

These events occurred over a 10-year time period and would usually take place when Dr. Gregory was busy with other hospital business. Ms. Hurtado also signed a sworn statement agreeing to cease and desist from engaging in any activities that constitute the practice of veterinary medicine.

3. Dr. Gregory acknowledged that the alleged acts occurred and apologized in writing to the Board for his complicity in allowing the situation to occur and evolve over a long period of time.

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 Findings of Fact 1 through 3, Dr. Gregory has violated Rule 573.11, RESPONSIBILITY FOR UNLICENSED AND LICENSED EMPLOYEES, of the Board's Rules of Professional Conduct, which states that a veterinarian shall be responsible for the acts of an unlicensed person committed within the scope of the person's scope of employment that constitute the unauthorized practice of veterinary medicine.
3. Based on Findings of Fact 1 through 3, Dr. Gregory has violated Rule 573.10, SUPERVISION OF NON-LICENSED EMPLOYEES, which states that (a) an unlicensed person shall not perform surgery or invasive dental procedures; and (b) a licensee failing to properly supervise a non-licensed employee or improperly delegating care and/or treatment responsibilities may be subject to disciplinary action by the Board.
4. Based on Findings of Fact 1 through 3, Dr. Gregory has violated Rule 573.51, RABIES CONTROL, which prohibits (a) a veterinarian from allowing a non-licensed person to administer a rabies vaccine unless the non-licensed person is under the direct supervision of the veterinarian; and (b) the use of a veterinarian's signature stamp on a vaccination certificate by a non-licensed person except under the direct supervision of the vaccinating veterinarian.
5. Based on Conclusions of Law 1 through 4, Dr. Gregory is subject to disciplinary action by the Board under Sec. 801.402 (6), Texas Occupations Code, because he has engaged in "practices or conduct that violates the board's rules of professional conduct . . ."
6. Based on Conclusions of Law 1 through 5, Dr. Gregory may be disciplined by the Board in the manner provided for in Sec. 801.401, Texas Occupations Code.

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

The Board ORDERS that the Respondent be FORMALLY REPRIMANDED.

The Board further ORDERS that the Respondent pay a CIVIL PENALTY of two thousand, five hundred dollars (\$2500.00), payable within 45 days of the date of this Order. If the Respondent fails to pay the civil penalty within 45 days of the date of this Order, Respondent's license shall be suspended until the civil penalty is paid.

The Board further ORDERS that the Respondent take and pass the Board's JURISPRUDENCE EXAMINATION within 45 days of the date of this Order. If the Respondent fails to take and pass the jurisprudence examination within 45 days of the date of this Order, the Respondent's license shall be suspended until the Respondent does take and pass the examination. Respondent may not re-take this examination any more frequently than 10 working days from the date of his last sitting for the examination. Should the Respondent engage in the practice of veterinary medicine while under suspension, he will be subject to immediate disciplinary action.

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 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, Findings of Fact and Conclusions of Law herein set forth, 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.

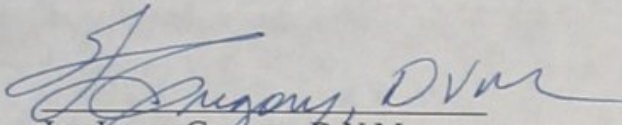
Respondent, by signing this Agreed Order, waives his right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he is entitled to be represented by an attorney of Respondent's choice at his expense. Respondent has voluntarily represented himself.

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

I, **JON LAYNE GREGORY**, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT 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.


Jon Layne Gregory, D.V.M.
Respondent

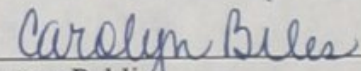
May 25, 2004
DATE

STATE OF TEXAS §
COUNTY OF McLennan §

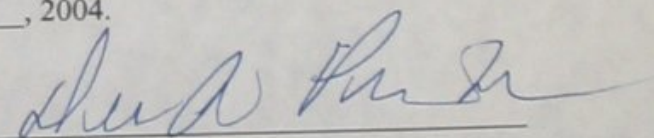
BEFORE ME, on this day, personally appeared Jon Layne Gregory, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 25 day of May, 2004.




Notary Public

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 17 day of June, 2004.


Dee Pederson, D.V.M.
President