date this Order is entered, PROVIDED HOWEVER, that the execution of this Order of Suspension be and it is HEREBY PROBATED, upon the following terms and conditions:

1. That the said KELLEEE K. CAMPBELL, D.V.M. perform fifty (50) hours of community service during period of said probation.
2. The said KELLEEE K. CAMPBELL, D.V.M. provide the Board Office with 30-day reports submitted by the sponsor of the community service program.
3. The said KELLEEE K. CAMPBELL, D.V.M. will abide by each of the Rules of Professional Conduct promulgated by the State Board of Veterinary Medical Examiners and the Veterinary Licensing Act, Article 7465a of the Revised Civil Statutes.

MADE the 22nd day of May, 1986, and entered the 22nd day of May, 1986.

  
EDWARD S. MURRAY, D.V.M., Board President

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TEXAS STATE BOARD OF VETERINARY	X	TEXAS VETERINARY MEDICAL
MEDICAL EXAMIMERS	X	LICENSE NO. 4691
vs.	X	1986 RENEWAL CERTIFICATE
KELLEE K. CAMPBELL, D.V.M.	X	NUMBER 3084

COMPLAINT AFFIDAVIT FORM

BEFORE ME, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared ERNIE M. CARROLL, who after being duly sworn, did depose and say:

"I, ERNIE M. CARROLL, being an employee of the Texas Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one DR. KELLEE CAMPBELL, Texas Veterinary License Number 4691, 1986 Renewal Certificate Number 3084, a practitioner of veterinary medicine in the State of Texas.

As an employee of the Texas Board of Veterinary Medical Examiners, I, ERNIE M. CARROLL, do hereby present the following complaint against KELLEE K. CAMPBELL, D.V.M., who is hereinafter called Respondent.

I.

On March 5, 1986 I telephoned Dessau Veterinary Clinic and spoke with Dr. Kellee K. Campbell. I inquired as to whether I could bring my dog in the next day for a rabies vaccination. Dr. Campbell stated that she would be out on "horse calls" but that her employee, LISA FOX, in her control and employment, would be able to inoculate the dog. On March 6, 1986, I arrived at the clinic of DR. KELLEE CAMPBELL at 12315 Dessau Road, Austin, Travis County, Texas. I asked LISA FOX if I could get a rabies vaccination for a dog which I had with me. LISA FOX informed me that DR. KELLEE CAMPBELL was out of the office but that she would be happy to inoculate the dog. A rabies vaccination was administered to the dog in my presence by LISA FOX. I determined that DR. CAMPBELL was not on the premises nor was any other licensed veterinarian on the premises. I paid LISA FOX \$8.00 for the vaccination. I was issued a certificate of vaccination, a copy of which is attached hereto as Exhibit A and made a part hereof for all purposes. LISA FOX signed Dr. Campbell's name on the Certificate of Vaccination. I received a metal dog tag with number 556 stamped on it, together with the name Dessau Vet. Cl.

II.

I made a thorough search of the records of the Texas Board of Veterinary Medical Examiners and I found that LISA FOX, the individual administering the rabies vaccine to the dog as described in paragraph one and who issued the certificate of rabies vaccination, Exhibit A, is not a licensed veterinarian in the State of Texas.

### III.

The Texas Veterinary Licensing Act, Article 7465a, Vernon's Annotated Texas Statutes, Section 2b, states as follows:

"Any person shall be deemed in the practice of veterinary medicine who represents himself as engaged in the practice of veterinary medicine; or uses any words, letters, or titles in such connection or under such circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine, or any person who performs a surgical or dental operation or who diagnosis, treats, immunizes or prescribes any drug, medicine, application or veterinary appliance for any physical ailment, injury, deformity or condition of domestic animals, for compensation."

Article 7465a, Vernon's Annotated Texas Statutes, Section 4 states as follows:

"No person shall practice, offer or attempt to practice veterinary medicine in this state without first having obtained a valid license to do so from the Texas Board of Veterinary Medical Examiners."

