

TEXAS STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

TEXAS VETERINARY MEDICAL  
LICENSE NUMBER 1523

VS

DOCTOR THOMAS E. HARDING

TEXAS VETERINARY MEDICAL  
RENEWAL CERTIFICATE (1960)  
NUMBER 608

FINDINGS AND ORDERS OF THE BOARD

On this the 10th day of December, A.D., 1960, the Texas State Board of Veterinary Medical Examiners being in meeting at the Ramada Inn Hotel in San Antonio, Bexar County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint and the above, entitled and numbered complaint having been previously scheduled for hearing and the said DR. THOMAS E. HARDING having received notice of said hearing as provided by law, and a quorum of the members of the Texas State Board of Veterinary Medical Examiners being present, to-wit:

Dr. CHARLES A. THOMPSON, President	of Dalhart, Texas
Dr. J. W. McCOY, Vice-President	of Paris, Texas
Dr. BILLIE C. ROBERSON, Secretary	of Abilene, Texas
Dr. EDWARD D. DWELLE, Member	of Alice, Texas
Dr. MAX A. PACHAR, Member	of Orange, Texas
Dr. VICTOR L. KOTHMANN, Member	of Mason, Texas

whereupon the President of the Board, DR. CHARLES A. THOMPSON, ordered the case to proceed at which time it was ascertained that DR. THOMAS E. HARDING was present in person and represented by attorney. The Board then proceeded to hear all the evidence presented by the State and by the said DR. THOMAS E. HARDING. After such hearing, the Board went into executive session to consider the evidence and after consideration and deliberation of all the evidence that had been presented, the Texas State Board of Veterinary Medical Examiners, on the same day, Saturday, December 10, 1960, all of the above members of said Board being present and participating made the following findings to-wit:

FINDINGS

1. The Board finds that all statutory requisites to its jurisdiction have been met.

2. That DR. THOMAS E. HARDING was, during the month of January, 1960, the owner and operator of the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas.

3. That during the month of January, 1960, DR. THOMAS E. HARDING had in his employment at Mission Veterinary Clinic one KERMIT LEE CARLSON who is a person not licensed to practice veterinary medicine in the State of Texas.

4. That during the period of January 25th, 26th, 27th and 28th, of 1960, DR. THOMAS E. HARDING was absent from the premises of Mission Veterinary Clinic and left said premises accessible to the said KERMIT LEE CARLSON.

5. That DR. THOMAS E. HARDING had full and complete knowledge of the fact that KERMIT LEE CARLSON was not licensed to practice veterinary medicine in the State of Texas.

6. That DR. THOMAS E. HARDING, in the operation of Mission Veterinary Clinic, uses a facsimile signature stamp to pre-stamp the various certificates used in his practice in blank.

7. That during the period of January 25th, 26th, 27th and 28th of 1960, the facsimile signature stamp of DR. THOMAS E. HARDING and various blank certificates bearing the facsimile signature stamp or the actual signature of DR. THOMAS E. HARDING were left where they were accessible to KERMIT LEE CARLSON.

8. That on or about the 26th day of January, 1960, at the Mission Veterinary Clinic, San Antonio, Texas, in the absence of DR. THOMAS E. HARDING, KERMIT LEE CARLSON, vaccinated a dog belonging to R. P. ATKINS for rabies and issued a rabies vaccination certificate bearing the signature facsimile of DR. THOMAS E. HARDING and certifying that DR. THOMAS E. HARDING had performed said vaccination.

9. That on or about the 26th day of January, 1960, at the Mission Veterinary Clinic, San Antonio, Texas, in the absence of DR. THOMAS E. HARDING, KERMIT LEE CARLSON did then and there examine, diagnose, treat and prescribe medication for a dog belonging to JACK D. STEEDE.

10. That on or about the 25th day of January, 1960, at the Mission Veterinary Clinic, San Antonio, Texas, in the absence of DR. THOMAS E.

HARDING, KERMIT LEE CARLSON did then and there examine, diagnose, treat and prescribe medication for a dog belonging to LUCY M. MAINE.

11. That on or about the 26th day of January, 1960, in response to a telephone call to the Mission Veterinary Clinic, San Antonio, Texas, KERMIT LEE CARLSON drove to the Kahn Ranch, Bexar County, Texas, and proceeded to draw blood from four head of cattle for the purpose of testing for Bangs Disease; and that thereafter DR. THOMAS E. HARDING did issue or cause to be issued Texas Livestock Sanitary Commission official Health Certificate No. 9067 and No. 9066 bearing the signature of DR. THOMAS E. HARDING and certifying that the said DR. THOMAS E. HARDING had personally performed the tests therein certified to.

12. That on or about the 26th day of January, 1960, at the Mission Veterinary Clinic, San Antonio, Texas, in the absence of DR. THOMAS E. HARDING, KERMIT LEE CARLSON, vaccinated a dog belonging to ARTHUR T. DITTFURTH for rabies and issued a rabies vaccination certificate bearing the signature facsimile of DR. THOMAS E. HARDING and certifying that DR. THOMAS E. HARDING had performed said vaccination.

