

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
1946 South I-H-35, Suite #306  
Austin, Texas 78704-3697

**DOCKET NUMBER 1995-14, THOMAS T. ECKLUND, D.V.M. , LICENSE NUMBER 4232**

**NEGOTIATED SETTLEMENT**

This negotiated settlement has been entered by agreement between Dr. Thomas T. Ecklund and the Executive Director of the Texas State Board of Veterinary Medical Examiners, 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. Ecklund, will be granted a continuance at his option.

Dr. Ecklund does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that: (1) the Board may treat the allegations of fact and law as true; and (2) the findings shall have the same force and effect as if evidence and argument were presented in support of the allegations. 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:** By ordering dangerous drugs and controlled substances for his own use, Dr. Thomas T. Ecklund violated Rule 573.4 - Adherence to the Law; Rule 573.41 - Use of Prescription Drugs; Rule 573.60 - Practice Prohibition, of the Rules of Professional Conduct and Section 14(a)(3), (5) and (12) of the Veterinary Licensing Act, Article 8890.

**RECOMMENDED DISCIPLINARY ACTION:** License Suspension of three (3) years, with said suspension stayed and placed on probation for a period of three (3) years.

**CONDITIONS:**

**Agrees to** have DEA Controlled Substance Registration re-issued to limit controlled substance purchases to euthanasia solution and Phenobarbital only.

**Agrees to** submit to random, unannounced drug testing administered by or under the supervision of the designated peer assistance program.

**Agrees to** no-notice inspections by the Board of clinic facilities and records.

**Agrees to** submit quarterly reports to the Board of controlled drug purchases.

**Agrees to** abide by Rules of Professional Conduct, Adherence to the Law, Use of Prescription Drugs, and Practice Prohibition.

  
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THOMAS ECKLUND, D.V.M.


6/6/95  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
RON ALLEN, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

6/2/95  
\_\_\_\_\_  
Date

The foregoing Agreed Settlement, entered into between Dr. Thomas Ecklund, Board Secretary, and the 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 8th day of June, 1995, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Finding and Order issued.

Executed this the 8th day of June, 1995.

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


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Date

  
John A. Wood, D.V.M., Vice-President


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Date

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

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Date

  
Robert I. Hughes, Jr., D.V.M., Member

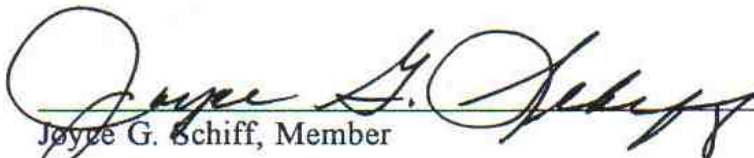
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Date

  
Sharon O. Matthews, Member

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Michael J. McCulloch, D.V.M.

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Date

  
Joyce G. Schiff, Member

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Date

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

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Date

6/8/95

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Clark S. Willingham, Member

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Date

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 4232
vs.	§	1995 RENEWAL CERTIFICATE
THOMAS ECKLUND, D.V.M.	§	NUMBER 3884

COMPLAINT AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Mike Carroll, who after being duly sworn, did depose and say:

On or about September 27, 1994, Mike Carroll, 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 Thomas Ecklund, D.V.M., 6751 Rufe Snow Drive, Fort Worth, Texas 76148, Veterinary License Number 4232, 1995 Renewal Certificate Number 3884, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, Mike Carroll, do hereby present the following complaint against Thomas Ecklund, D. V. M.

I.

From May 13, 1991 to August 9, 1994, Thomas Ecklund, DVM, acquired by telephonic prescription, Nizoral 200mg tablets, a dangerous drug, for office use, on the following dates;

<u>Date Acquired</u>	<u>Pharmacy</u>	<u>No. of Tablets</u>
May 13, 1991	Albertson's Pharmacy #4267	10
November 3, 1992	"	30
December 14, 1992	"	10
December 19, 1992	"	10
January 9, 1993	"	10
January 19, 1993	"	10
May 17, 1993	"	7

May 24, 1993	Albertson's Pharmacy #4267	7
June 1, 1993	"	7
June 7, 1993	"	7
June 15, 1993	"	7
June 29, 1993	"	7
November 5, 1993	"	10
November 15, 1993	Wal Mart Pharmacy #10-0807	10
November 24, 1993	Albertson's Pharmacy #4267	10
January 24, 1994	"	10
February 10, 1994	"	10
February 21, 1994	"	10
March 24, 1994	"	10
April 1, 1994	"	10
May 25, 1994	Kroger Pharmacy #3500298	10
June 22, 1994	Albertson's Pharmacy #4267	10
July 28, 1994	"	10
August 9, 1994	"	10
	<u>TOTAL</u>	242

II.