### IV.

DR. KELLE K. CAMPBELL is a licensed veterinarian in the State of Texas, having received license number 4691 on August 22, 1980 from the Texas Board of Veterinary Medical Examiners. DR. CAMPBELL has renewed her license each year since its issuance and on February 14, 1986, she received renewal certificate number 3084. By LISA FOX, a person who is not licensed to practice veterinary medicine in the State of Texas, performing acts which constitute the practice of veterinary medicine in the State of Texas, i.e. immunizing a dog for rabies, in DR. CAMPBELL's veterinary facility located at 12315 Dessau Road, Austin, Texas, and by LISA FOX issuing a certificate of rabies vaccination, marked Exhibit A, and by LISA FOX collecting a fee of \$8.00 for veterinary services, DR. CAMPBELL violated Article 7465a, Section 14(f), Vernon's Annotated Texas Statutes in that she "permitted or allowed another to use her license, or certificate to practice veterinary medicine in this State, for purposes of treating or offering to treat sick, injured or afflicted animals." Additionally, DR. CAMPBELL violated Article 7465a, Section 14(c) in that she engaged in dishonest or illegal practice in connection with the practice of veterinary medicine which were violative of the Standards of Professional Conduct as duly promulgated by the Board in accordance with the laws."

Rule 14 of the Rules of Professional Conduct duly promulgated by the Texas State Board of Veterinary Medical Examiners which was in full force and effect on the date in questions, states:

"A licened veterinarian shall not promote, aid, or abet the practice of veterinary medicine by an unlicensed person, or illegal or unethical act on the part of a veterinarian."

DR. CAMPBELL did allow LISA FOX to use her facilities for the practice of veterinary medicine in the State of Texas during the absence of DR. CAMPBELL to treat, or immunize animals in violation of the Texas Veterinary Licensing Act, Article 7465a, Vernon's Annotated Texas Statutes."

V.

Article 7465a, Section 14, Veterinary Licensing Act states in part:

". . . the Board may revoke or suspend a license, place a person whose license has been suspended on probation or reprimand a licensee . . ."

DOCKET NUMBER 1986-1  
KELLEE K. CAMPBELL, D.V.M.  
LICENSE NUMBER 4691

NEGOTIATED PLEA

This negotiated plea has been entered by agreement between Dr. Kellee K. Campbell, her attorney Mr. Douglas Brothers, and the Texas State Board of Veterinary Medical Examiners staff 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 plea the defendant, Dr. Campbell, will be granted a continuance at her option.

Dr. Campbell does not contest the allegations set forth in the Complaint 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, she 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.

PLEA: No Contest

FINDING: Guilty


RECOMMENDED PENALTY:


1. Suspend and probate suspension of license for period of one (1) year.
2. Perform 50 hours of community service, the details of which will be worked out with the Board Staff and Secretary.

CONDITIONS:

1. Thirty-day reports to the Board Office from sponsor of community service program.
2. The 50 hours of community service will be completed during said probation.
3. The said Kellee K. Campbell, D.V.M. will abide by each of the Rules of Professional Conduct promulgated by the State Board of Veterinary Medical Examiners and the Veterinary Licensing Act, Article 7465a of the Revised Civil Statutes

  
Kellee K. Campbell, D.V.M.

 5/13/86  
Donald B. Wilson, Executive Secretary  
TEXAS BOARD OF VETERINARY MEDICAL  
EXAMINERS

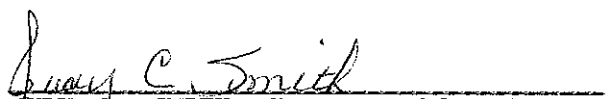
  
Witness

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 17th day of April, 1986.

Further, Affiant sayeth not.

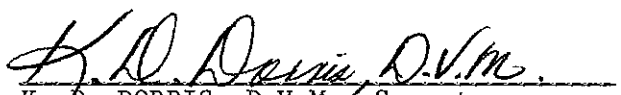
  
ERNIE M. CARROLL, Affiant

SUBSCRIBED and SWORN TO before me by the said ERNIE M. CARROLL, this the 17th day of April, 1986.

  
JUDY G. SMITH, Notary Public in and  
for Texas

My Commission Expires: September 13, 1989.

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. Kellee K. Campbell, D.V.M., under Docket Number 1986-1, this the 18th day of April, 1986.

  
K. D. DORRIS, D.V.M., Secretary  
Texas State Board of Veterinary  
Medical Examiners