#### CONCLUSIONS

1. That the acts performed by KERMIT LEE CARLSON constitute the practice of veterinary medicine as defined by Article 7465a of Vernon's Civil Statutes.
2. That DR. THOMAS E. HARDING did place in the hands of KERMIT LEE CARLSON, a non-licensed person, the means by which said non-licensed person did practice veterinary medicine as defined by Article 7465a of Vernon's Civil Statutes and in violation of Rule 15 of the Rules of Professional Conduct for the veterinary profession.
3. That DR. THOMAS E. HARDING did permit KERMIT LEE CARLSON, a non-licensed person, to use the name of said DR. THOMAS E. HARDING to be used in aid of or in making possible the practice of veterinary medicine as defined by Article 7465a of Vernon's Civil Statutes and in violation of Rule 16 of the Rules of Professional Conduct for the veterinary profession.
4. That DR. THOMAS E. HARDING did allow KERMIT LEE CARLSON, a non-licensed person, to issue certificates with DR. THOMAS E. HARDING'S signature affixed thereto in violation of Rule 18 of the Rules of Professional

Conduct for the veterinary profession.

5. That DR. THOMAS E. HARDING did issue a certificate of health without actual knowledge, by actual inspection and appropriate tests of the animals, that said animals meet the requirements for the issuance of such certificate, in violation of Rule 19 of the Rules of Professional Conduct for the veterinary profession.

ORDER OF THE BOARD

From the foregoing facts and conclusions the Board is of the unanimous opinion that the said THOMAS E. HARDING should be, and HE IS HEREBY SEVERLY REPRIMANDED and is reminded that his conduct has cast a shadow upon the integrity and devotion to duty of every member of the veterinary profession and that he can expect no further leniency in the event of future misconduct.

Signed this the 37<sup>th</sup> day of January, A.D., 1961.

Charles A. Thompson, D.V.M.  
DR. CHARLES A. THOMPSON, President

Edward D. Dwelle, D.V.M.  
DR. EDWARD D. DWELLE, Member

J. J. W. McCoy, D.V.M.  
DR. J. J. W. MCCOY, Vice-President

Max A. Pachar, D.V.M.  
DR. MAX A. PACHAR, Member

Billie C. Roberson  
DR. BILLIE C. ROBERSON, Secretary

Victor L. Kothmann, D.V.M.  
DR. VICTOR L. KOTHMANN, Member

STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, a Notary Public in and for Travis County, Texas, on this day personally appeared IVAN C. SMITH, who after being by me duly sworn upon oath deposes and says that:

The said IVAN C. SMITH, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of his employment make certain investigations into the professional conduct of one DR. THOMAS E. HARDING, Texas Veterinary Medical License No. 1523, 1960 Renewal Certificate No. 608, a practitioner of veterinary medicine in the State of Texas, and in the course of said investigations it has come to the attention of the said IVAN C. SMITH and he believes and here alleges that on or about the dates hereinafter specified the said DR. THOMAS E. HARDING has engaged in dishonest and/or illegal practices in or connected with the practice of veterinary medicine, and has engaged in practices or conduct in connection with the practice of veterinary medicine which are violative of the standards of professional conduct as duly promulgated by the Board in accordance with law, and has permitted or allowed another to use his license, or certificate to practice veterinary medicine in this state, for the purpose of treating, or offering to treat, sick, injured or afflicted animals within the contemplation of Sections 14 and 15 of Article 7465a of the Revised Civil Statutes of Texas, in that the said DR. THOMAS E. HARDING did commit the following acts, and/or omissions, as follows, to-wit:

1. That on or about January 26, 1960, the said DR. THOMAS E. HARDING did leave the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas, which clinic is owned and operated by the said DR. HARDING, in the care, custody and control of a lay employee by the name of KERMIT LEE CARLSON, who was not then nor is he now, a person licensed to practice veterinary medicine in the State of Texas, all of which was well known to the said DR. HARDING at said time, and that during the absence of the said DR. HARDING, the said CARLSON did accept for treatment at the said Mission Veterinary Clinic a dog belonging to

MR. R. P. ATKINS of San Antonio, Texas, whereupon the said CARLSON did then and there and for a valuable consideration vaccinate said dog for rabies and issue a rabies vaccination certificate to the said R. P. ATKINS bearing the name of the said DR. HARDING. Said certificate certified that DR. THOMAS E. HARDING had vaccinated said dog as therein described.

Said acts and omissions by DR. THOMAS E. HARDING being in violation of rules of professional conduct number 15, 16, 17, and 18.

2. That on or about January 26, 1960, the said DR. THOMAS E. HARDING did leave the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas, which clinic is owned and operated by the said DR. HARDING, in the care, custody and control of a lay employee by the name of KERMIT LEE CARLSON, who was not then nor is he now, a person licensed to practice veterinary medicine in the State of Texas, all of which was well known to the said DR. HARDING at said time, and that during the absence of the said DR. HARDING, the said CARLSON did accept for treatment at the said Mission Veterinary Clinic a dog belonging to MR. ARTHUR T. DITTFURTH of San Antonio, Texas, whereupon the said CARLSON did then and there and for a valuable consideration vaccinate the said dog for rabies and issue a rabies vaccination certificate to the said ARTHUR T. DITTFURTH bearing the name of the said DR. HARDING. Said certificate certified that DR. THOMAS E. HARDING had vaccinated said dog as therein described.

