

DOCKETED COMPLAINT NO. 1987-13

TEXAS STATE BOARD OF VETERINARY		TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS		LICENSE NO. 1912
vs.		1986 RENEWAL CERTIFICATE
JOHN HOWARD FARRIS, JR., D.V.M.		NUMBER 0780

FINDINGS, CONCLUSIONS AND ORDERS OF THE BOARD

On the 11th day of June, 1987, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Wyndham Southpark, Austin, Travis County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint as well as for consideration of other Board business, and the above entitled and numbered complaint having been previously scheduled for hearing and Defendant, the said JOHN H. FARRIS, D.V.M., having been duly notified and the following members of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present to-wit:

DR. ED B. AVERY, President	of Pearsall, TX
DR. W. L. "DUB" ANDERSON, Secretary	of Addison, TX
MR. JIM F. HUMPHREY, Member	of Henrietta, TX
MR. MIKE LEVI, Member	of Spicewood, TX
DR. MARY E. MAINSTER, Member	of San Antonio, TX
DR. FRANK E. MANN, JR., Member	of Wharton, TX
DR. FRED K. SOIFER, Member	of Houston, TX

At 10:30 a.m., the appointed hour, the President of the Board, DR. ED B. AVERY ordered the case to proceed at which time it was ascertained that JOHN H. FARRIS, D.V.M. was not present in person; the Board then proceeded to hear the evidence presented by the State, and on the same day, June 11, 1987, all of the above members of said Board being present and participating with the exception of the Secretary of the Board, makes the following findings to-wit:

FINDINGS OF FACT

I.

JOHN HOWARD FARRIS, D.V.M. is a doctor of veterinary medicine, licensed to practice veterinary medicine in the State of Texas under License Number 1912, 1986 Renewal Certificate Number 0780.

II.

DR. FARRIS received notice of this hearing on or about May 13, 1987.

III.

On January 20, 1987, under Cause Number 575, in the 38th Judicial District, Real County, Texas, JOHN HOWARD FARRIS, JR., D.V.M. was found guilty of the offense of Manufacture of a Controlled Substance, To-Wit: Methamphetamine, More than 200 Grams but less than 400 Grams, as confessed by him in his plea of guilty, which is a felony conviction under the Controlled Substances Act, under Article 4476-15, Sec. 4.03, V.A.T.C.S. and upon final conviction, DR. FARRIS was sentenced to confinement in the Texas Department of Corrections for a term of fifteen (15) years.

IV.

On January 20, 1987, under Cause Number 576, in the 38th Judicial District, Real County, Texas, JOHN HOWARD FARRIS, JR., D.V.M. was found guilty of the offense of Possession of a Controlled Substance, To-wit: Methamphetamine, as confessed by him in his plea of guilty, which is a felony conviction under the Controlled Substances Act, under Article 4476-15, Sec. 4.03, V.A.T.C.S. and upon final conviction, DR. FARRIS was sentenced to ten (10) years supervised probation following completion of his fifteen (15) year sentence in the Texas Department of Corrections.

CONCLUSIONS OF LAW

I.

JOHN HOWARD FARRIS, JR., D.V.M. being convicted of a felony under the Texas Controlled Substances Act as outlined in Paragraph III, has violated Rule 33 of the Rules of Professional Conduct duly promulgated by the Board which states:

Rule 33 -

It shall be unprofessional and a violation of the Rules of Professional Conduct for the veterinary profession for a veterinarian to prescribe, provide, obtain, order, administer, possess, dispense, give or deliver to or for any person, narcotic drugs, dangerous drugs, or any controlled substances that are not necessary or required for the care of animals, or where the use or possession of such drugs would promote addiction thereto. For purposes of the rule the term Narcotic Drugs, Dangerous Drugs, and Controlled Substances shall mean those which are defined and recognized as such by any law of the State of Texas or of the United States.

II.

JOHN HOWARD FARRIS, JR., D.V.M. being convicted of a felony under the Texas Controlled Substances Act as outlined in Paragraph IV, has violated Rule 33 of the Rules of Professional Conduct duly promulgated by the Board which states:

Rule 33 -

It shall be unprofessional and a violation of the Rules of Professional Conduct for the veterinary profession for a veterinarian to prescribe, provide, obtain, order, administer, possess, dispense, give or deliver to or for any person, narcotic drugs, dangerous drugs, or any controlled substances that are not necessary or required for the care of animals, or where the use or possession of such drugs would promote addiction thereto. For purposes of the rule the term Narcotic Drugs, Dangerous Drugs, and Controlled Substances shall mean those which are defined and recognized as such by any law of the State of Texas or of the United States.

III.

The Texas State Board of Veterinary Medical Examiners is mandated to take disciplinary action against Dr. Farris' license under the Texas Veterinary Licensing Act, Article 7465a, V.A.T.S., Section 14 which states in part:

Article 7465a, Section 14, Veterinary Licensing Act -

On conviction of a person licensed by the Board of a felony under the Texas Controlled Substances Act, . . . . the Board shall, after an administrative hearing conducted in accordance with the Administrative Procedure and Texas Register Act, . . . in which the fact of conviction is determined, suspend the person's license. On the person's final conviction, the Board shall revoke the person's license. The Board may not reinstate or reissue a license to a person whose license is suspended or revoked under this section except on an express determination based on substantial evidence contained in an investigative report indicating that the reinstatement or reissue of the license is in the best interest of the public and of the person whose license has been suspended or revoked.

