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TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
1946 South IH 35, Suite 306
Austin, TX 78704

DOCKET NUMBER 1992-22
TERESA W. COBLE, D.V.M.
LICENSE NUMBER: 4086

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Coble, the Texas State Board of Veterinary Medical Examiners staff, and 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 settlement the defendant, Dr. Coble will be granted a continuance at her option.

Dr. Coble does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, 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.

SUMMARY OF CHARGES:


Receiving a kickback, or other remuneration for referring clients to another provider of veterinary services; false, deceptive and misleading advertising; and failure to discourage the unauthorized practice of veterinary medicine.

RECOMMENDED DISCIPLINARY ACTION:

1. An Official Reprimand
2. Pay a civil penalty in the sum of \$500.00.

CONDITIONS:

1. Take and pass the State Board Jurisprudence Examination.
2. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.



TERESA W. COBLE, D.V.M.

8/24/92

Date



Buddy Matthijetz, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

DOCKETED COMPLAINT NO. 1992-22

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
vs.
TERESA W. COBLE, D.V.M.

() TEXAS VETERINARY MEDICAL
() LICENSE NO. 4086
() 1992 RENEWAL CERTIFICATE
() NUMBER 2681

COMPLAINT AFFIDAVIT

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

On or about February 23, 1992, JOSEPH J. RIZZO, 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 TERESA W. COBLE, D.V.M., Uvalde Veterinary Clinic, P.O. Box 1541, Uvalde, Texas, 78802, Veterinary License Number 4086, 1992 Renewal Certificate Number 2681, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, JOSEPH J. RIZZO, do hereby present the following complaint against TERESA W. COBLE, D.V.M.

I.

In September of 1990, Teresa W. Coble, D.V.M., entered into an arrangement with unlicensed persons Jim and Elaine Willingham to supervise their sheep and goat ultrasound pregnancy testing program.

II.

From September of 1990 to April of 1992, the Willinghams diagnosed pregnancies of sheep and goats for various clients without benefit of the presence of Dr. Coble during testing.

III.

Part of the arrangement between the Willinghams and Dr. Coble included the understanding that the clients would pay Dr. Coble for the entire amount charged them; that she, in turn, would retain a percentage of the fee and pay the Willinghams the remainder of the amount received; that Dr. Coble would advertise the ultrasound service on a one page circular with her name and the name, address, telephone number of the clinic printed on it; that she would then refer clients to the Willinghams for pregnancy testing.

IV.

By receiving a kickback or other remuneration for referring a client to another provider of veterinary services or goods, as described in paragraph 3, Dr. Coble has violated Section 14 (a) (10) of Article 8890, V.A.C.S., Texas Veterinary Licensing Act.

V.

By circulating an advertisement that leads the reader to

Teresa W. Coble, V.M.

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believe Dr. Coble conducts the testing, Dr. Coble has engaged in advertising that is false, deceptive or misleading in violation of Rule 573.30, Advertising.

VI.

By being professionally and legally responsible for her employees' (the Willinghams') unlawful practice of veterinary medicine (diagnosis of pregnancy in sheep and goats, for compensation) during the period of September, 1990 to April, 1992, Dr. Coble has violated Rule 573.11, Discouragement of Unauthorized Practice.

VII.

By violating Rules 573.30 and 573.11, Dr. Coble has violated Section 14 (a) (5) of Article 8890, V.A.C.S., Texas Veterinary Licensing Act.

VIII.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Coble's Veterinary License under the Texas Veterinary Licensing Act, V.A.C.S., Article 8890, (formerly Article 7465a) Section 14 which states in part:

ARTICLE 8890, SECTION 14 (a)

". . . the Board may revoke or suspend a license, impose a civil penalty, place a person whose license has been suspended on probation, or reprimand a licensee . . . if it finds that a

licensee:

(5) has engaged in practices or conduct in connection with the practice of veterinary medicine which are violative of the standards of professional conduct as duly promulgated by the Board in accordance with law;

