

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
1946 South IH 35, Box 113  
Austin, TX 78704  
(512) 447-1183

DOCKET NUMBER 1988-26  
GEORGE T. KIDD, III, D.V.M.  
LICENSE NUMBER: 2530

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Kidd, his/her attorney Mr. Jimmy Shook, and the Texas State Board of Veterinary Medical Examiners staff 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. Kidd, will be granted a continuance at his/her option.

Dr. Kidd does not contest the allegations set forth in the Complaint 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/she 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:

Engaging in dishonest or illegal practices in or connection with the practice of veterinary medicine through fraudulently issuing health certificates.

RECOMMENDED DISCIPLINARY ACTION:

1. Two (2) years Suspension, all probated.
2. Pay a \$2,500.00 Civil Penalty

CONDITIONS:

1. Obtain 20 hours of continuing education during the probationary period.
2. Take and pass the State Jurisprudence Examination.
3. Submit quarterly reports to the Board Offices certifying continuing compliance with this Order.
4. Abide by the laws and rules of the State of Texas as they pertain to the practice of veterinary medicine.

*George T. Kidd III D.V.M.*  
GEORGE T. KIDD, III, D.V.M.

*Donald B. Wilson 5/18/88*  
Donald B. Wilson, Executive Director  
TEXAS BOARD OF VETERINARY MEDICAL  
EXAMINERS

*Jimmy Shook*  
Witness

The foregoing Agreed Settlement, entered into between Dr. George T. Kidd, the Board Secretary, Dr. Fred Soifer 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 June 3, 1988 ORDERED that all penalties and conditions as stated therein be complied with the same as if the Board had heard evidence and testimony and as a result of such hearing had issued Findings, Conclusions and Orders.

W. L. "DUB" ANDERSON, D.V.M.  
W. L. "DUB" ANDERSON, D.V.M., PRESIDENT

June 3, 1988

Date

JIM F. HUMPHREY  
JIM F. HUMPHREY, Vice-President

Date

FRED K. SOIFER  
FRED K. SOIFER, D.V.M., Secretary

Date

LARRY M. DUBUISSON, D.V.M.  
LARRY M. DUBUISSON, D.V.M., Member

Date

(Absent)  
OLIVIA R. EUDALY, Member

Date

Mike Levi  
MIKE LEVI, Member

Date

Robert D. Lewis  
ROBERT D. LEWIS, D.V.M., Member

Date

Mary E. Mainster, D.V.M.  
MARY E. MAINSTER, D.V.M., Member

Date

Edward S. Murray, D.V.M.  
EDWARD S. MURRAY, D.V.M., Member

Date

DOCKETED COMPLAINT NO. 1988-26

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS | TEXAS VETERINARY MEDICAL  
vs. | LICENSE NO. 2530  
GEORGE T. KIDD, III, D.V.M. | 1988 RENEWAL CERTIFICATE  
| NUMBER 0498

COMPLAINT AFFIDAVIT FORM

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

"I, THOMAS CHESHIRE, being an employee of the Texas Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one DR. GEORGE T. KIDD, III, D.V.M., San Anba Animal Hospital, 608 North High, San Saba, San Saba County, Texas, Texas Veterinary License Number 2530, 1988 Renewal Certificate Number 0498, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas Board of Veterinary Medical Examiners, I, THOMAS CHESHIRE do hereby present the following complaint against GEORGE T. KIDD, III, D.V.M., who is hereinafter called Respondent.

I.

On or about March 24, 1988, the Respondent signed a Texas Animal Health Commission Certificate of Veterinary Inspection No. 74-237132 for 475 sheep owned by Mr. Randy Shipp which were being transported to California. In signing the certification, the Respondent certified that:

"I certify as an accredited veterinarian that the above described animals have been inspected by me and that they are not showing signs of infectious, contagious and/or communicable disease (except as noted). The vaccinations and results of tests are as indicated on the certificate. To the best of my knowledge, the animals listed on this certificate meet the state of destination and federal interstate requirements. No warranty is made or implied."

The certificate was signed by the Respondent without the benefit of an examination or inspection of the 475 sheep.

II.

The Respondent signed the certification in full cooperation and agreement with the owner/agent and all parties knew that an examination or inspection had not been performed.

III.

By issuing Official Health Certificates with his signature affixed thereto, without personally inspecting the animals, the Respondent has violated Rule 573.24 of the Rules of Professional Conduct duly promulgated by the Board which states:

Rule 273.24 -

Licensed veterinarians in this State shall not issue a certificate of health unless they know of their own knowledge, by actual inspection and appropriate tests of the animals, that said animals meet the requirements for the issuance of such certificate.

IV.

By signing the certificate in cooperation with the owner/agent as outlined in Paragraph I, the Respondent has violated Rule 573.4 of the Rules of Professional Conduct duly promulgated by the Board which states:

Rule 573.4 -

No veterinarian shall render any service or advice involving disloyalty to the law. A veterinarian must also observe and advise clients to observe the law.

V.

Because of the acts in Paragraph I and II, the Respondent has violated Section 14(e)(3), (5) and (7) of the Veterinary Licensing Act, Article 7465a, V.A.T.C.S. which states in part:

Article 7465a, Section 14(a)(3), (5), (7)  
(3) has engaged in dishonest or illegal practices in or connected with the practice of veterinary medicine;  
(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;

(7) has fraudulently issued a health certificate, vaccination certificate, test chart, or other blank form used in the practice of veterinary medicine that relates to the presence of absence of animal disease.

VI.

The Texas State Board of Veterinary Medical Examiners has grounds to take disciplinary action against Dr. Kidd's Veterinary License under the Texas Veterinary Licensing Act, Article 7465a, V.A.T.C.S., Sections 14(a)(3), (5) and (7), which state:

Article 7465a, Section 14(a)(3), (5) and (7),  
Veterinary Licensing Act -

" . . . 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 an applicant or licensee:

(3) has engaged in dishonest or illegal practices in or connected with the practice of veterinary medicine; or  
(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 the law."

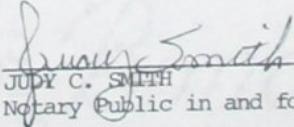
(7) has fraudulently issued a health certificate, vaccination certificate, test chart, or other blank form used in the practice of veterinary medicine that relates to the presence or absence of animal disease.

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 2nd day of May, 1988.

Further, Affiant sayeth not.

  
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THOMAS CHESHIRE, Affiant

SUBSCRIBED and SWORN TO before me by the said THOMAS CHESIRE, this the 2nd day of May, 1988.

  
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JUDY C. SMITH  
Notary Public in and for Texas

My Commission Expires: September 13, 1989.

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. George T. Kidd, III, D.V.M. under Docketed Number 1988- 26 , this the 9th day of May, 1988.

  
FRED K. SOIFER, D.V.M., Secretary  
Texas Board of Veterinary Medical  
Examiners