

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

**AGREED ORDER**

On this the 22 day of October, 2013, came to be considered by the Texas Board of Veterinary Medical Examiners (Board) the matter of the license of CHAD DICKSON, D.V.M. (Respondent). Pursuant to Section 801.408, Texas Occupations Code and Board Rule 575.27, an informal conference was held on July 15, 2013. The Respondent appeared at the informal conference, and was represented by Donald Ferrill, D.V.M. The Board was represented at the conference by the Board's Enforcement Committee.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a formal adjudicative hearing and thereby informally dispose of the issues without a formal adjudication. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving an adjudicative hearing, Respondent acknowledges his understanding of the alleged violations and the adequacy and sufficiency of the notice provided to him.

Upon the recommendation of the Enforcement Committee and with Respondent's consent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order as set forth below.

**Findings of Fact**

1. Respondent, Chad Dickson, D.V.M. of Aubrey, Texas, holds Texas veterinary license 7634.
2. The Board has jurisdiction over the subject matter and Respondent. Respondent received notice, which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied under Tex. Occ. Code Ann. Title 4 ("Act"). By entering into this Agreed Order, Respondent waives any defect in the notice and any further right to notice and hearing under the Act; Tex. Gov't Code Ann. §§ 2001.051-.054; and the Rules of the Texas Board of Veterinary Medical Examiners ("Board Rules") (22 Tex. Admin. Code, Chapter 575).

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3. On March 6, April 2, and May 8, 2012, Lori Casillo presented her Rottweiler puppy named Isabella to Respondent at the Texas Coalition for Animal Protection ("Clinic") in Denton, Texas for vaccinations.

4. Respondent was on the Clinic premises when veterinary technicians under his supervision vaccinated Isabella. However, Respondent did not conduct an examination of Isabella before his veterinary technicians administered the vaccines.

5. Under these circumstances, the standard of care for a veterinarian in Respondent's community or similar communities is to examine an animal prior to the prescription or administration of any vaccination, in order to determine if the animal is suffering from some illness, injury or other condition that could render the animal immunocompromised and thereby prevent the animal from having a normal immune reaction to the vaccine. An immunocompromised animal is more likely to suffer an adverse vaccine reaction and less likely to have an appropriate antibody response to the vaccine, making the animal less likely to become immune to the disease for which the animal was vaccinated.

#### Conclusions of Law

1. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board's Rules.

1. Based on Findings of Fact 1 through 5, Respondent has violated Rule 573.22, PROFESSIONAL STANDARD OF CARE, by failing to examine an animal prior to immunization to ensure that the animal was not immunocompromised.

2. Based on Findings of Fact 1 through 5, Respondent has violated Rule 573.10, SUPERVISION OF NON-LICENSED EMPLOYEES, of the Board's Rules of Professional Conduct, by allowing unlicensed individuals under his supervision to administer vaccines when he had not examined the animal and therefore had not established or maintained a veterinarian-client-patient relationship.

3. Based on Findings of Fact 1 through 5, Respondent has violated Section 801.351 of the Veterinary Licensing Act, Texas Occupations Code, by failing to establish and maintain a veterinarian-client-patient relationship by examining the animal prior to treatment.

4. Based on Findings of Fact 1 through 5 and Conclusions of Law 1 through 3, Respondent has violated Section 801.402 (4) and (6) of the Veterinary Licensing Act, Texas Occupations Code, and is subject to disciplinary action by the Board:

#### 801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY

**ACTION.** A person is subject to denial of a license or to disciplinary action under Section 801.401 if the person:

(4) engages in...illegal practices in, or connected with, the practice of veterinary medicine...

(6) engages in practices or conduct that violates the board's rules of professional conduct.

5. Based on Conclusions of Law 1 through 4, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

**801.401. DISCIPLINARY POWERS OF BOARD.** (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may: (a)

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose an administrative penalty.

.... (d) In addition to other disciplinary actions authorized by this subchapter, the board may require a license holder who violates this chapter to participate in a continuing education program.

**NOW, THEREFORE, THE BOARD AND RESPONDENT AGREE AS FOLLOWS:**

Based on the above Findings of Fact and Conclusions of Law, the Board **ORDERS** that Respondent receive a **FORMAL REPRIMAND**.

The Board further **ORDERS** that Respondent shall take and pass the Texas veterinary jurisprudence examination within 90 days from the date of this Agreed Order.

The Board further **ORDERS** that:

1. Respondent shall abide by the Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.

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2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Agreed Order.

3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

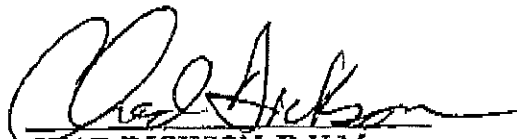
Respondent, by signing this Agreed Order, acknowledges his understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law set forth herein, and agrees that he will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board.

Respondent, by signing this Agreed Order, waives his right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he had the right to be represented by legal counsel in this matter.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

The effective date of this Agreed Order shall be the date it is adopted by the Board.

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

  
CHAD DICKSON, D.V.M.

9-16-13  
DATE

STATE OF TEXAS §  
COUNTY OF Denton §

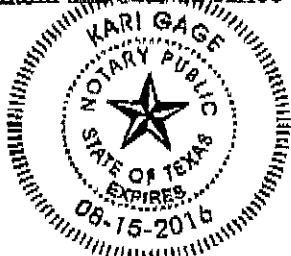
BEFORE ME, on this day, personally appeared Chad Dickson, D.V.M., known to me as the

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person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 16<sup>th</sup> day of September, 2013



Kari Gage  
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 22 October, 2013.

Bud E. Alldredge, Jr.  
Bud E. Alldredge, Jr., D.V.M., President