

that she did not want a urine sample obtained in that manner. Dr. Grand-Bergen checked on "Oliver" and he appeared stable.

3. Dr. Grand-Bergen then took care of other appointments. At about 10:45 am, a veterinary technician informed Dr. Grand-Bergen that "Oliver" was vomiting in his cage. Dr. Grand-Bergen examined the cat and noticed its gums were muddy and its respiratory rate had increased. Dr. Grand-Bergen immediately placed the cat in an induction chamber with one hundred percent oxygen. Once "Oliver's" color improved, Dr. Grand-Bergen prepared for surgery. Dr. Grand-Bergen placed "Oliver" under anesthesia but immediately the cat's breaths became weak and had a weak, thread heartbeat. Then "Oliver" stopped breathing and Dr. Grand-Bergen administered 0.1ml Epinephrine IV and began positive pressure ventilation of low Sevoflurane and Oxygen. "Oliver's" heart rate and pulses became stronger and began to breathe on his own. Dr. Grand-Bergen induced "Oliver" again and prepared to place a urinary catheter. Within minutes, "Oliver's" heart rate was over two hundred beats per minute and he stopped breathing again and passed away.

4. Dr. Grand-Bergan did a necropsy and found free urine in the abdomen. Dr. Grand-Bergan infused more saline into the bladder and there were no leaks noted. Dr. Grand-Bergan concluded that there was a urine leakage from the cystocentesis, but that the needle site had since sealed and there was no longer urine leakage from the urinary bladder.

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 the above Findings of Fact, Respondent has violated Rule 573.22, PROFESSIONAL STANDARD OF HUMANE TREATMENT, of the Board's Rules of Professional Conduct, which requires veterinarians to exercise the same degree of humane care, skill and diligence in treating patients as is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in good standing in the locality or community in which they practice, or in similar communities, by her failure to timely attend to the complications from the cystocentesis of "Oliver."

3. Based on the above Findings of Fact and 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.

5. Based on Conclusions of Law 1 through 4, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may:

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose an administrative penalty.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Teleah Grand-Bergen, D.V.M., be FORMALLY REPRIMANDED.

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.
2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Order.
3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provisions of the Licensing Act or the Board Rules, may result in further disciplinary action.

Respondent, by signing this Agreed Order, acknowledges her understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law herein set forth herein, and agrees that she will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board.

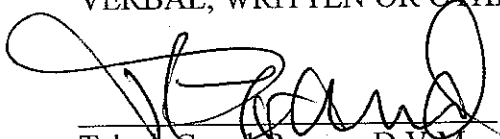
Respondent, by signing this Agreed Order, waives her right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that she had the right to be

represented by legal counsel in this matter.

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. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

The effective date of this Agreed Order shall be the date it is adopted by the Board.

I, **TELEAH GRAND-BERGEN**, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.



Teleah Grand-Bergen, D.V.M.

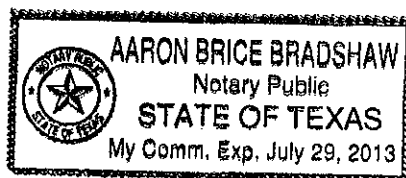
6/25/10


Date

STATE OF TEXAS §
COUNTY OF Texas §

BEFORE ME, on this day, personally appeared TELEAH GRAND-BERGEN, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that she executed the same for the purposes stated therein.

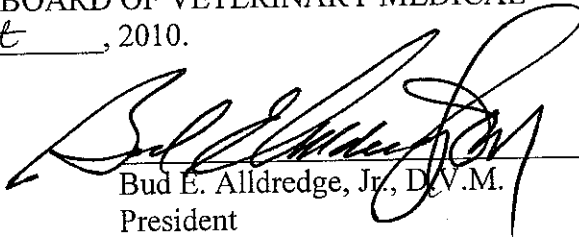
Given under the hand and seal of office this 25th day of Jun, 2010.





Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL
EXAMINERS on this the 10 day of Sept, 2010.



Bud E. Alldredge, Jr., D.V.M.
President