

TEXAS STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

TEXAS VETERINARY MEDICAL  
LICENSE NUMBER 1988

VS

TEXAS VETERINARY MEDICAL  
RENEWAL CERTIFICATE (1966)  
NUMBER 1369

DOCTOR JOHN ALVIN KIRSCHKE

FINDINGS AND ORDERS OF THE BOARD

On this the 9th day of August, A. D., 1966, THE TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being in regular meeting at the Sands Motel in College Station, Brazos County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint as well as for the consideration of other business, and the above entitled and numbered complaint having been previously scheduled for hearing and the said DR. JOHN ALVIN KIRSCHKE having waived service of citation and accepted service in said cause by sworn instrument dated the 4th day of May, 1966, and a quorum of the members of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present, to-wit:

DR. BILLIE C. ROBERSON, President	of Abilene, Texas
DR. JAMES A. BARRINGTON, Vice-President	of Wichita Falls, Texas
DR. HORACE T. BARRON, Secretary	of Taylor, Texas
DR. RICHARD M. BOTARD, Member	of Kingsville, Texas
DR. KENTON R. FICKES, Member	of Houston, Texas
DR. CLAUDE R. WILLEY, Member	of El Paso, Texas

whereupon the President of the Board, DR. BILLIE C. ROBERSON, ordered the hearing to proceed at which time it was ascertained that DR. JOHN ALVIN KIRSCHKE was present in person and admitted under oath the truth of all counts contained in said complaint. The Board then proceeded to hear all the evidence presented by the STATE and by the said DR. JOHN ALVIN KIRSCHKE. After such hearing, the Board went into executive session to consider the evidence and after consideration and deliberation of all the evidence that had been presented, THE TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, on the same day, Tuesday, August 9, 1966, all of the above members of the said Board being present and participating made the following findings and orders, to-wit:

FINDINGS

1. The Board finds that all statutory requisites to its jurisdiction have been met.
2. The Board is of the opinion that the charges contained in counts number 1, 2 and 3 are true as admitted under oath and finds that the said DR. JOHN ALVIN KIRSCHKE, Texas Veterinary Medical License Number 1988, 1966 Renewal Certificate No. 1369, is guilty of dishonest or illegal practices in/or connected with the practice of veterinary medicine in that he, the said DR. JOHN ALVIN KIRSCHKE, did obtain narcotic drugs for the purpose of said self-injection by the use of the Federal Narcotic Permit contrary to the purpose for which said narcotic permit was issued by the Federal Bureau of Narcotics; and the said DR. JOHN ALVIN KIRSCHKE did on several occasions between April 5, 1965, and December 20, 1965, execute and issue fraudulent prescriptions for the purpose of obtaining narcotic drugs for self-injection; and that the said DR. JOHN ALVIN KIRSCHKE did administer unto himself narcotic drugs, to-wit, Demerol, in such quantities and with such frequency as to become addicted to the said drugs in violation of Subsection (b), and that all acts contained in said findings are within the contemplation of Sections 14 and 15 of Article 7465a, as amended, Revised Civil Statutes of Texas, as charged in said complaint, which complaint is by reference incorporated herein and by such reference is made a part hereof as fully and completely as if here set forth verbatim.

The Board finds that the facts brought out at such hearing justify and require the following orders:

ORDERS

It is ACCORDINGLY ORDERED, ADJUDGED and DECREED that Texas Veterinary Medical License No. 1988 and 1966 Renewal Certificate No. 1369 heretofore issued by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS to DR. JOHN ALVIN KIRSCHKE be and the same are HEREBY SUSPENDED FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF THIS ORDER, PROVIDED HOWEVER, that the execution of this order of SUSPENSION be and it is HEREBY STAYED, and the said DR. JOHN ALVIN KIRSCHKE is placed upon PROBATION for a period of five (5) years upon the following terms and conditions:

1. The said DR. JOHN ALVIN KIRSCHKE will not engage in any dishonest or illegal practices in/or connected with the practice of veterinary medicine

within the State nor violate any of the provisions of Article 7465a, as amended, of the Revised Civil Statutes of Texas, or any of the Statutes of Texas or any additions or amendments thereto pertaining to veterinary medicine.

2. The said DR. JOHN ALVIN KIRSCHKE will observe and abide by each of the Rules of Professional Conduct promulgated by the State Board of Veterinary Medical Examiners of the State of Texas for licensed veterinarians now in effect or placed in effect during said period of suspension or any part of said period.

3. The said DR. JOHN ALVIN KIRSCHKE will not make an application for nor attempt to secure a narcotic stamp or permit from the Federal Bureau of Narcotics at any time during the five (5) year suspension herein ordered.