Said acts and omissions by DR. THOMAS E. HARDING being in violation of rules of professional conduct number, 15, 16, 17, and 18.

3. That on or about January 26, 1960, the said DR. THOMAS E. HARDING did leave the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas, which clinic is owned and operated by the said DR. HARDING, in the care, custody and control of a lay employee by the name of KERMIT LEE CARLSON, who was not then nor is he now, a person licensed to practice veterinary medicine in the State of Texas, all of which was well known to the said DR. HARDING at said time, and that during the absence of the said DR. HARDING, the said CARLSON did accept

for treatment at the said Mission Veterinary Clinic a dog belonging to MRS. RAYMOND M. JAMES, JR. of San Antonio, Texas, whereupon the said CARLSON did then and there and for a valuable consideration examine, diagnose, treat and prescribe medication for said animal.

Said acts and omissions by DR. THOMAS E. HARDING being in violation of rules of professional conduct number 15, 16, 17, and 18.

4. That on or about January 26, 1960, the said DR. THOMAS E. HARDING did leave the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas, which clinic is owned and operated by the said DR. HARDING, in the care, custody and control of a lay employee by the name of KERMIT LEE CARLSON, who was not then nor is he now, a person licensed to practice veterinary medicine in the State of Texas, all of which was well known to the said DR. HARDING at said time, and that during the absence of the said DR. HARDING, the said CARLSON did introduce himself as DOCTOR CARLSON and did accept for treatment at the said Mission Veterinary Clinic a dog belonging to MR. JACK D. STEEDE of San Antonio, Texas, whereupon the said CARLSON did then and there and for a valuable consideration did examine, diagnose, treat and prescribe medication for said animal.

Said acts and omissions by DR. THOMAS E. HARDING being in violation of rules of professional conduct number 15, 16, 17, and 18.

5. That on or about January 25, 1960, the said DR. THOMAS E. HARDING did leave the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas, which clinic is owned and operated by the said DR. HARDING, in the care, custody and control of a lay employee by the name of KERMIT LEE CARLSON, who was not then nor is he now, a person licensed to practice veterinary medicine in the State of Texas, all of which was well known to the said DR. HARDING at said time, and that during the absence of the said DR. HARDING, the said CARLSON did accept for treatment at the said Mission Veterinary Clinic a dog belonging to LUCY M. MAINE of San Antonio, Texas, whereupon the said CARLSON did then and there and for a valuable consideration examine, diagnose, treat and prescribe medication for said animal.

Said acts and omissions by DR. THOMAS E. HARDING being in violation of rules of professional conduct number 15, 16, 17, and 18.

6. That on or about January 26, 1960, the said DR. THOMAS E. HARDING did leave the Mission Veterinary Clinic located at 3800 Pleasanton Road in San Antonio, Bexar County, Texas, which clinic is owned and operated by the said DR. HARDING, in the care, custody and control of a lay employee by the name of HERMIT LEE CARLSON, who was not then nor is he now, a person licensed to practice veterinary medicine in the State of Texas, all of which was well known to the said DR. HARDING at said time, and that during the absence of the said DR. HARDING, the said CARLSON drove to the Kahn Ranch, drew blood from four head of cattle, more or less, for the purposes of obtaining an official Bangs Test on said cattle. That on or about January 27, 1960, the said DR. THOMAS E. HARDING issued or caused to be issued a Texas Livestock Sanitary Commission official Health Certificate bearing the name of the said DR. THOMAS E. HARDING. Said certificate certified that DR. THOMAS E. HARDING had personally tested said animals and that the results of said tests were as therein indicated.

Said acts by DR. THOMAS E. HARDING being in violation of rules of professional conduct number 15, 16, 17, 18, and 19.

That at all times material hereto as alleged in paragraphs num 3, 4, 5, and 6, the said CARLSON was an employee of and was acting w the scope of his employment with the said DR. HARDING. That the act said DR. HARDING in leaving said veterinary clinic, as herein above al in the care, custody and control of a person who was not licensed to pr veterinary medicine in this State, and the resulting treatment of said a by said person, was in accordance with the general instructions and terms employment given by DR. HARDING and was in full accord with the usual and customary practices of the said DR. HARDING in managing his veterinary clinic and in treating and caring for animals entrusted to his care for treatment.

The above complaint, containing six (6) counts, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners, at the Board offices in Austin, Travis County, Texas, this the 22nd day of November, A. D. 1960.

  
IVAN C. SMITH

STATE OF TEXAS |  
|  
COUNTY OF TRAVIS |

SWORN AND SUBSCRIBED TO before me by IVAN C. SMITH, this the 22nd  
day of November, A. D. 1960, to certify which witness my hand and seal  
of office.



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public in and for  
Travis County, Texas

