

5. On or about May 9, 1994, Respondent received the laboratory results for the vaginal swabs and urine sample. The vaginal swabs cultured E. Coli and urine cultured Pseudomonas Aeruginosa. The E. Coli tested sensitive to many drugs, but the Pseudomonas was sensitive only to Gentamicin. Respondent asked the lab technician whether he was sure that Gentamicin was the only effective treatment, but did not specifically ask the technician whether all sensitivity tests had been run.
6. On or about the afternoon of May 9, 1994, Respondent telephoned Ms. Hammell with the laboratory results.
7. On or about the morning of May 10, 1994, Respondent telephoned Ms. Hammell and informed her that Gentamicin was the only treatment choice, and that she should come to the clinic and pick up the medicine. Respondent dispensed twenty pre-measured syringes of Gentamicin to Ms. Hammell. Ms. Hammell was told to give "Ronnie" three shots a day for seven days.
8. On or about May 19, 1994, Ms. Hammell took "Ronnie" to the clinic in order that Respondent could perform a blood test. The WBC and kidney functions were normal and Respondent told Ms. Hammell to leave the dog on the Gentocin until the discharge stopped.
9. On or about May 24, 1994, Ms. Hammell told Respondent that "Ronnie's" discharge was almost stopped. Respondent told her to continue the Gentocin for seven days. A urine sample was sent to the laboratory on or about May 27, 1994.
10. On or about May 31, 1994, Respondent called Ms. Hammell with the test results. Respondent told her that there was not enough bacteria to culture, but upon visual examination bacteria was still present. She was instructed by Respondent to continue the Gentocin through the end of the week.
11. On or about June 2, 1994, Ms. Hammell took the dog back to the clinic because it was vomiting. Respondent did blood work on the dog and determined that it had possible Gentocin toxicity. The dog was left at Respondent's clinic for IV therapy. The dog remained at the clinic until on or about June 8, 1994.
12. Respondent offered to refer the dog to Texas A&M Small Animal Clinic. Ms. Hammell transported the dog to A&M on the afternoon of on or about June 8, 1994. The dog remained at A&M until on or about June 21, 1994. The dog was treated by A&M for Gentocin poisoning.
13. The package instruction provided by the manufacturer of Gentocin states that "[t]reatment should not exceed 7 days.

Conclusions of Law

1. Respondent is required to comply with the provision of the Act and Board Rules.

2. Section 14(a) of the Act authorizes the Board to revoke or suspend a license, impose a civil penalty, place a licensee on probation, or reprimand a licensee based on certain acts.
3. Based on Findings of Fact 3 through 11, and paragraph 13, Respondent has violated Rule 573.22 by failing to follow the manufacturer's guidelines in the use of Gentamicin.
4. Based on Findings of Fact 3 through 13, Respondent has violated Act § 14 (a) (5) by engaging in practices or conduct in connection with the practice of veterinary medicine which were violative of the standards of professional conduct duly promulgated by the Board.
5. Based on any one of Conclusion of Law 3 and 4 Respondent is subject to disciplinary action by the Board under Act 14(a).

Based on the above finding of fact and conclusions of law, the Board ORDERS that Dr. Gibson receive an OFFICIAL REPRIMAND under the following terms and conditions:

1. Respondent shall abide by the Rules of Professional Conduct, Texas Veterinary Licensing Act and Laws of the State of Texas and the United States.
2. Failure by Respondent to comply with the terms of this Agreed Order or with all other provisions of the Act or the Board Rules, may result in further disciplinary action.

Respondent, Julia Gibson, DVM, by signing this Agreed Order, agrees to its terms acknowledges her understanding of it and the notice, findings of fact and conclusions of law set forth in the Agreed Order and agrees she will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action of the Board.

Respondent, Julia Gibson, DVM, by signing this Agreed Order waives her right to a formal hearing and any right to seek judicial review of this Agreed Order.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. NOTHING IN THIS ORDER SHALL BE DEEMED A WAIVER OF RESPONDENT'S RIGHTS UNDER STATUTE OR THE UNITED STATES OR TEXAS CONSTITUTIONS TO APPEAL AN ORDER OR ACTION OF THE BOARD SUBSEQUENT TO THIS AGREED ORDER EXCEPT AS RESPONDENT MAY HAVE OTHERWISE AGREED TO HEREIN. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

The date of this Agreed Order shall be the date it is adopted by the Texas State Board of Veterinary Medical Examiners.

I, JULIA GIBSON, DVM, HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: 4 Feb, 1998.

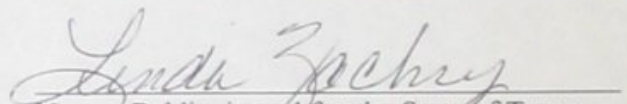

JULIA GIBSON, DVM
RESPONDENT

STATE OF TEXAS §
COUNTY OF Wichita §

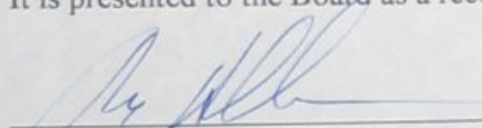
Before me Linda Zachry on this day personally appeared Julia Gibson, DVM, known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed that same for the purpose stated therein.

Given under my hand and seal of office this the 4 day of Feb, 1998.

