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DOCKET NO. 2008-13

IN THE MATTER  
OF THE LICENSE OF  
BILLY DUNN, D.V.M.

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TEXAS STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
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VETERINARY MEDICAL EXAMINERS  
VETERINARY  
MEDICAL EXAMINERS

### AGREED ORDER

On this, the 14<sup>th</sup> day of February, 2008, came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board") the matter of the license of BILLY DUNN, D.V.M. ("Respondent"). Pursuant to Section 801.2056, Texas Occupations Code, a committee of the Board's staff met on November 15, 2007 to consider alleged violations of the Veterinary Licensing Act and the Board's rules by Respondent.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a conference under Section 801.2056 and thereby dispose of the compliance issues set out below. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving the right to a conference, Respondent acknowledges his understanding of the alleged violations and the adequacy and sufficiency of the notice mailed to him.

Upon the recommendation of the staff 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. The Board has jurisdiction over the subject matter and Respondent. Respondent has received all notice that may be required by law and by the Board's rules. All jurisdictional requirements have been satisfied.
2. As the result of a compliance inspection by mail, the Board determined that Billy Dunn, D.V.M., Garland, Texas, could not show proof of continuing education (CE) obtained for seventeen (17) hours during calendar year 2004, and seventeen (17) hours for calendar year 2005, and seventeen (17) hours for calendar year 2006. On September 7, 2007, written notification was sent to Dr. Dunn requesting any additional documentation regarding continuing education for that time period. Dr. Dunn admitted his failure to meet the required continuing education requirements for that period.
3. Dr. Dunn did not timely request a hardship extension for the hours missed in 2004, 2005 and 2006.

#### 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.

2. Based on Findings of Facts 1 through 3, Respondent has violated Rule 573.64, CONTINUING EDUCATION REQUIREMENTS, of the Board's Rules of Professional Conduct, which requires a veterinarian to annually acquire seventeen hours of acceptable CE.

3. Based on Conclusions of Law 1 and 2, Respondent has violated Section 801.402 (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:

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

4. Based on Conclusions of Law 2 and 3, Respondent may be disciplined in the manner set out in Section 801.451, IMPOSITION OF ADMINISTRATIVE PENALTY, of the Veterinary Licensing Act, which authorizes an administrative penalty for violations of the Act and Board rules.

5. Based on Conclusions of Law 2 and 3, Respondent may be disciplined in the manner set out in Section 801.307, CONTINUING EDUCATION, of the Veterinary Licensing Act, which authorizes the make up of missed continuing education hours in addition to the hours normally required to be completed in that calendar year.

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

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$1,250.00). If Respondent fails to pay the administrative penalty within 45 days of the date of this Order, Respondent's license shall be suspended until the penalty is paid.

In addition, the Board ORDERS that Respondent complete an additional SEVENTEEN (17) hours of continuing education by the end of calendar year 2008. Documentation of the completion of the continuing education penalty shall be received by January 30, 2009. If Respondent fails to provide documentation of completion within 45 days of January 30, 2009, Respondent's license shall be suspended until the continuing education penalty is completed and documentation is received by the Board.

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.

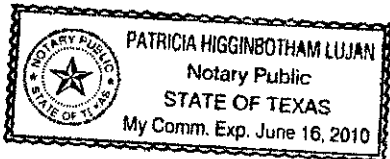


STATE OF TEXAS  
COUNTY OF Dallas

BEFORE ME, on this day, personally appeared Billy Dunn, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 18 day of Dec, 20007.

Patricia G. Lujan  
Notary Public



SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 14<sup>th</sup> day of February, 2008.

Dr. Pat M Allen  
Patrick Allen, D.V.M.  
~~President of the Board~~  
Vice-President