

3. Dr. Gray's failure to begin a proper course of treatment after reviewing the radiographs on October 12, 2007 does not represent 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 Sulphur Springs, Texas or similar communities.

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 Fact 3, 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.

3. Based on Finding of Fact 3 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.

4. Based on Conclusions of Law 1 through 3, 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.

5. Based on Conclusions of Law 1 through 3, the Board may order the license holder to refund an amount not to exceed the amount a client paid to the license holder instead of or in addition to imposing an administrative penalty, under Section 801.408 of the Veterinary Licensing Act, Texas Occupations Code.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent pay, within 30 days of the date of this Order, RESTITUTION of TWO HUNDRED AND THIRTY DOLLARS AND SEVENTY CENTS (\$230.70). In addition, any debt collection agency or credit rating bureau contacted regarding this matter must be informed of the resolution of the debt owed. If Respondent fails to pay the restitution within 30 days of the date of this Order, enforcement action will be taken. The Board must receive verification of compliance with this order within FORTY FIVE (45) days of the date of this order.

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

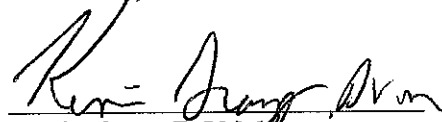
Respondent, by signing this Agreed Order, waives his right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he had the right to be represented by legal counsel in this matter.

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. NOTHING IN THIS ORDER

SHALL BE DEEMED A WAIVER OF RESPONDENT'S RIGHTS UNDER STATUTE OR UNDER 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 effective date of this Agreed Order shall be the date it is adopted by the Board.

I, KEVIN GRAY, 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.

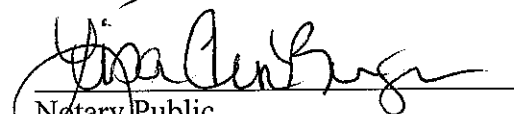

Kevin Gray, D.V.M.

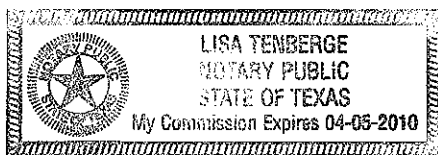
7/2/08
Date

STATE OF TEXAS §
COUNTY OF Hopkins §

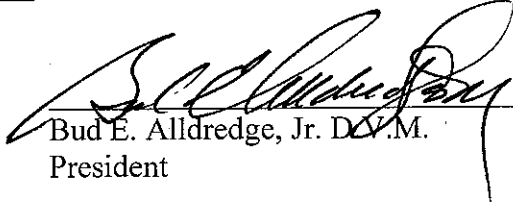
BEFORE ME, on this day, personally appeared KEVIN GRAY, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that She executed the same for the purposes stated therein.

Given under the hand and seal of office this 2ND day of July, 2008.


Notary Public



SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 16 day of OCT, 2008.



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

Base Working Screen - Inquire/Change

Dialer	Quit	Debtor	Account	Notices	Payment	Checks	History	Client	Print	Future Int	Links
Promisc	Dialer	Qk Ntc	Qk Chg	Search	Prev	Next	Notes	Call List	Print Book	Finish	Results

Debtor # K88023 Home Phone 972/549-0548
 Name ROSS, TJ Employer
 Address 7408 SUMMIT RIDGE LANE Debtor Work Ph. 972/547-0950 xALT
 Address Spouse
 City MCKINNEY Spouse Employer
 State TX Zip 75063 Spouse Work Ph. 214/724-7907 xALT
 Country Birth Date / / Reference VALIDATED 11/28/07
 SSN E-Mail VALIDATED 11/26/07 Local time is 02:56 PM

Totals Fees: \$0.00 Interest: \$0.00 Principal: \$230.70 Total: \$230.70

Account	Acct #	Client	Orig. Bal.	Date Incur.	Last Pymnt	Pymnt Date	Cur. Balance	Status
	L73748	HOPKINS COUNTY VETE	230.70	5/19/2007	0.00	/ /	230.70	CARTC

Last Contact 06/23/2008 @ 12:49 BY BH RECEIVED LETTER FROM THE CLIENT TODAY "THIS CORRESPONDENCE REGARDS THE TJ ROSS ACCOUNT. DIVERSIFIED SERVICE GROUP ASSISTANCE IN THIS MATTER IS NO LONGER REQUIRED. THIS MATTER HAS BEEN WRITTEN OFF"

This account was
 Canceled & Returned to
 Client.

Thx
 (CBW)

June 23, 2008

Mr. and Mrs. T.J. Ross
2408 Summerside Lane
McKinney, Texas 75070

Dear Mr. and Mrs. Ross,

Upon further review of the circumstances surrounding "Rudy's" stay at Hopkins County Veterinary Clinic, I have decided to remove the charges for the services rendered. In addition to this, I am informing Diversified Services Group to cease and desist all attempts at collection of the before mentioned charges. Also, they will forward this information to any and all creditors contacted to have this event removed from any of your credit agencies. Please see attached correspondence to Diversified Services Group.

Respectfully,


Kevin Gray DVM

June 23, 2008

Diversified Services Group
5800 E. Thomas Road, Ste 107
Scottsdale, AZ 85251
Attention: Brandy

Dear Brandy,

This correspondence regards the T.J. Ross account, account #K88023. Diversified Services Group's assistance in this matter is no longer required. This matter has been written off to loss due to further investigation of the circumstances surrounding the charges incurred. I respectfully request that your company cease and desist all collection attempts and pass along all correspondence as is necessary to Mr. T.J. Ross' creditors so this matter will not be present on a credit report.

Thank you,


Kevin Gray DVM