

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
1946 South IH 35, Suite 113  
Austin, TX 78704

DOCKET NUMBER 1992-14  
THOMAS W. DORRELL, D.V.M. - LICENSE NUMBER: 1766

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Dorrell, 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 settlement the defendant, Dr. Dorrell will be granted a continuance at his option.

Dr. Dorrell 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, he 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:**

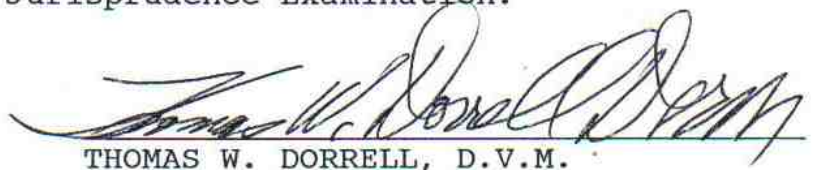
Allowing unlicensed employees to practice veterinary medicine and failure to exercise care, skill and diligence in treating a patient while being boarded at Respondent's clinic.

**RECOMMENDED DISCIPLINARY ACTION:**

1. Five year suspension with the entire period being probated.
2. Pay a Civil Penalty in the sum of \$2,500.00.

**CONDITIONS:**

1. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.
2. File quarterly reports certifying compliance with this Agreement.
3. Take and pass the State Board Jurisprudence Examination.

  
THOMAS W. DORRELL, D.V.M.

  
Buddy Matthijetz, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

Date: 3/10/92

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
vs.  
THOMAS W. DORRELL, D.V.M.

( ) TEXAS VETERINARY MEDICAL  
( ) LICENSE NO. 1766  
( ) 1992 RENEWAL CERTIFICATE  
( ) NUMBER 0575

COMPLAINT AFFIDAVIT

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

On or about April, 1991, MATTHEW WENDEL, 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 THOMAS W. DORRELL, D.V.M., Pinedland Animal Hospital, 26947 I-45 North, Spring, Texas, 77380-1910, Veterinary License Number 1766, 1992 Renewal Certificate Number 0575, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, MATTHEW WENDEL, do hereby present the following complaint against THOMAS W. DORRELL, D.V.M.

I.

During the period of January, 1988 to April, 1991, Thomas W. Dorrell, D.V.M., routinely allowed unlicensed employees, including Debbie Read, Donita Rhodes, Amy Salter, Kim Purcell, Kim Aiken and Gay Lynn Courtney, to practice veterinary medicine by performing surgeries, including cat neuters and de-claws.

II.

During the period of January, 1988 to February, 1991, Dr. Dorrell allowed an unlicensed employee, Donita Rhodes, to diagnose dental conditions of dogs and cats, and allowed her to subsequently perform dental operations, including tooth extractions.

III.

During the period of January, 1988 to February, 1991, Dr.

Dorrell routinely allowed unlicensed employees Debbie Read and Donita Rhodes to inoculate cats with Ketamine HCL for the purpose of anetsthesia, without the direct supervision of a licensed veterinarian.

IV.

On July 17, 1991, Mr. and Mrs. James Johnson took their Dach-sund, Corny, to the Pineland Animal Hospital to be boarded. When the owners returned on August 1, 1991, to pick up Corny, they found that he was missing much of his hair, that he was covered with welts, dry and wet blood and open, infected sores, subsequently diagnosed as flea-bite dermatitis with secondary Pyoderma. The Johnsons contend that Dr. Dorrell, as operator of the Pineland Animal Hospital, agreed to provide medical care for Corny while he was being boarded, if necessary, but then failed to treat the dog for those conditions described above.

V.

By allowing his unlicensed employees to perform surgeries, dental operations and diagnoses, as described in paragraphs I and II, Dr. Dorrell violated Rule 573.10 and 573.11 and Section 14 (a) (5) of the Texas Veterinary Licensing Act, Article 8890, V.A.C.S., which state:

573.10 DIRECT SUPERVISION OF LAYMEN

(a.) A licensed veterinarian shall not allow an unlicensed person to issue presigned certificates with the veterinarian's signature affixed thereto. The licensee shall not permit an unlicensed person to inoculate or treat animals unless the inoculation or treatment are done under the direct supervision of the licensed veterinarian; provided however, an unlicensed individual shall not perform the following health care services: surgery; diagnosis and prognosis of animal diseases; and prescribing of drugs, medicine, and appliance for domestic animals.

(b.) "Direct Supervision" shall mean the supervision of those tasks or procedures that do not require the presence of a veterinarian in the room where performed, but require the presence of a licensee on the premises and availability for prompt consultation and treatment.

