

Complaint No. CP20-381

IN THE MATTER OF

ROBERT ROHRBAUGH, D.V.M.

LICENSE NO. 2699

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THE TEXAS BOARD OF

VETERINARY

MEDICAL EXAMINERS

AGREED ORDER

On this day the Texas Board of Veterinary Medical Examiners (“Board”) considered the matter of the license of Robert Rohrbaugh, D.V.M. (“Respondent”).

This Agreed Order is executed pursuant to the authority of the Administrative Procedure (Act), Tex. Gov’t Code § 2001.56, which authorizes the informal disposition of contested cases. In a desire to conclude this matter without further delay and expense, the Board and Respondent agree to resolve this matter by this Agreed Order. Respondent, without admitting the truth of the Findings of Fact and Conclusions of Law set out in this Order, waived notice and hearing and agreed to the entry of this Order.

FINDINGS OF FACT

1. Respondent, Robert Rohrbaugh, D.V.M. is a veterinarian licensed by Board to practice veterinarian medicine in the State of Texas and is, therefore, subject to the jurisdiction of the Board and the Veterinary Licensing Act, Occupations Code ch. 801 and Board rules 22 Tex. Admin. Code §§571.1 through 577.20.
2. A complaint was filed against Respondent on May 29, 2020, and he was provided with the opportunity to respond to the complaint and to show compliance with the law.
3. The complaint took her dog to the Respondent because it was still having pain in the left rear leg when it first gets up from a resting position, experiencing excessive amount of Diarrhea, sleeping abnormal times throughout the day, and was inactive and depressed. Also, the dog was not wanting to eat.
4. This was the second time Complainant brought her dog to the McRea Animal hospital for the same problem in addition to the subsequent symptoms after the dog was prescribed and administered Metacam.
5. The first visit to McRea Animal Hospital was on April 17, 2020 for left rear leg pain and the dog was prescribed and dispensed Metacam, an anti-inflammatory drug. Another veterinarian determined the dog was double the amount of its recommended weight for that breed as the predominate cause for the pain.
6. The second visit (follow-up) to McRea Animal Hospital took place on April 23, 2020.
7. On the second visit, Respondent did not perform any additional examinations or tests to diagnose the problem in violation of the rules of professional conduct in violation of 22 Tex. Admin Code §573.22. Moreover, Respondent just continued the same treatment at home.
8. On April 27, 2020, Complainant took her dog to another veterinarian for a second opinion on lameness. The veterinarian at TLC Animal Hospital did a thorough examination to include bloodwork, x-rays, fecal examination and diagnosed the problem as Giardia, Hypothyroidism, hip dysplasia, arthritis, ruptured anterior cruciate ligament (ACL), and overweight. This

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veterinarian treated the dog with different medications and referred Complainant to a specialist for the torn ACL.

9. At McRae Animal Hospital an unknown person wrote handwritten notes on the patient records regarding the office visit with the dog but it lacked required details – such as, identity of the treating veterinarian, other details to substantiate or document the examination, diagnosis, and treatment provided in violation of 22 Tex. Admin Code §573.52. Moreover, some of the notes were illegible.

CONCLUSIONS OF LAW

1. Robert Rohrbaugh, D.V.M., is subject to the jurisdiction of this Board and is required to comply with the Veterinary Licensing Act, Occupations Code ch 801 and Board rules, 22 Tex. Admin. Code §§571.1 through 577.20. A
2. Section 801.402 and 801.451 of the Veterinary Licensing Act provides for the disciplining of a licensee who fails to exercise professional standard of care and that fails to maintain complete, contemporaneous, and legible notes in the patient records.
3. Such conduct is a violation of Occupations Code §801.402(6) and Board rule 22 Tex. Admin. Code §§573.22 and 573.52.
4. Pursuant to Board rule 22 Tex. Admin. Code §575.25, Respondent's violations are Class C violations and he is subject to disciplinary action under same.

Now, therefore, it is the ORDER of the Texas Board of Veterinary Medical Examiners that:

1. Robert Rohrbaugh, D.V.M., Respondent
 - a. Respondent is hereby informally reprimanded by the Board. This informal reprimand will not be published in the Board's newsletter and will not be routinely reported to the AAVSB for inclusion in the national reporting database. A copy of an informal reprimand of a licensee will be forwarded to the AASVB if specifically requested by that organization.
 - b. Respondent shall pay an administrative penalty of \$1,000.00 within 30 days of the date the Board approves this ORDER. Payment shall be made directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701. Partial payments will not be accepted.
 - c. If Respondent does not timely pay the administrative penalty, the Board may deny a request to renew Respondent's license until the outstanding administrative penalty is received, pursuant to Board rule 22 Tex. Admin. Code §573.62(b). Any monetary funds paid to the Board to renew a license shall first be applied to any outstanding unpaid administrative penalties, pursuant to Board rule 22 Tex. Admin. Code §571.57. Additionally, the matter may be referred to the Attorney General for collection, pursuant to Texas Occupations Code §801.458.
 - d. In addition to the annual continuing education required for license renewal, Respondent shall complete three (3) hours of continuing education in the area of pain management and three (3) hours of continuing education in the area of patient recordkeeping. Respondent shall submit documentation of the completed continuing education penalty and the required annual continuing education to the Board within six months of the date the Board approves this ORDER. Documentation shall be submitted directly to the Texas Board of Veterinary Medical Examiners at 333 Guadalupe Street, Suite 3-810, Austin, Texas 78701.

e. Adherence to the Law and Board Rules

- i. Respondent shall abide by the Board's Rules of Professional Conduct, the Texas Veterinary Licensing Act, and the laws of the State of Texas and the United States.
- ii. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this ORDER.
- iii. Failure by Respondent to comply with the terms of this ORDER, or with any other provisions of the Veterinary Licensing Act or the Board Rules, may result in further disciplinary action.

The effective date of the terms of this Order shall be the date it is adopted by the Board, unless stated otherwise.

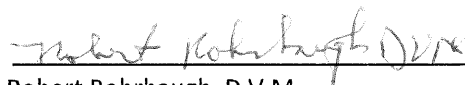
Certification and signature page follows.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains the entire agreement, and there is no other agreement of any kind. I waive the right to any further proceedings, including a formal hearing, and the right to seek judicial review of this Order.

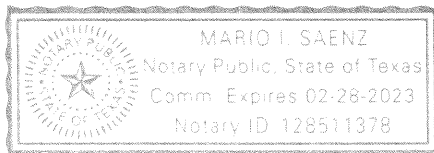
I understand that this Order is subject to approval by the Board. I understand that the terms and conditions of this Order become effective upon approval by the Board. A copy of the approved Order will be mailed to me. By signing this Order, I agree to satisfactorily comply with the terms and conditions of the Order in a timely manner. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and appropriate disciplinary action as a result of my noncompliance.

Signed this 5th day of April, 2022


Robert Rohrbaugh, D.V.M.


Sworn and subscribed before me this 5th day of April, 2022

SEAL:




Notary Public

THEREFORE, The Texas Board of Veterinary Medical Examiners does hereby adopt this ORDER.
This ORDER is effective and final on this _____ day of _____, 2022


Jessica Quillivan, D.V.M. Presiding Board Member