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TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
1946 South IH 35, Suite 306  
Austin, TX 78704

DOCKET NUMBER 1993-03 - THADDEUS M. HOWARD, D.V.M.  
LICENSE NUMBER: 1526

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Howard, the Texas State Board of Veterinary Medical Examiners staff, and in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement the defendant, Dr. Howard will be granted a continuance at his option.

Dr. Howard does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that, accordingly, the Board may treat the allegations of fact and law as true, which findings shall have the same force and effect as if evidence and argument were presented in support of the allegations, and based thereon, the Board found the allegations to be true. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

**SUMMARY OF CHARGES:**

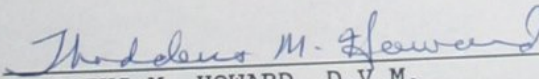
Dispensing a prescription drug without first establishing a veterinary\client\patient relationship, and failure to complete a patient record when dispensing the drug.

**RECOMMENDED DISCIPLINARY ACTION:**

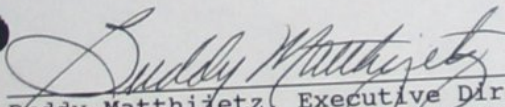
1. An Official Reprimand

**CONDITIONS:**

1. Obtain twenty-five (25) hours of continuing education in practice management and records keeping within one year of this Board Order.
2. Take and pass the State Board Jurisprudence Examination.
3. Abide by the laws and Rules of the State of Texas as they pertain to the practice of veterinary medicine.
4. File a report with the Board no later than February 3, 1994, certifying that the continuing education requirement has been met.

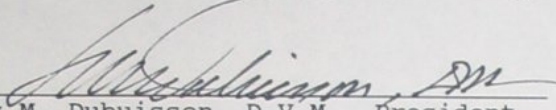
  
THADDEUS M. HOWARD, D.V.M.

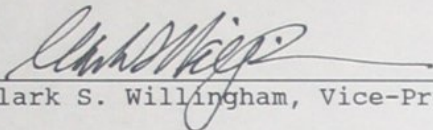
1-8-93  
Date

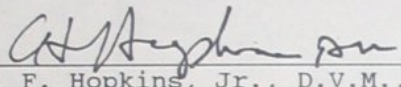
  
Buddy Matthijetz, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

The foregoing Agreed Settlement, entered into between Dr. Howard, the Board Secretary, and Board Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 3rd day of February, 1993, ORDERED that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Findings and Orders issued.

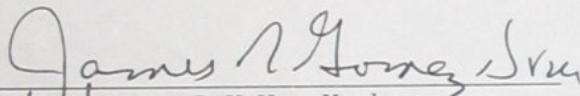
Executed this the 3rd, day of February, 1993.

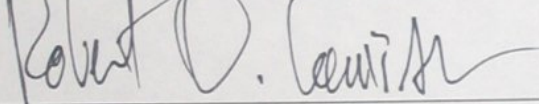
  
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Larry M. Dubuissou, D.V.M., President  
February 3, 1993  
Date

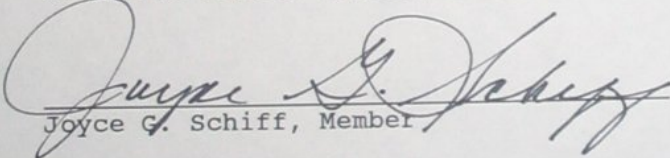
  
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Clark S. Willingham, Vice-President  
Date                   "

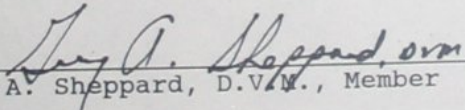
  
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Al F. Hopkins, Jr., D.V.M., Secretary  
Date                   "

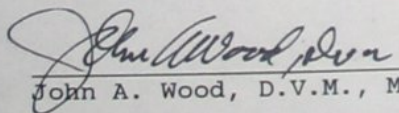
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Olivia R. Eudaly, Member  
Date                   "

  
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James N. Gomez, D.V.M., Member  
Date                   "

