

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
333 Guadalupe, Suite 2-330
Austin, Texas 78701-3998

DOCKET NUMBER 1996-02
GRADY R. ELLIS, DVM
LICENSE NUMBER 3742

NEGOTIATED SETTLEMENT

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

Dr. Ellis 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:

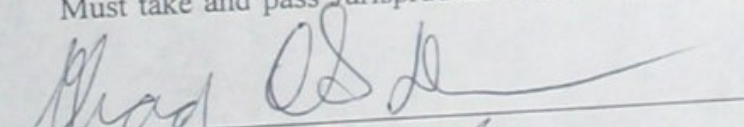
Dr. Grady Ellis violated Rule 573.04 Adherence to the Law, 573.10 Direct Supervision of Lay Personnel (a), Official Health Documents and 573.24 Issuance of Certificates Through Direct Knowledge Only, of the Rules of Professional Conduct and Sections 14 (a) (3) (5) and (7) of the Veterinary Licensing Act, Article 8890, by dispensing Brucella vaccine to an individual, by not properly handling brucellosis vaccination records, and by allowing a non-accredited individual to apply brucellosis eartags and tattoo cattle vaccinated.

RECOMMENDED DISCIPLINARY ACTION:

Official Reprimand.

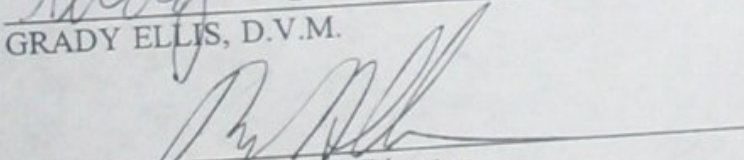
CONDITIONS:

Must take and pass Jurisprudence Exam.



GRADY ELLIS, D.V.M.

11-14-95
Date



RON ALKEN, Executive Director
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

11/10/95
Date

DOCKETED COMPLAINT NO. 1996-02

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 3742
vs.	§	1995 RENEWAL CERTIFICATE
GRADY R. ELLIS, DVM	§	NUMBER 0983

COMPLAINT AFFIDAVIT

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

On or about March 10, 1995, I Chuck Adkins, 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 Grady R. Ellis, D.V.M., P.O. Box 1301, Jacksonville, Texas 75766, Veterinary License Number 3742, 1995 Renewal Certificate Number 0983, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas State Board of Veterinary Medical Examiners, I, Chuck Adkins, do hereby present the following complaint against Grady R. Ellis, DVM.

I.

On or about December 21, 1994, Dr. Grady R. Ellis dispensed Brucella vaccine to Mike Bird, ranch manager for Neches River Ranch, in order for him to vaccinate 38 heifers at which time Dr. Ellis was not present.

II.

On or about December 21, 1994, Dr. Grady Ellis allowed the completion or preparation of brucellosis vaccination records showing that 38 heifers were vaccinated on December 21, 1994. This vaccination record was not completed at the time of vaccination by Mr. Bird, but was completed at Dr. Ellis' clinic by an employee of the clinic.

III.

On or about December 21, 1994, Dr. Grady Ellis allowed Mike Bird to have and apply brucellosis eartags and tattoo the cattle he vaccinated without Dr. Ellis being present.

IV.

On May 24, 1995, Dr. Grady Ellis signed a Consent Agreement with USDA indicating a suspension of his veterinary accreditation for 30 days in lieu of further action by USDA. On May 25, 1995, an Order for Suspension of Veterinary Accreditation was issued with an effective date of May 29, 1995, due to the allegations listed above.

V.

Because of the activity described in paragraphs I through IV above, it is alleged that Dr. Grady Ellis violated Rule 573.04 Adherence to the Law, 573.10 Direct Supervision of Lay Personnel (a) Official Health Documents; and 573.24 Issuance of Certificates through Knowledge Only, of the Rules of Professional Conduct, and Sections 14(a) (3) (5) and (7) 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 the law;

(7) has fraudently issued a health certificate, vaccination certificate, test chart, or other form used in the practice of veterinary medicine that relates to the presence of animal disease.

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 27 day of OCTOBER, 1995.

Further, Affiant sayeth not.

Charles Adkins

Chuck Adkins, Affiant

SUBSCRIBED and SWORN TO before me by the said Chuck Adkins this the 27TH day
of OCTOBER, 1995.



Mike Carroll

Mike Carroll, 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. Grady
R. Ellis, D.V.M. under Docketed Number 1996-02 this the 30 day of October 1995.

James N. Gomez, DVM

James N. Gomez, DVM, Board Secretary
Texas State Board of Veterinary Medical Examiners

