



# BOARD NOTES

Summer 2009 Issue  
Phone: (512) 305-7555

A Publication of the Texas State Board of Veterinary Medical Examiners  
E-Mail: [vet.board@tbvme.state.tx.us](mailto:vet.board@tbvme.state.tx.us) Website: <http://www.tbvme.state.tx.us>

Dewey Helmcamp, Executive Director  
Fax: (512) 305-7556

Bud E. Alldredge, Jr., DVM, President  
Patrick M. Allen, DVM  
David Kercheval

Janie Carpenter, DVM, Vice President  
John Clader, DVM  
Paul Martinez

David W. Heflin, DVM, Secretary  
Cynthia Diaz  
David Rosberg, Jr., DVM

## FROM THE EXECUTIVE DIRECTOR

In this edition of Board Notes, I'd like to talk about the Texas Board of Veterinary Medical Examiners (TBVME) Legislative Appropriations Request (LAR), or the Agency's budget request to the legislature. In each even numbered year between each legislative session, all state agencies receive guidance from the Legislative Budget Board (LBB) on basic LAR submission. For example, in June of 2008, the LBB guidance was to prepare and submit a budget that did not exceed the 2008/2009 authorization/appropriation levels (a "zero" growth LAR). In addition, LBB directed that we submit an LAR with a 10% reduction from our 2008/2009 budget in case the Texas economy worsened and we would actually have to stop spending. As a final part of the LAR, agencies are allowed to ask the Legislature to approve "exceptional" items. Exceptional items are such things as the authority to hire more employees (FTE's) or purchase laptop computers for Board members, etc in other words anything new.

Once the session begins, each agency's LAR is set for committee hearing (Senate Finance and House Appropriations Committees). The LBB staff lays out each agency's budget request, and then the agency is allowed to testify about its' general submission and why its' exceptional item request is necessary and should be approved. Once each committee has held the hearing, the members then discuss and vote, item by item, on each agencies budget request to approve or not approve each one.

Once each chamber has finished all agency's LAR review, each chamber prepares a state budget incorporating all state spending. Then, assuming there are differences between the Senate and House versions, a Conference Committee composed of five Senators and five Representatives is appointed and meets to resolve the differences. The result becomes the state budget that is passed by both houses and signed by the Governor.

One key point that is often misunderstood by many is that the state has chosen years ago to make regulatory agencies like this Board, the Medical Board, the Dental Board and virtually all others self-funding rather than fund state agency operation via an income tax. This means that we (and virtually all other regulatory agencies, save only three agencies that are self-directed) must set our licensing fees at the level sufficient to collect the money the Legislature has approved and authorized us to spend to pay for our operations.

*Continued on page 8...*

<b>IN THIS ISSUE...</b>		
<i>From the Executive Director</i>	1	<i>"Working Interviews" - Are They Legal?</i> 2
<i>In Memoriam</i>	2	<i>Licensing Examination Dates</i> 3
<i>Continuing Education Offerings</i>	3	<i>Disciplinary Actions</i> 4
<i>Legislative Issues</i>	5	<i>Rule Change Proposals</i> 6
<i>Requirements for Rabies Vaccination &amp; the Proper Documentation</i>	7	<i>News from the Texas Animal Health Commission</i> 7
<i>Newly Licensed Veterinarians</i>	10	<i>Upcoming Board Meeting Dates</i> 11
<i>Provisional (Temporary) Veterinary License Available In Texas</i>	12	

## “WORKING INTERVIEWS” – ARE THEY LEGAL?

In recent months, US and other AVMA accredited veterinary schools graduated several hundred veterinary students who are now looking for work as a veterinarian. A large number of new graduates want to work in Texas. Every state has different laws and rules governing the practice of veterinary medicine in their state. Something which is legal to do in one state may not be legal to do in another state.

Transcripts and references may not reflect the true skills of a new graduate, and many potential veterinary employers like to see a job applicant “in action” before they hire that person. Your applicant **MUST POSSESS A VALID, CURRENT TEXAS VETERINARY LICENSE** to perform any tasks that constitute the practice of veterinary medicine. To allow them to do so without a license is against the Texas laws and rules pertaining to the practice of veterinary medicine. Allowing an unlicensed individual to practice without a license not only jeopardizes their future license here in Texas, but may also result in disciplinary action against you.

Please call our licensing or legal department if you have any questions regarding this issue. We are always glad to help. Our main number is (512) 305-7555.

