

TEXAS VETERINARY LICENSE #8609; COMPLAINT NO. 22-284

IN THE MATTER OF § BEFORE THE  
§ ENFORCEMENT COMMITTEE  
THE LICENSE OF § OF THE TEXAS BOARD  
§ OF VETERINARY MEDICAL  
PHILLIP SCHWARZLOSE, D.V.M. § EXAMINERS

**ORDER CONTINUING TEMPORARY SUSPENSION**

On November 8, 2022, a panel of the Enforcement Committee (“EC”) of the Texas Board of Veterinary Medical Examiners (“Board”) considered the matter of the license of Phillip Schwarzlose, D.V.M. (“Respondent”).

On October 28, 2022,<sup>1</sup> the Board’s Executive Disciplinary Committee (“EDC”) convened without notice to Respondent, pursuant to Section 801.409 of the Veterinary Licensing Act, Texas Occupations Code, and Board Rule 575.35. The EDC entered an Order of Temporary Suspension.

On this day, the EC convened with notice to Respondent, pursuant to Section 801.409 of the Veterinary Licensing Act, Texas Occupations Code, and Board Rule 575.35. Based on the evidence and information submitted, the Board, through this panel, makes the following Findings of Fact and Conclusions of Law and enters this Order as set forth below.

**FINDINGS OF FACT**

1. Respondent, Phillip Schwarzlose, D.V.M., of San Marcos, Texas, holds Texas veterinary license #8609.
2. PRN completed an intake on Dr. Schwarzlose on 12/6/16. He had been detoxed at The Right Step in Wimberly 3 weeks prior. He was diagnosed with panic attacks and anxiety. He had a history of ingesting benzodiazepines, including Ari.van and Klonopin, within the past year. He used his DEA license to increase his own dose and began mixing it with alcohol.
3. On 5/31 /22, Dr. Schwarzlose was seen in the Emergency department (ED) of San Marcos Hospital due to being involved in a motor vehicle collision, alcohol intoxication, and alcohol abuse. He "appeared intoxicated."
4. On 6/3/22, Dr. Schwarzlose was seen at the New Braunfels ED, reported drinking 12 cans of beer daily, and had increased anxiety, tremors, and diaphoresis (sweating).

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<sup>1</sup> The Board Chair was unable to sign the Order of Temporary Suspension until November 2, 2022.

5. On or about October 24, 2022, Dr. Leonard Weiss, M.D. performed an evaluation at the request of PRN to determine whether Respondent is safe to practice his profession without harm to himself or others.

6. In the above-mentioned report, Dr. Weiss stated that Respondent “is not safe to practice veterinary medicine.”

7. Respondent’s continued practice of veterinary medicine constitutes a continuing of imminent threat to the public welfare.

### **CONCLUSIONS OF LAW**

1. Pursuant to Texas Occupations Code, Chapter 801, the Board has jurisdiction over this matter. Respondent is required to comply with the provisions of the Veterinary Licensing Act, Chapter 801, Texas Occupations Code, and with the Board’s Rules. Respondent has violated Section 801.402(3) of the Veterinary Licensing Act, Texas Occupations Code, A person is subject to denial of a license or to disciplinary action under Section 801.401 if the person: (3) is chronically or habitually intoxicated, chemically dependent, or addicted to drugs.

2. Respondent is subject to temporary license suspension under Texas Occupations Code, Sections 801.409 and Board Rule 575.35.

### **TERMS OF ORDER**

Now, therefore, the Board orders that Respondent comply with the following terms:

#### 1. TEMPORARY SUSPENSION

- a. The temporary suspension of Respondent’s license shall be continued and shall remain in effect until superseded by a subsequent Order or by operation of law. During the period of the suspension, the following terms shall apply:
  - i. Respondent shall not practice nor give the appearance of practicing veterinary medicine.
  - ii. Respondent shall not supervise nor give the appearance of supervising other licensees or unlicensed employees in the practice of veterinary medicine.
  - iii. Respondent’s clinic and facilities may be used by Respondent for administrative purposes only. Administrative purposes include opening mail, referring patients, accepting payments on accounts, and general office tasks. Respondent shall exercise extreme caution and not be persuaded, coerced, or otherwise drawn by anyone to practicing or even giving the appearance of practicing veterinary medicine.

2. NOTICE AND OPPORTUNITY FOR HEARING

- a. The Board shall promptly provide a copy of this Order to Respondent's attorney.
- b. Pursuant to Section 801.409, Texas Occupations Code, and Board Rule 575.35, if the parties are unable to enter into an agreed settlement order, a notice of hearing shall be forwarded to the State Office of Administrative Hearings for setting of an administrative hearing on the temporary suspension to be held no later than the 60<sup>th</sup> day after the date the EDC first ordered the temporary suspension of Respondent's license.

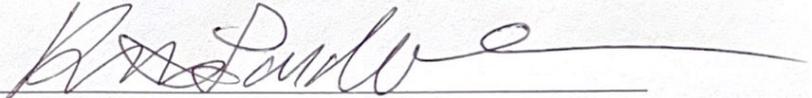
THEREFORE, the Texas Board of Veterinary Medical Examiners, through the Enforcement Committee, does hereby adopt this Order. This Order is effective and final on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Keith Pardue, J.D., Presiding Board Member

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THEREFORE, the Texas Board of Veterinary Medical Examiners, through the Enforcement Committee, does hereby adopt this Order. This Order is effective and final on this 9<sup>th</sup> day of November, 2022

  
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Keith Pardue, J.D., Presiding Board Member