

IN THE MATTER OF THE LICENSE OF § TEXAS STATE BOARD OF
SHARON HOLLARS, D.V.M. §
§ VETERINARY MEDICAL EXAMINERS

AGREED ORDER

On this the 21 day of August, 1997, came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board"), the matter of the license of SHARON HOLLARS, DVM, ("Respondent" or "Dr. Hollars"). Pursuant to the Veterinary Licensing Act ("Act") § 18F and Board Rules of Disciplinary Procedure 575.27, on August 21, 1997, Respondent appeared in person, at an Informal Conference in response to a letter of invitation from the Board. The Board was represented at the Informal Conference by the Enforcement Committee.

Respondent wishes to waive a formal adjudicative hearing and to enter into this Agreed Order. In waiving an adjudicative hearing Respondent acknowledges understanding of the alleged violations and the adequacy and sufficiency of the notice provided to her.

Upon 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. Sharon Hollars, DVM, is a veterinarian licensed by the Board to practice veterinary medicine in the state of Texas under license number 7658, 1997 renewal certificate number 4938+P. Respondent is not subject to prior disciplinary action by the Board.
2. The Board has jurisdiction over the subject matter and Respondent. Respondent has received all notice which may be required by law and by the Board Rules. All jurisdictional requirements have been satisfied.
3. On December 4, 1995, Ms. Silvia Schlaepfi took her fifteen year old female DSH cat, "Samantha" to the Park Place Pet Hospital, 2100 West Northwest Highway, Grapevine, Texas. The cat was presented to the clinic for a surgical procedure to remove possible cancerous tissues. The cat was taken to the clinic at approximately 9:00am.
4. At approximately 12:15pm, the owner called the clinic to determine the status of the cat. She was informed that the surgery procedure was to start at approximately 12:30pm. The owner

instructed the clinic to call her at home if there were any problems. She also provided the clinic her pager number, however, she had left the pager in her purse in her car.

5. The surgery was performed by the Respondent, during the surgical procedure, Respondent discovered that the abnormal tissue extended much farther than had been palpable. The abnormal tissue extended greater than 2-3 cm beyond all of the incision borders. Respondent instructed the technician, Susan Mentzer, to contact the owner. The technician attempted to reach the owner at home three times; twice she left a message. The technician also made five telephone calls to the owner's pager. On some of these she placed 911 after the number indicating an emergency

6. During the surgery, Respondent searched for ways to debulk the tumor and still be able to close the incision. Respondent was unable to determine any method that would have succeeded, and still give the cat any quality of life. Respondent covered the incision with a sterile gauze and broke sterility.

7. Respondent made several attempts herself to contact the owner. Respondent finally reached a friend of the owner's that said he could not give permission to euthanize the cat.

8. Respondent left the cat under anesthesia while she treated other patients in the adjoining room. Respondent left the doors open while waiting for a response from the owner. Respondent became so busy with other patients that Respondent was unable to supervise the cat. Respondent decided it was in the cat's best interest to be euthanized, without the owner's written authorization.

9. The owner was eventually informed by her friend that the clinic was trying to contact her. The owner immediately called the clinic and requested nothing be done to her cat until she could reach the clinic. Respondent spoke with the owner and told her that the cat had been euthanized.

Conclusions of Law

1. Respondent is required to comply with the provision of the Act and Board Rules.
2. Section 14(a) of the Act authorizes the Board to revoke or suspend a license, impose a civil penalty, place a licensee on probation, or reprimand a licensee based on certain acts.
3. Based on Findings of Fact 8, Respondent has violated Act § 14 (a) (11) by performing or prescribing unnecessary or unauthorized treatment.
4. Based on Conclusion of Law 3 Respondent is subject to disciplinary action by the Board under Act 14(a).