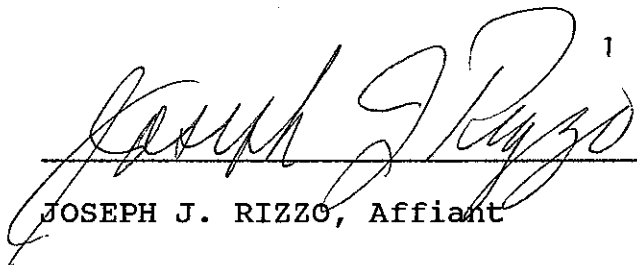
(10) has paid or received any kickback, rebate, bonus, or other remuneration for treating an animal or for referring a client to another provider of veterinary services or goods;

ARTICLE 8890, SECTION 14B

(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess a civil penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 14th day of July, 1992.

Further, Affiant sayeth not.

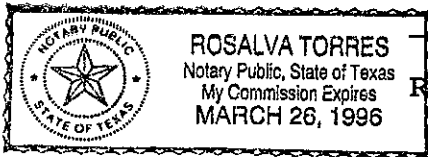


JOSEPH J. RIZZO, Affiant

Teresa W. Coble, D.V.M.

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SUBSCRIBED and SWORN TO before me by the said JOSEPH J. RIZZO
this the 14th day of July, 1992.



Rosalva Torres

ROSALVA TORRES, Notary Public in and for Texas

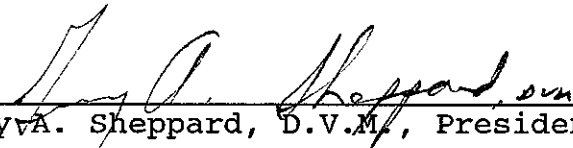
The foregoing Complaint is hereby filed and docketed with the
Texas State Board of Veterinary Medical Examiners and styled
Texas State Board of Veterinary Medical Examiners vs. Teresa
W. Coble, D.V.M. under Docketed Number 1992-22, this the
14th day of July, 1992.

Larry M. Dubuisson, D.V.M.

LARRY M. DUBUISSON, D.V.M., Secretary
Texas Board of Veterinary Medical Examiners

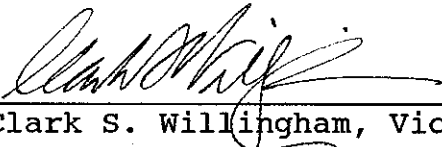
The foregoing Agreement Settlement, entered into between Dr. Coble, the Board Secretary, and Board Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 22nd day of October, 1992, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Findings and Orders issued.

Executed this the 22nd, day of October, 1992.



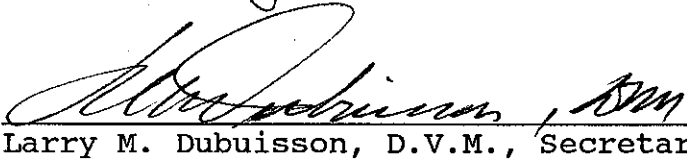
Guy A. Sheppard, D.V.M., President

October 22, 1992
Date



Clark S. Willingham, Vice-President

"
Date




Larry M. Dubuisson, D.V.M., Secretary

"
Date

Absent

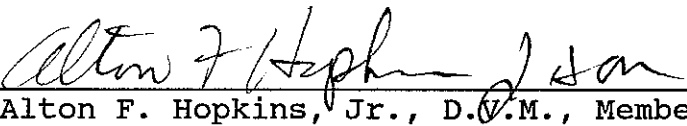
Mrs. Olivia R. Eudaly, Member

Date



James N. Gomez, D.V.M., Member

"
Date



Alton F. Hopkins, Jr., D.V.M., Member

"
Date

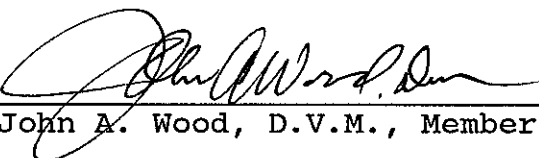
Robert D. Lewis, D.V.M., Member

"
Date

Absent

Joyce G. Schiff, Member

Date



John A. Wood, D.V.M., Member

"
Date