

“Simone”

23 July 98 (patient record entry has date of 23 June 98)
25 April 99

2. The patient records of “Persus” and “Simone” do not indicate the name of the veterinarian making each entry. In particular, the patient record entries listed in finding of fact 1 do not have the name of the veterinarian making each entry.
3. The patient record entry for 24 March 97 for “Persus” says as follows:

U/S (Heart) ΔD - 86% BP - 120
Vasotec #30 (2.5 mg) HT1

The entry does not contain a specific diagnosis or other details to substantiate the medication prescribed. Dr. Hanks testified that the vasotec was prescribed for hypercontractility of “Persus’s” left heart ventricle.

4. In a letter dated May 23, 2001, Dr. Hanks noted that once vasotec therapy began, the cat’s urinary problems all but stopped. Vasotec was refilled for “Persus” on a regular basis until at least May, 2000. Dr. Hanks’ treatment apparently resolved the patient’s urinary problems and aggressiveness.
5. There is no evidence that Dr. Hanks’ diagnosis, treatment or protocol was inappropriate or improper, or failed to comply with applicable standards of professional care or ethics in any respect.

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, Respondent has violated Rule 573.62, PATIENT RECORD KEEPING, of the Board’s Rules of Professional Conduct, which states as follows:
 - (a) Individual records will be maintained at the veterinarian’s place of business and include, but are not limited to:
 - (11) other details necessary to substantiate the examination, diagnosis, and treatment provided, and/or surgical procedure performed.
 - (12) any signed acknowledgment required by §§573.12, 573.14, 573.15, and

573.16. Each entry in the patient record shall identify the veterinarian who performed or supervised the procedure recorded.

3. Based on 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.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Lewis Hanks, D.V.M., be INFORMALLY REPRIMANDED.

The Board further ADOPTS the following terms and conditions:

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 Veterinary 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, 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 has to 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, LEWIS H. HANKS, 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.

Lewis H. Hanks DVM
Lewis H. Hanks, D.V.M.

10 April 02
Date

STATE OF TEXAS §
COUNTY OF Travis §

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

Given under the hand and seal of office this 10th day of April, 2002.



Susan E. Jennings
Notary Public

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 13 day of June, 2002.

Martin E. Garcia DVM
Martin E. Garcia, D.V.M., President