From June 17, 1992 to January 25, 1994, Thomas Ecklund, DVM, acquired by telephonic prescription, Prozac 20mg tablets, a dangerous drug, for office use, on the following dates;

<u>Date Acquired</u>	<u>Pharmacy</u>	<u>No. of Tablets</u>
June 17, 1992	Albertson's Pharmacy #4267	15
March 25, 1993	Texas Drug Warehouse #6	20
December 22, 1993	Albertson's Pharmacy #4267	10
December 21, 1993	"	10
January 11, 1994	"	10
January 18, 1994	"	10
January 25, 1994	"	10
	<u>TOTAL</u>	85

III.

From May 6, 1992 to January 26, 1994, Thomas Ecklund, DVM, acquired by telephonic prescription, Propoxyphene Hcl. 65mg tablets, a Schedule IV Controlled Substance, for office use, on the following dates;

<u>Date Acquired</u>	<u>Pharmacy</u>	<u>No. of Tablets</u>
May 6, 1992	Albertson's Pharmacy #4267	100
August 29, 1992	"	100
November 16, 1992	"	100
January 9, 1993	"	100
November 15, 1993	Wal Mart Pharmacy #3500298	100
December 22, 1993	Albertson' s Pharmacy #4267	100
January 26, 1994	"	<u>100</u>
	<u>TOTAL</u>	700

IV.

From March 31, 1994 to July 9, 1994, Thomas Ecklund, DVM, acquired by telephonic prescription, Propacet 100mg tablets, a Schedule IV Controlled Substance, on the following dates;

<u>Date Acquired</u>	<u>Pharmacy</u>	<u>No. of Tablets</u>
March 31, 1994	Kroger Pharmacy #3500298	100
May 25, 1994	"	100
July 9, 1994	"	<u>100</u>
	<u>TOTAL</u>	300

V.

From January 10, 1991 to August 2, 1994, Thomas Ecklund, DVM, acquired by telephonic prescription, Cipro 500mg tablets, a dangerous drug, for office use, on the following dates;

<u>Date Acquired</u>	<u>Pharmacy</u>	<u>No. of Tablets</u>
January 10, 1991	Albertson's Pharmacy #4267	28
April 2, 1991	"	10
April 6, 1991	"	10
November 21, 1991	"	20
November 30, 1991	"	20
May 25, 1994	Kroger Pharmacy #3500298	14
July 9, 1994	"	15
July 18, 1994	"	15
July 25, 1994	"	15
August 2, 1994	"	<u>15</u>
	<u>TOTAL</u>	162

VI.

On July 13, 1993, Thomas Ecklund, DVM, acquired by telephonic prescription, 20 Dolobid 500mg tablets, a dangerous drug, for office use, from Albertson's Pharmacy #4267.

VII.

On March 24, 1994, Thomas Ecklund, DVM, acquired by telephonic prescription, 15 Cafegot tablets, a dangerous drug, for office use, from Albertson's Pharmacy #4267.

VIII.

All drugs purchased by Dr. Ecklund, in paragraphs 1 through 7, were for his personal use and were not obtained for the treatment of animals.

IX.

By ordering the dangerous drugs and controlled substances for his own use, as described in paragraphs 1 through 8, Dr. Ecklund violated Rule 573.4 - Adherence to the Law; 573.41 - Use of Prescription Drugs; 573.60 - Practice Prohibition, of the Rules of Professional Conduct and Section 14 (a) (3), (5) and (12), of the Veterinary Licensing Act, Article 8890.

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:

- (3) has engaged in dishonest or illegal practices in or connected with the practice of veterinary medicine;
- (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 a law;

- (12) has ordered prescription drugs or controlled substances for the treatment of an animal without first establishing a valid veterinarian-patient-client relationship;

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 an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.

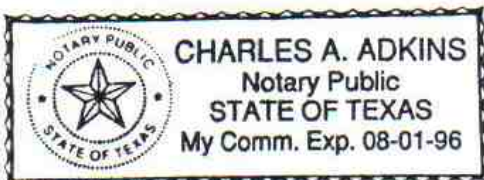
The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 13<sup>TH</sup> day of APRIL, 1995.

Further, Affiant sayeth not.

  
\_\_\_\_\_  
Mike Carroll, Affiant

SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 13<sup>TH</sup> day of APRIL, 1995.

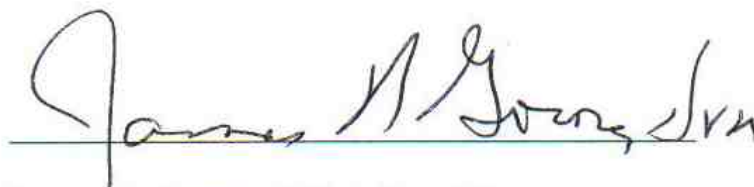
  
\_\_\_\_\_  
Charles A. Adkins, Notary Public in and for Texas



Thomas Ecklund, DVM

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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 Ecklund, D.V.M. under Docketed Number 1995-14 this the 15 day of April, 1995



James N. Gomez, DVM, Board Secretary

Texas State Board of Veterinary Medical Examiners