Based on the above finding of fact and conclusions of law, the Board ORDERS that Dr. Hollars receive an OFFICIAL REPRIMAND under the following terms and conditions:

1. Respondent shall pay an administrative penalty in the amount of \$250, within forty-five (45) days of Board approval of the Agreed Order.
2. Respondent shall abide by the Rules of Professional Conduct, Texas Veterinary Licensing Act and Laws of the State of Texas and the United States.
3. Failure of Respondent to comply with the terms of this Agreed Order or with all other provisions of the Act or the Board Rules, may result in further disciplinary action.

Respondent, Sharon Hollars, DVM, by signing this Agreed Order, agrees to its terms acknowledges her understanding of it and the notice, findings of fact and conclusions of law set forth in the Agreed Order and agrees she will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action of the Board.

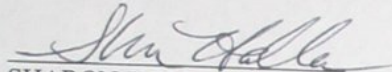
Respondent, Sharon Hollars, DVM, by signing this Agreed Order waives her right to a formal hearing and any right to seek judicial review of this Agreed Order.

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 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 State Board of Veterinary Medical Examiners.

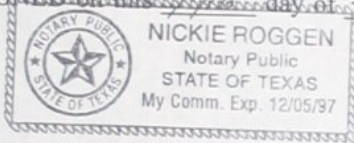
I, SHARON HOLLARS, DVM, HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

DATED: 9/17, 1997.

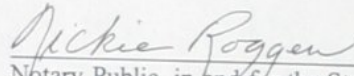

SHARON HOLLARS, DVM
RESPONDENT

STATE OF TEXAS
COUNTY OF Tarrant

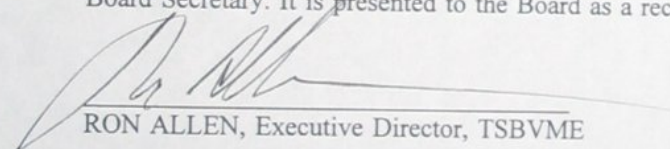
BEFORE ME, on this day personally appeared Sharon Hollars, DVM, known to me, who, first being duly sworn, signed the foregoing Agreed Order in my presence.
SIGNED on this 17th day of September, 1997.



Notary Seal

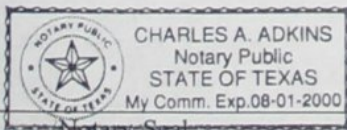

Notary Public, in and for the State of Texas

This agreed order has been entered between Dr. Sharon Hollars and Ron Allen, the Executive Director of the Texas State Board of Veterinary Medical Examiners, in concurrence with the Board Secretary. It is presented to the Board as a recommendation only.

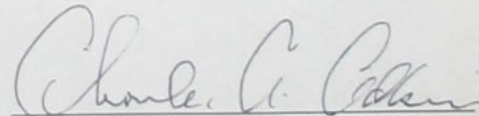

RON ALLEN, Executive Director, TSBVME

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, on this day personally appeared Ron Allen, known to me, who, first being duly sworn, signed in agreement to the foregoing Agreed Order in my presence.
SIGNED on this 17th day of SEPTEMBER, 1997

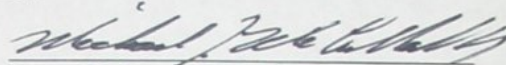


Notary Seal


Notary Public, in and for the State of Texas

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SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL
EXAMINERS on this 2nd day of Oct, 1997.



James N. Gomez, D.V.M., President

DOCKETED COMPLAINT NO. 1997-19

TEXAS STATE BOARD OF VETERINARY	§	TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS	§	LICENSE NO. 7658
vs.	§	1997 RENEWAL CERTIFICATE
SHARON HOLLARS, D.V.M.	§	NUMBER 4938+P

COMPLAINT AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared Mike Carroll, who after being duly sworn, did depose and say:

I, Mike Carroll, an employee of the Texas State Board of Veterinary Medical Examiners ("Board"), investigated the professional conduct of one Sharon Hollars, D.V.M., 7012 Windhaven Road., North Richland Hills, Texas, 76180, Veterinary License Number 7658, 1997 Renewal Certificate Number 4938+P, a practitioner of veterinary medicine in the State of Texas, on or about December 29, 1995.