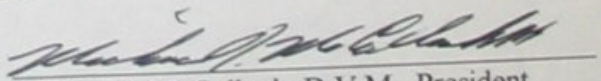



Notary Public, in and for the State of Texas

This agreed order has been entered between Dr. Julia Gibson and Ron Allen, the Executive Director of the Texas State Board of Veterinary Medical Examiners, in concurrence with the Board Secretary. It is presented to the Board as a recommendation only.


RON ALLEN, Executive Director, TSBVME

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this 26th day of February, 1998.


Michael J. McCulloch, D.V.M., President

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 6809
vs.	§	1997 RENEWAL CERTIFICATE
JULIA GIBSON, DVM	§	NUMBER 0275

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 June 12, 1996, 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 Julia Gibson, D.V.M., Western Hills Animal Hospital, 5120 Johnson Road, Wichita Falls, Texas, 76310, Veterinary License Number 6809, 1997 Renewal Certificate Number 0275, 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 Julia Gibson, DVM.

I.

On or about May 6, 1994, Ms. Michelle Hammell took her one year old intact female yellow Labrador dog "Ronnie", to the Western Hills Animal Hospital, 5120 Johnson Road, Wichita Falls, Texas. The dog was presented to the clinic with a strong thick vaginal discharge. The dog was examined by Dr. Julia Gibson.

II.

Dr. Gibson took several vaginal swabs and recommended that Ms. Hammell leave "Ronnie" at the clinic so that a urine sample could be collected. Ms. Hammell later returned to the clinic where she helped the technician collect the urine sample.

III.

On or about May 9, 1994, Dr. Gibson received the laboratory results for the vaginal swabs and urine sample. The vaginal swabs cultured E. Coli and urine cultured Pseudomonas Aeruginosa. The E. Coli tested sensitive to many drugs, but the Pseudomonas was sensitive only to Gentamicin. Dr. Gibson asked the lab technician whether he was sure that Gentamicin was the only effective treatment, but did not specifically ask the technician whether all sensitivity tests had been run.

IV.

On or about the afternoon of May 9, 1994, Dr. Gibson telephoned Ms. Hammell with the laboratory results.

V.

On or about the morning of May 10, 1994, Dr. Gibson telephoned Ms. Hammell and informed her that Gentamicin was the only treatment choice, and that she should come to the clinic and pick up the medicine. Dr. Gibson dispensed twenty pre-measured syringes of Gentamicin to Ms. Hammell. Ms. Hammell was told to give "Ronnie" three shots a day for seven days.

VI.

On or about May 19, 1994, Ms. Hammell took "Ronnie" to the clinic in order that Dr. Gibson could perform a blood test. The WBC and kidney functions were normal and Dr. Gibson told Ms. Hammell to leave the dog on the Gentocin until the discharge stopped.

VII.

On or about May 24, 1994, Ms. Hammell told Dr. Gibson that "Ronnie's" discharge was almost stopped. Dr. Gibson told her to continue the Gentocin for seven days. A urine sample was sent to the laboratory on or about May 27, 1994.

VIII.

On or about May 31, 1994, Dr. Gibson called Ms. Hammell with the test results. Dr. Gibson told her that there was not enough bacteria to culture, but upon visual examination bacteria was still present. She was instructed by Dr. Gibson to continue the Gentocin through the end of the week.

IX.

On or about June 2, 1994, Ms. Hammell took the dog back to the clinic because it was vomiting. Dr. Gibson did blood work on the dog and determined that it had possible Gentocin toxicity. The dog was left at Dr. Gibson's clinic for IV therapy. The dog remained at the clinic until on or about June 8, 1994.

X.

Dr. Gibson offered to refer the dog to Texas A&M Small Animal Clinic. Ms. Hammell transported the dog to A&M on the afternoon of on or about June 8, 1994. The dog remained at A&M until on or about June 21, 1994. The dog was treated by A&M for Gentocin poisoning.

XI.

The package instruction provided by the manufacturer of Gentocin states that "[t]reatment should not exceed 7 days."

XII.

Based on paragraphs III through VIII, and paragraph XI, Dr. Gibson has violated Rule 573.22 - Professional Standard of Humane Treatment of the Rules of Professional Conduct.

XIII.

By violating the Rules of Professional Conduct as described in paragraph XII, Dr. Gibson has also violated Section 14 (a) (5) 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:

(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;

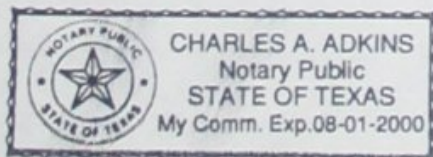
The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 16th day of DECEMBER 1997.

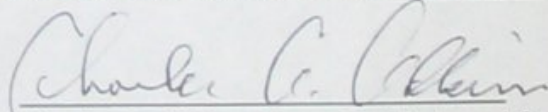
Further, Affiant sayeth not.



Mike Carroll, Affiant

SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 16th day of DECEMBER, 1997.





Charles A. Adkins, 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. Julia Gibson, D.V.M. under Docketed Number 1998-03 this the 31st day of Dec 1997.

Howard M. Head DVM
Howard M. Head, DVM, Board Secretary
Texas State Board of Veterinary Medical Examiners