  
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Robert D. Lewis, D.V.M., Member  
Date                   "

  
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Joyce G. Schiff, Member  
Date                   "

  
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Guy A. Sheppard, D.V.M., Member  
Date                   "

  
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John A. Wood, D.V.M., Member  
Date                   "

DOCKETED COMPLAINT NO. 1993-03

TEXAS STATE BOARD OF VETERINARY ( ) TEXAS VETERINARY MEDICAL  
MEDICAL EXAMINERS ( ) LICENSE NO. 1526  
vs. ( ) 1992 RENEWAL CERTIFICATE  
Thaddeus M. Howard, D.V.M. ( ) NUMBER 2725

COMPLAINT AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for Texas, on this day personally appeared MATTHEW WENDEL, who after being duly sworn, did depose and say:

On or about August 25, 1992, MATTHEW WENDEL, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one THADDEUS M. HOWARD, D.V.M., 16201 San Pedro Avenue, San Antonio, Texas, 79703, Veterinary License Number 1526, 1992 Renewal Certificate Number 2725, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, MATTHEW WENDEL, do hereby present the following complaint against THADDEUS M. HOWARD, D.V.M.

I.

On or about August 14, 1992, Yvonne Alldredge went to the San Pedro Animal Hospital to purchase heartworm preventative for her dog. She was not accompanied by her dog.

II.

Mrs. Alldredge requested that Dr. Howard sell her the heartworm preventative. Dr. Howard then asked her the weight of the dog, if it had been tested for heartworms and how long it had been taking the medication. Mrs. Alldredge responded to all questions.

Thaddeus M. Howard, D.V.M.

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III.

Dr. Howard then sold Mrs. Alldredge 6 tablets of Heartguard 30, a Prescription (legend) drug, without examining the animal or contacting the veterinarian who previously examined the dog and dispensed the medication to Mrs. Alldredge.

IV.

Dr. Howard also failed to complete a patient record for Mrs. Alldredge and her dog.

V.

By failing to establish a veterinarian\client\patient relationship before dispensing a prescription drug, as described in paragraph III, Dr. Howard violated Rule 573.41, Use of Prescription Drugs.

VI.

By failing to maintain an individual record identifying the patient, patient history, date of visit, name and dosages of medications dispensed, and other details as necessary to substantiate diagnosis, and treatment as described in paragraph IV, Dr. Howard has violated Rule 573.52, Patient Record Keeping.

VII.

By violating Rules of Professional Conduct 573.41 and 573.52, Dr. Howard has violated Section 14(a)(5), Texas Veterinary Licensing Act, Article 8890, V.A.C.S.

Thaddeus M. Howard, D.V.M.

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VIII.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Howard's Veterinary License under the Texas Veterinary Licensing Act, V.A.C.S., Article 8890, (formerly Article 7465a) Section 14 which states in part:

ARTICLE 8890, SECTION 14 (a)

". . . the Board may 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:

(5) 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;

ARTICLE 8890, SECTION 14B

(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess a civil penalty against that person in addition to taking action under Section 14 or 14A of this Act.

Thaddeus M. Howard, D.V.M.

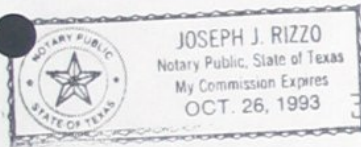
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The foregoing complaint is submitted to the Secretary of Texas Board of Veterinary Medical Examiners on this the 7<sup>th</sup> day of December, 1992.

Further, Affiant sayeth not.

Matthew Wendel  
MATTHEW WENDEL, Affiant

SUBSCRIBED and SWORN TO before me by the said MATTHEW WENDEL this the 7<sup>th</sup> day of December, 1992.



Joseph J. Rizzo  
JOSEPH J. RIZZO, 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. Thaddeus M. Howard, D.V.M. under Docketed Number 1993-03, this the 11 day of December, 1992.

Alton F. Hopkins  
ALTON F. HOPKINS, D.V.M., Secretary  
Texas Board of Veterinary Medical Examiners