

COMPLAINT NO. CP22-195

IN THE MATTER OF    §     TEXAS BOARD OF  
THE LICENSE OF    §     VETERINARY  
JANICE WOLF, D.V.M.                                    §     MEDICAL EXAMINERS

**AGREED ORDER**

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

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. Accordingly, the Board makes the following Findings of Fact and Conclusions of Law and enters this Order as set forth below.

**FINDINGS OF FACT**

1. Respondent, Janice Wolf, D.V.M., of Amarillo, Texas, holds Texas veterinary license #3331.
2. The owner of Ellie was out of town from December 17<sup>th</sup> to December 28<sup>th</sup> of 2021. She had a male and female French Bulldog that could have bred during that time.
3. The owner of Ellie took her to Respondent several times between February 17<sup>th</sup> – February 28<sup>th</sup> to check to see if she was pregnant and the readiness of Ellie for a c-section. She asked Respondent several times to do a sonogram but was told they did not do sonograms. On day one visit, Respondent performed an x-ray and could barely notice there were puppies developing inside of Ellie.
4. On or about February 28<sup>th</sup>, Ellie, was brought to the Respondent’s clinic to check her bloodwork as the Respondent was monitoring her progesterone level to see if the puppies were ready to be born. The progesterone was as low as the equipment could read so Respondent believed Ellie and the puppies were ready. The breeding date of the puppies was not known.
5. The Respondent miscalculated the readiness of the puppies to be born and directed her contract-relief veterinarian to perform a c-section. The Respondent did not do a second x-ray to check on the skeletal development of the puppies before making that decision.
6. The relief veterinarian performed the c-section on Ellie on the same visit on February 28<sup>th</sup>, 2022, but the puppies were premature, and they all died.

## 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 received notice as required by law.
2. Respondent has violated Board Rule 573.22, Professional Standard of Care, of the Board's Rules of Professional Conduct.
3. Respondent has violated Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code, prohibiting engaging in practices or conduct that violates the board's rules of professional conduct.
4. Respondent is subject to disciplinary action under Texas Occupations Code, Sections 801.401(a), and 801.451.
5. Pursuant to Board Rule 575.25, Respondent's violations are Class B violations, and Respondent is subject to disciplinary action under that Rule.

## TERMS OF ORDER

Now, therefore, the Board and Respondent agree to the following terms:

1. REPRIMAND
  - a. Respondent is hereby formally reprimanded by the Board. This formal reprimand may be published in the Board's newsletter and routinely reported to the American Association of Veterinary State Boards (AAVSB) for inclusion in the national reporting database.
2. ADMINISTRATIVE PENALTY
  - a. Respondent shall pay an administrative penalty of one thousand five hundred dollars (\$1,500.00) 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 1801 Congress Avenue, Suite 8.800, Austin, Texas 78701. Partial payments will not be accepted.
  - b. 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 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 571.57. Additionally, the matter may be referred to the Attorney General for collection, pursuant to Texas Occupations Code, Section 801.458.

3. CONTINUING EDUCATION

- a. In addition to the annual continuing education required for license renewal, Respondent shall complete six (6) hours of continuing education in the area of small animal reproduction within six months of the date the Board approves this Order. 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 1801 Congress Avenue, Suite 8.800, Austin, Texas 78701.

4. ADHERENCE TO THE LAW AND BOARD RULES

- a. 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,
- b. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this Order.
- c. 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**

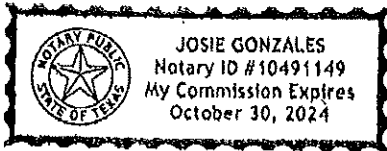
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order and understand the Findings of Fact and Conclusions of law set forth herein. I neither admit nor deny the violation(s) herein. I understand that this Order contains 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 25<sup>th</sup> day of May, 2023  
Janice Wolf DVM  
Janice Wolf, D.V.M.

Sworn and subscribed before me this 25<sup>th</sup> day of May, 2023

SEAL:



Josie Gonzales  
Notary Public

THEREFORE, the Texas Board of Veterinary Medical Examiners does hereby adopt this Order. This Order is effective and final on this 18<sup>th</sup> day of July, 2023

Keith Pardue DVM, MS  
~~Keith Pardue, J.D., Presiding Board Member~~  
Steven C. Gotta DVM, MS