4. The said DR. JOHN ALVIN KIRSCHKE shall file with the Executive Secretary of the STATE BOARD OF VETERINARY MEDICAL EXAMINERS at semi-annual intervals, an affidavit to the effect that he has fully and faithfully complied with the terms and conditions of probation herein imposed. Said affidavits shall be transmitted to the Board offices by Certified United States Mail, Return Receipt Requested. Said affidavits shall be executed by DR. JOHN ALVIN KIRSCHKE so as to be received in the Board offices on or before the 1st day of January and on or before the 1st day of July of each consecutive calendar year for the period of said Probation, the first said affidavit to be received in the Board offices on or before the 1st day of January, 1967.

It is further ORDERED, ADJUDGED and DECREED that upon full compliance with the terms and conditions herein set forth, and upon expiration of the term of probation, the license of the said DR. JOHN ALVIN KIRSCHKE and the annual renewal certificate then in effect shall be restored to its full privileges, free and clear of the terms of suspension and probation herein imposed; PROVIDED HOWEVER, that in the event the said DR. JOHN ALVIN KIRSCHKE violates or fails to comply with any of the terms or conditions of this order during said period of probation, the Board, upon receipt by it of satisfactory evidence thereof, may forthwith terminate said probation, cancel

and revoke said stay of execution and direct that the order of suspension herein made become effective immediately.

Entered this the 9th day of August, A.D., 1966.

Billie C. Roberson DVM  
DR. BILLIE C. ROBERSON, President

Richard M. Botard DVM  
DR. RICHARD M. BOTARD, Member

James A. Barrington DVM  
DR. JAMES A. BARRINGTON,  
Vice-President

Kenton R. Ficks DVM  
DR. KENTON R. FICKS, Member

Horace T. Barron DVM  
DR. HORACE T. BARRON, Secretary

Claude R. Willey DVM  
DR. CLAUDE R. WILLEY, Member

I, JOHN ALVIN KIRSCHKE, have read the foregoing Findings of Fact and Order of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS and agree that the findings of fact are true and correct and agree to the entry of this order as it is above written.

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JOHN ALVIN KIRSCHKE

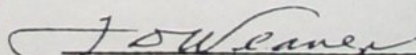
Signed this the \_\_\_\_\_ day of August, 1966.

BEFORE ME, a Notary Public in and for Travis County, Texas, on this day personally appeared T. D. WEAVER, who after being by me duly sworn upon oath deposes and says that:

The said T. D. WEAVER, being the Executive Secretary of the Texas State Board of Veterinary Medical Examiners, did in the course of his employment make certain investigations into the professional conduct of one DR. JOHN ALVIN KIRSCHKE, Texas Veterinary Medical License No. 1988, 1966-1967 Renewal Certificate No. 1369, a practitioner of veterinary medicine in the State of Texas, and in the course of said investigation it has come to the attention of the said T. D. WEAVER that on or about the dates hereinafter specified that the said DR. JOHN ALVIN KIRSCHKE did commit one or more of the following acts, and/or omissions, or a combination thereof or all of same, said acts and/or omissions being in violation of Article 7465a of the Civil Statutes of Texas (V. A. T. S.) and within the contemplation of Section 14 and 15 of said statute, as follows, to-wit:

1. That during the period of time from April 5, 1965, to on or about December 20, 1965, the said DR. JOHN ALVIN KIRSCHKE did administer unto himself narcotic drugs, to-wit, Demerol, in such quantities and with such frequency as to become addicted to the use of said narcotic drugs.
2. That during the period from April 5, 1965, up to December 20, 1965, on several occasions the said DR. JOHN ALVIN KIRSCHKE did obtain narcotic drugs for the purpose of self-injection by the use of the Federal Narcotic Permit contrary to the purpose for which the narcotic permit was issued by the Federal Bureau of Narcotics.
3. That on several occasions between April 5, 1965, and December 20, 1965, the said DR. JOHN ALVIN KIRSCHKE did execute and issue fraudulent prescriptions for the purpose of obtaining narcotic drugs for self-injection.

The above complaint, containing three (3) counts, is submitted to the Texas State Board of Veterinary Medical Examiners this the 4<sup>th</sup> day of May, A.D., 1966.

  
T. D. WEAVER

THE STATE OF TEXAS I  
COUNTY OF TRAVIS I

Sworn and subscribed to before me by T. D. WEAVER, this the 4th  
day of May, A.D., 1966, to certify which witness  
my hand and seal of office.

Francis Durrighe  
Notary Public in and for  
Travis County, Texas