



James E. Kaas, D.V.M.  
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### 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 Fact 1 and 4, Respondent has violated Rule 573.78, DEFAULT ON STUDENT LOAN/CHILD SUPPORT PAYMENTS, of the Board's Rules of Professional Conduct, which states that when a licensee defaults on a student loan or breaches a student loan repayment contract, the licensee is subject to disciplinary action by the Board.
3. Based on Conclusions of Law 1 through 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: (a)

- (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.

5. Based on Conclusions of Law 1 through 3, Respondent may be disciplined in the manner set out in Section 801.451, IMPOSITION OF ADMINISTRATIVE PENALTY, of the Veterinary Licensing Act, which authorizes an administrative penalty for violations of the Act and Board rules.

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

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Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that Respondent is **INFORMALLY REPRIMANDED**.

The Board ORDERS that Respondent, within 45 days of the date of this Order, pay an **ADMINISTRATIVE PENALTY** of FIVE HUNDRED DOLLARS (\$500.00). 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.

Respondent understands that if Respondent has not satisfied his student loan repayment obligations with the Texas Guaranteed Student Loan Corporation and provided adequate documentation to the Board that he has met the requirements and obligations with regards to his student loan obligations, then Texas Education Code §57.491 provides that a licensing agency **SHALL NOT RENEW** the license of a licensee whose name is provided by the Texas Guaranteed Student Loan Corporation as being in default on student loan payments. Therefore, Respondent will not be allowed to renew in 2013.

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

10/29/2012 17:25

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Medical Examiners.

I, JAMES E. KAAS, 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.

James E. Kaas DVM  
JAMES E. KAAS, D.V.M.

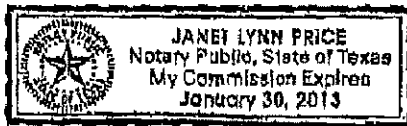
10-29-2012  
DATE

STATE OF TEXAS

COUNTY OF Montgomery

BEFORE ME, on this day, personally appeared James E. Kaas, 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 29 day of October, 2012



Janet L. Price  
Notary Public

SIGNED AND ENTERED by the TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS on this the 30<sup>th</sup> day of October, 2012.

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