

DOCKET NO. 2010-76

IN THE MATTER OF § TEXAS BOARD OF
THE LICENSE OF § VETERINARY
MARY JANE GRANT, D.V.M. § MEDICAL EXAMINERS

AGREED ORDER

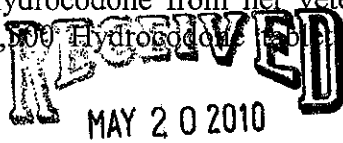
On this, the 28 day of June, 2010, came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board") the matter of the license of MARY JANE GRANT, D.V.M. ("Respondent"). Pursuant to Section 801.2056, Texas Occupations Code, a committee of the Board's staff met on April 20, 2010 to consider alleged violations of the Veterinary Licensing Act and the Board's rules by Respondent.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a formal adjudicative hearing and thereby informally dispose of the issues without a formal adjudication. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving an adjudicative hearing, Respondent acknowledges her understanding of the alleged violations and the adequacy and sufficiency of the notice provided to her.

Upon the recommendation of the Enforcement Committee and with Respondent's consent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order as set forth below.

Findings of Fact

1. Respondent, Mary Jane Grant, D.V.M. holds Texas veterinary license 8128.
2. The Board has jurisdiction over the subject matter and Respondent. Respondent received notice, which may be required by law and by the rules of the Board. All jurisdictional requirements have been satisfied under TEX. OCC. CODE ANN. Title 4 (Act). By entering into this Agreed Order, Respondent waives any defect in the notice and any further right to notice and hearing under the Act; TEX. GOV'T CODE ANN. §§ 2001.051 - .054; and the Rules of the Texas Board of Veterinary Medical Examiners (Board Rules) (22 TEX. ADMIN. CODE, Chapter 575).
2. On October 21, 2009, the Department of Justice, Drug Enforcement Administration, provided the Board with a copy of a Voluntary Surrender of Controlled Substances Privileges form signed by Dr. Grant on October 14, 2009. Dr. Grant admitted the diversion of controlled substances for self medication to the DEA. Dr. Grant admitted to the Board in a written statement that during the period of April 2008 until October 2009, she called in numerous prescriptions of Hydrocodone to pharmacies under her own pet's names and various other patient names. Dr. grant also stated that she would also order Hydrocodone from her veterinary drug suppliers. DEA informed Dr. Grant she had ordered 4,000 Hydrocodone tablets during the period in



question.

2. Respondent contacted Dr. Munden on the evening of October 16, 2009. Dr. Grant entered and completed 92 days of inpatient treatment at Sante Center for Healing. Dr. Grant signed a five year contract with the Board's Peer Assistance Program.

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 Finding of Facts 1 through 5, Respondent has violated Section 801.402 (3) of the Veterinary Licensing Act, Texas Occupations Code, GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY ACTION, which states a licensee is subject to disciplinary action for being chronically or habitually intoxicated, chemically dependent, or addicted to drugs.

4. Based on Conclusions of Law 1 and 2, 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 Mary Jane Grant, D.V.M., be FORMALLY REPRIMANDED.

The Board further ORDERS that Respondent's license be SUSPENDED for five (5) years, with said SUSPENSION STAYED and Respondent placed on PROBATION for the entire period of SUSPENSION.

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent complete her five year Peer Assistance Contract under the Board's Peer Assistance Program. In addition, if Respondent has more than one missed call in a six month period, one missed drug screening in a six month period, or tests positive without a legitimate prescription for any drug Respondent tests positive for, under the Respondent's Peer Assistance Contract, further and immediate disciplinary action may be taken by the Board and is considered a violation of this Board Order.

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS Respondent not apply for a Drug Enforcement Administration or Department of Public Safety controlled substance registration for Schedule drugs I, II, or III in her name for one year from the date of this order. Prior to her application for Schedule I, II, or III controlled substance registration, Respondent shall appear before the Board to determine the appropriateness of the request, as well as receive the approval of the Peer Assistance Program director to apply for such registration.

The Board further ORDERS that:

- 1 Respondent shall abide by the Board's 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.

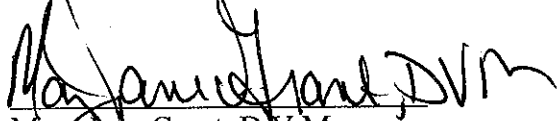
Respondent, by signing this Agreed Order, acknowledges her understanding of the Agreed Order, the notice, and Findings of Fact and Conclusions of Law set forth herein, and agrees that she will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate 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, **MARY JANE GRANT**, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING THIS ORDER, 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.

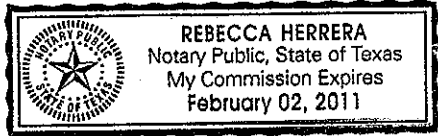

Mary Jane Grant, D.V.M.

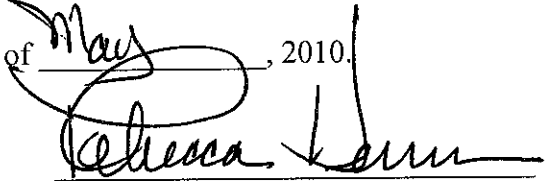
05/17/2010
Date

STATE OF TEXAS §
COUNTY OF El Paso §

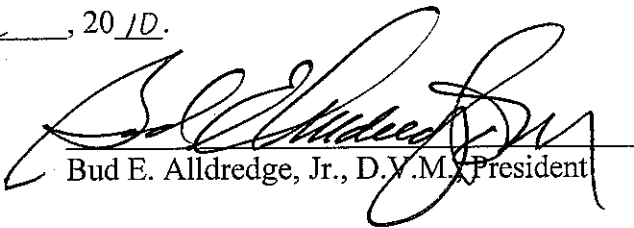
BEFORE ME, on this day, personally appeared Mary Jane Grant, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that she executed the same for the purposes stated therein.

Given under the hand and seal of office this 17 day of May, 2010.




Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL
EXAMINERS on this the 28 day of June, 20 10.



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