ORDERS

It is hereby ORDERED that Texas Veterinary License No. 3389, heretofore issued to JOHN HOWARD FARRIS, JR., D.V.M. be and the same is HERBY REVOKED.

Violation of this Order shall be construed as engaging in dishonest or illegal practices in or connected with the practice of veterinary medicine and constitutes grounds for the Board to take disciplinary action as authorized in Article 7465a, Veterinary Practice Act, Section 14(c).



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COMPLAINT AFFIDAVIT FORM

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

"I, THOMAS CHESHIRE 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 JOHN HOWARD FARRIS, JR., D.V.M., P. O. Box 105, Floresville, Wilson County, Texas, Texas Veterinary License Number 1912, 1986 Renewal Certificate Number 0780, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, THOMAS CHESHIRE, do hereby present the following complaint against JOHN HOWARD FARRIS, JR., D.V.M., who is hereinafter called Respondent.

I.

On January 20, 1987, under Cause Number 575, in the 38th Judicial District, Real County, Texas, JOHN HOWARD FARRIS, JR., D.V.M. was found guilty of the offense of Manufacture of a Controlled Substance, To-Wit: Methamphetamine, More than 200 Grams but less than 400 Grams (See Attachment A), as confessed by him in his plea of guilty, which is a felony conviction under the Controlled Substances Act, under Article 4476-15, Sec. 4.03, V.A.T.C.S. (See Attachment B) Upon final conviction, DR. FARRIS was sentenced to confinement in the Texas Department of Corrections for a term of fifteen (15) years. (See Attachment C)

II.

On January 20, 1987, under Cause Number 576, in the 38th Judicial District, Real County, Texas, JOHN HOWARD FARRIS, JR., D.V.M. was found guilty of the offense of Possession of a Controlled Substance, To-wit: Methamphetamine, (See Attachment D) as confessed by him in his plea of guilty, which is a felony conviction under the Controlled Substances Act, under Article 4476-15, Sec. 4.03, V.A.T.C.S. (See

Attachment B) Upon final conviction, DR. FARRIS was sentenced to ten (10) years supervised probation following completion of his fifteen (15) year sentence in the Texas Department of Corrections (See Attachment E).

### III.

JOHN HOWARD FARRIS, JR., D.V.M. being convicted of a felony under the Texas Controlled Substances Act as outlined in Paragraph I, has violated Rule 33 of the Rules of Professional Conduct duly promulgated by the Board which states:

Rule 33 -

It shall be unprofessional and a violation of the Rules of Professional Conduct for the veterinary profession for a veterinarian to prescribe, provide, obtain, order, administer, possess, dispense, give or deliver to or for any person, narcotic drugs, dangerous drugs, or any controlled substances that are not necessary or required for the care of animals, or where the use or possession of such drugs would promote addiction thereto. For purposes of the rule the term Narcotic Drugs, Dangerous Drugs, and Controlled Substances shall mean those which are defined and recognized as such by any law of the State of Texas or of the United States.

### IV.

JOHN HOWARD FARRIS, JR., D.V.M. being convicted of a felony under the Texas Controlled Substances Act as outlined in Paragraph II, has violated Rule 33 of the Rules of Professional Conduct duly promulgated by the Board which states:

Rule 33 -

It shall be unprofessional and a violation of the Rules of Professional Conduct for the veterinary profession for a veterinarian to prescribe, provide, obtain, order, administer, possess, dispense, give or deliver to or for any person, narcotic drugs, dangerous drugs, or any controlled substances that are not necessary or required for the care of animals, or where the use or possession of such drugs would promote addiction thereto. For purposes of the rule the term Narcotic Drugs, Dangerous Drugs, and Controlled Substances shall mean those which are defined and recognized as such by any law of the State of Texas or of the United States.

### V.

The Texas State Board of Veterinary Medical Examiners is mandated to take disciplinary action against Dr. Farris' license under the Texas Veterinary Licensing Act, Article 7465a, V.A.T.S., Section 14 which states in part:

Article 7465a, Section 14, Veterinary Licensing Act -

On conviction of a person licensed by the Board of a felony under the Texas Controlled Substances Act, . . . the Board shall, after an administrative hearing conducted in accordance with the Administrative Procedure and Texas Register Act, . . . in which the fact of conviction is determined, suspend

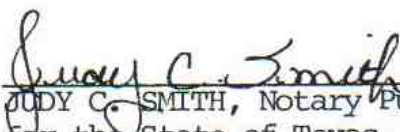
the person's license. On the person's final conviction, the Board shall revoke the person's license. The Board may not reinstate or reissue a license to a person whose license is suspended or revoked under this section except on an express determination based on substantial evidence contained in an investigative report indicating that the reinstatement or reissue of the license is in the best interest of the public and of the person whose license has been suspended or revoked.

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 1st day of May, 1987.

Further, Affiant sayeth not.

  
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THOMAS CHESHIRE, Affiant

SUBSCRIBED and SWORN TO before me by the said THOMAS CHESHIRE, this the 1st day of May, 1987.

  
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JUDY C. SMITH, Notary Public in and  
for the State of Texas

My Commission Expires: September 13, 1989.

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. JOHN HOWARD FARRIS, JR., D.V.M., under Docket Number 1987-13, this the 5th day of May, 1987.

  
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W. L. "DUB" ANDERSON, D.V.M., Secretary  
Texas Board of Veterinary Medical Examiners