573.11 DISCOURAGEMENT OF UNAUTHORIZED PRACTICE

A licensed veterinarian shall be professionally and legally responsible for the unauthorized practice of veterinary medicine by unlicensed employees within the scope of their employment. An employee's unauthorized practice of veterinary medicine without a license constitutes grounds for the Texas State Board of Veterinary Medical Examiners to take action against the licensed veterinarian.

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;

V.

By allowing his unlicensed employees to inoculate animals, without the direct supervision of a licensed veterinarian, as described in paragraph III, Dr. Dorrell has violated Rule 573.10 and Section 14 (a) (5) of the Texas Veterinary Licensing Act, Article 8890, V.A.C.S., which state:

573.10 DIRECT SUPERVISION OF LAYMEN

(a.) A licensed veterinarian shall not allow an unlicensed person to issue presigned certificates with the veterinarian's signature affixed thereto. The licensee shall not permit an unlicensed person to inoculate or treat animals unless the inoculation or treatment are done under the direct supervision of the licensed veterinarian; provided however, an unlicensed individual shall not perform the following health care services: surgery; diagnosis and prognosis of animal diseases; and prescribing of drugs, medicine, and appliance for domestic animals.

(b.) "Direct Supervision shall mean the supervision of those tasks or procedures that do not require the presence if a veterinarian in the room where performed, but require the presence of a licensee on the premises and availability for prompt consultation and treatment.

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;

VI.

By failing to treat Corny Johnson for the conditions described in Paragraph IV, while boarded at the Pineland Animal Hospital, Dr. Dorrell has violated Rule 573.22 and Section 14 (a) (5) of the Texas Veterinary Licensing Act, Article 8890, V.A.C.S., which state:

573.22 PROFESSIONAL STANDARD OF HUMANE TREATMENT

Veterinarians shall exercise the same degree of humane care, skill, and diligence in treating patients as are ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in good standing in the locality or community in which they practice, or in similar communities.

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;

VII.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Dorrell'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;

ARTICLE 8890, SECTION 14B

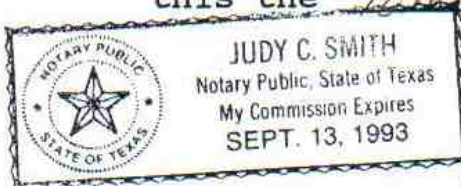
(a) If a person violates this Act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess a civil penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 10th day of February, 1992.

Further, Affiant sayeth not.

Matthew Wendel  
MATTHEW WENDEL, Affiant

SUBSCRIBED and SWORN TO before me by the said MATTHEW WENDEL this the 10th day of February, 1992.



Judy C. Smith  
JUDY C. SMITH, 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. Thomas W. Dorrell, D.V.M. under Docketed Number 1992-14, this the 13th day of February, 1992.


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

The foregoing Agreement Settlement, entered into between Dr. Dorrell, 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 11th day of June, 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 11th, day of June, 1992.

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

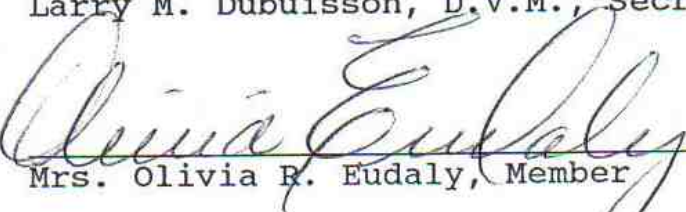
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June 11, 1992  
Date

  
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Clark S. Willingham, Vice-President

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Date

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

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Date

  
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Mrs. Olivia R. Eudaly, Member

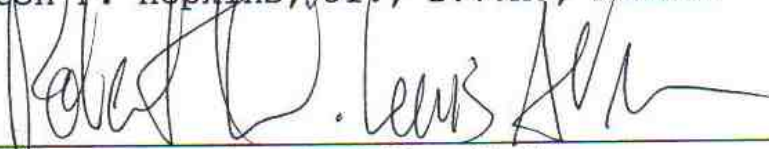
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James M. Gomez, D.V.M., Member

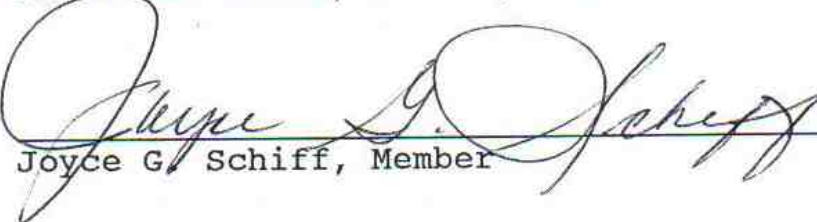
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Date

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


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Date

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

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Date

  
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Joyce G. Schiff, Member

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

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Date