

DOCKET NO. 2008-41

IN THE MATTER	§	TEXAS STATE BOARD OF
	§	
OF THE LICENSE OF	§	VETERINARY
	§	
CLARENCE E. JONES, D.V.M.	§	MEDICAL EXAMINERS

AGREED ORDER

On this, the 19th day of June, 2008, came on to be considered by the Texas State Board of Veterinary Medical Examiners (“Board”) the matter of the license of CLARENCE E. JONES, D.V.M. (“Respondent”). Pursuant to Section 801.2056, Texas Occupations Code, a committee of the Board’s staff met on February 7, 2008 to consider alleged violations of the Veterinary Licensing Act and the Board’s rules by Respondent.

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. As the result of a compliance inspection by mail, the Board determined that Clarence E. Jones, D.V.M., Dallas, Texas, practiced veterinary medicine in the State of Texas with an inactive license. This error occurred as Dr. Jones accidentally selected “Inactive Status” in registering online and failed to notice the Inactive Status notification when his license arrived in the mail.

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 Facts 1 through 3, Respondent has violated Rule 571.61, INACTIVE LICENSE STATUS of the Board’s Rules, which requires a veterinarian in inactive status to not engage in the practice of veterinary medicine or otherwise provide treatment to any animal in the State of Texas.

3. Based on Conclusions of Law 1 and 2, Respondent has violated Section 801.451 of the Veterinary Licensing Act, Texas Occupations Code, and is subject to an administrative penalty by the Board:

801.451. IMPOSITION OF ADMINISTRATIVE PENALTY. The board may impose an administrative penalty on a person, including a corporation, organization, business trust, estate, trust, partnership, association, or other legal entity, who violates this chapter or a rule adopted or order issued under this chapter.

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

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of ONE HUNDRED DOLLARS (\$100.00). If Respondent fails to pay the administrative penalty within 45 days of the date of this Order, Respondent's license shall be suspended until the penalty is paid.

The Board further ORDERS that:

1. Respondent shall abide by the Board Rules, 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. 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 date of this Agreed Order shall be the date it is adopted by the Texas Board of Veterinary Medical Examiners.

I, CLARENCE E. JONES, 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.

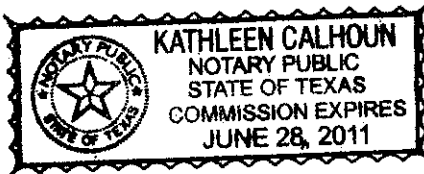
Clarence E. Jones D.V.M. 26 Feb 08
Clarence E. Jones, D.V.M. Date

STATE OF TEXAS
COUNTY OF Dallas

BEFORE ME, on this day, personally appeared Clarence E. Jones, 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 26 day of February, 2008.

Kathleen Calhoun
Notary Public



SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 19th day of June, 2008.

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

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