I, Mike Carroll, on behalf of the Board, present the following complaint against Sharon Hollars, D.V.M., based on alleged violations of the Veterinary Licensing Act, Tex. Rev. Civ. Stat. art. 8890 ("Act").

I.

On December 4, 1995, Ms. Silvia Schlaepfi took her fifteen year old female DSH cat "Samantha", to the Park Place Pet Hospital, 2100 West Northwest Highway, Grapevine, Texas. The cat was presented to the clinic for a surgical procedure to remove possible cancerous tissues. The cat was taken to the clinic at approximately 9:00am.

II.

At approximately 12:15pm, Ms. Schlaepfi called the clinic to determine the status of "Samantha". She was informed that the surgery procedure was to start at approximately 12:30pm. Ms. Schlaepfi instructed the clinic to call her at home if there were any problems. She also provided the clinic her pager number, however, she had left the pager in her purse in her car.

III.

The surgery was performed by Dr. Sharon Hollars. During the surgical procedure, Dr. Hollars discovered that the abnormal tissue extended much farther than had been palpable. The abnormal tissue extended greater than 2-3 cm beyond all of the incision borders. Dr. Hollars instructed the technician, Susan Mentzer, to contact Ms. Schlaepfi. Ms. Mentzer attempted to reach Ms. Schlaepfi at home three times; twice she left a message. Ms. Mentzer also made five telephone calls to Ms. Schlaepfi's pager. On some of these she placed 911 after the number indicating an emergency.

IV.

During the surgery, Dr. Hollars searched for ways to debulk the tumor and still be able to close the incision. She was unable to determine any method that would have succeeded, and still give "Samantha" any quality of life. Dr. Hollars covered the incision with a sterile gauze and broke sterility.

V.

Dr. Hollars made several attempts herself to contact Ms. Schlaeppi. She finally reached a friend of Ms. Schlaeppi's that said he could not give permission to euthanize the cat.

VI.

Dr. Hollars left "Samantha" under anesthesia while she treated other patients in the adjoining room. She left the doors open while waiting for a response from Ms. Schlaeppi. Dr. Hollars became so busy with other patients that she was unable to supervise "Samantha". Dr. Hollars decided it was in "Samantha's" best interest to be euthanized, without Ms. Schlaeppi's written authorization.

VII.

Ms. Schlaeppi was eventually informed by her friend that the clinic was trying to contact her. She immediately called the clinic and requested nothing be done to her cat until she could reach the clinic. Dr. Hollars spoke with Ms. Schlaeppi and told her that "Samantha" had been euthanized.

VIII.

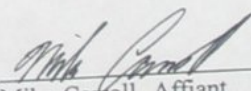
Based on the above, it is alleged Respondent has violated Act § 14 (a) (11).

Act § 14 (a) authorizes the Board to "revoke or suspend a license, impose a civil penalty, place a person whose license has been suspended on probation, or reprimand a licensee . . . if it finds that a licensee:

(11) has performed or prescribed unnecessary or unauthorized treatment;

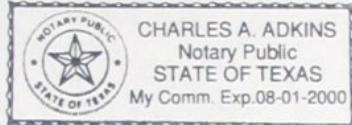
The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 22ND day of AUGUST 1997.

Further, Affiant sayeth not.


Mike Carroll, Affiant

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SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 22nd day
of AUGUST, 1997.



Charles A. Adkins
Notary Public in and for Texas

The foregoing Complaint is hereby filed and docketed with the Texas State Board of Veterinary Medical Examiners and styled Texas State Board of Veterinary Medical Examiners vs. Sharon Hollars, D.V.M. under Docketed Number 1997-19 this the 22nd day of AUGUST 1997.

Robert I. Hughes, Jr., DVM
Robert I. Hughes, Jr., DVM, Board Secretary
Texas State Board of Veterinary Medical Examiners