

DOCKET NO. 2011-26

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

AGREED ORDER

On this, the 28 day of June, 2011, came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board") the matter of the license of WILLIAM ISOMOTO, D.V.M. ("Respondent"). Pursuant to Section 801.408, Texas Occupations Code and Board Rule 575.27, an informal conference was held on March 28, 2011. The Respondent waived appearance. The Board was represented at the conference by the Board's Enforcement Committee.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a conference under Section 801.2056 and thereby dispose of the compliance issues set out below. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving the right to a conference, Respondent acknowledges his understanding of the alleged violations and the adequacy and sufficiency of the notice mailed to him.

Upon the recommendation of the staff 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. The Board has jurisdiction over the subject matter and Respondent. Respondent has received all notice that may be required by law and by the Board's rules. All jurisdictional requirements have been satisfied.
2. The Board determined that William Isomoto, D.V.M., of Elmont, New York, had disciplinary action taken against him by the State of New York on June 14, 2010 for practicing veterinary medicine with gross negligence by allowing persons under his supervision to perform approximately 50 Equine Infectious Anemia Tests, which Dr. Isomoto had signed as veterinarian and filed with the New York State Department of Agriculture.

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.

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TEXAS STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

2. Based on Findings of Fact 1 and 2, Respondent has violated Rule 573.4, ADHERENCE TO THE LAW, of the Board's Rules of Professional Conduct, which holds that:

No veterinarian shall commit any act that is in violation of the laws of the State of Texas, other states, or of the United States, if the act is connected with the veterinarian's practice of medicine.

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.

4. Based on Conclusions of Law 1 through 3, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may:

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been suspended;
- (4) reprimand a license holder; or
- (5) impose an administrative penalty.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent be FORMALLY REPRIMANDED.

In addition, the Board ORDERS that Respondent's license be SUSPENDED for two years, with said SUSPENSION STAYED and Respondent placed on PROBATION for entire suspension period, with the suspension period beginning the day after the effective date of the Order.

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 provision 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 hearing and any right to seek judicial review of this Order. Respondent acknowledges that he is entitled to be represented by an attorney of Respondent's choice at his expense in any hearing before the Board.

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. 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.

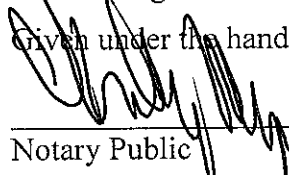
I, WILLIAM ISOMOTO, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

 16 MAY 11
William Isomoto, D.V.M. Date

STATE OF New York
COUNTY OF Nassau

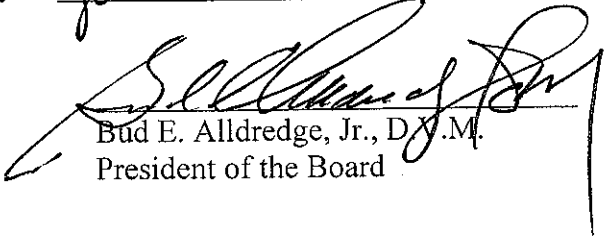
BEFORE ME, on this day, personally appeared William Isomoto, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 16 day of May, 2011.


Notary Public

**Kimberly M. Lanza
Notary Public, State of New York
No. 01LA5059219
Qualified in Nassau County
Commission Expires April 22, 2014**

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY
MEDICAL EXAMINERS on this the 28 day of June, 2011.



Bud E. Alldredge, Jr., D.V.M.
President of the Board