### *In Memoriam...*

*“Let us hold our lives up to the light of those who walked before us, remembering the footprints they left behind and preserving the pathways they created.”*

<u>NAME</u>	<u>CITY</u>	<u>VET. SCHOOL/GRAD YEAR</u>	<u>DATE OF DEATH</u>
Eugene Williams, DVM	Bandera	Texas A&M 1957	May 22, 2009

### DID YOU KNOW???

- This publication as well as other important information is available on our website, [www.tbvme.state.tx.us](http://www.tbvme.state.tx.us).
- Unless you owe for more than the current year, all licensees can renew their license online through our website.

### PEER ASSISTANCE

If you or someone you know has a substance abuse problem, it is far better to voluntarily participate in the Peer Assistance Program than to run the risk of disciplinary action, up to and including license revocation. The toll free hotline number is 1-800-288-7996.

*The TBVME does not discriminate on the basis of race, color, religion, sex, national origin, age or disability in employment or in the provision of services, programs or activities. Individuals requiring reasonable accommodations should contact the agency’s ADA Coordinator at 333 Guadalupe, Suite 3-810, Austin, TX 78701-3998, or call (512) 305-7555 or 1-800-877-8973 (TDD). This document may be requested in alternative formats by contacting the Board offices.*

### ADA ACCOMODATIONS

Individuals seeking ADA accommodations should contact the Board’s ADA Coordinator, Loris Jones, at 512/305-7555 or by email at [loris.jones@tbvme.state.tx.us](mailto:loris.jones@tbvme.state.tx.us).

## LICENSING EXAM DATES

*State Board Exam 2009*

*NAVLE 2009*

Exam Date	Application Deadline	Location
8/10/09	6/26/09	UT, JJ Pickle Center, Austin
10/12/09	8/28/09	UT, JJ Pickle Center, Austin
12/7/09	10/23/09	UT, JJ Pickle Center, Austin

Exam Date	Application Deadline	Location
Nov. 16—Dec. 12, 2009	August 1, 2009	Various
April 12—April 24, 2010	January 3, 2010	Various



## CONTINUING EDUCATION OFFERINGS

*Information on available CE may be obtained through the following sources. Additional offerings may be available through other sources.*

<p><u>RACE</u> (Registry of Approved Continuing Education) Search for Available CE: <a href="http://www.aavsb.org/RACE/RaceSearch.asp">http://www.aavsb.org/RACE/RaceSearch.asp</a></p> <p>RACE requires approved providers to issue signed certificates of completion, maintain attendance records for four years and provide qualification of instructors and CE personnel who develop and implement courses.</p>	<p><u>Texas A&amp;M</u> Phone: (979) 845-9102 Fax: (979) 862-2832 Email: <a href="mailto:ceoffice@cvm.tamu.edu">ceoffice@cvm.tamu.edu</a></p> <hr/> <p><u>Texas Veterinary Medical Association</u> <a href="http://www.tvma.org">www.tvma.org</a> 8104 Exchange Dr. Austin, TX 78754 Phone: (512) 452-4224 Fax: (512) 452-6633</p>
---	--

### Our Mission:

The mission of the Texas State Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary services for the people of Texas.

### Our Goals:

The Board and its staff will ensure that Texans are effectively and efficiently served by quality veterinary professionals by setting clear standards for professional conduct, by assuring compliance with the rules of professional conduct and the community standard of care, and seeking solutions to issues that strengthen the profession and protect the public.

---

## ENFORCEMENT ISSUES

---

### DISCIPLINARY ACTIONS

At the June 11, 2009 meeting, the Board accepted Agreed Orders in 31 docketed cases. Following are summaries of the findings of 4 of those cases. These summaries do not contain all of the facts of each case. For the full text of an Agreed Order, please submit an open records request to our office.

**Case No. 2009-37, TBVME vs. Jon Lesley Johnson, DVM, Lic.# 9062, Cypress, TX**

On June 11, 2009, the Board found that Dr. Johnson violated rules §573.10, SUPERVISION OF NON-LICENSED EMPLOYEES and §573.52 PATIENT RECORDKEEPING by delivering legend drugs to a non-licensed individual when he knew, or should have known, of the potential of said drugs by the individual, as well as failing to maintain patient records reflecting amounts of Xylazine administered to specific animals. **Disciplinary Action: License suspended for 12 months, with all 12 months probated.**

**Case No. 2009-19, TBVME vs. Bruce D. Hardesty, DVM, Lic.# 7183, Austin, TX**

On June 11, 2009, the Board found that Dr. Hardesty violated rule §573.22, PROFESSIONAL STANDARD OF HUMANE TREATMENT by failing to diagnose and treat renal failure in a feline. **Disciplinary Action: Formal reprimand and required to complete 3 hours of continuing education in the area of renal disease, these hours are in addition to any CE hours required annually.**

**Case No. 2009-44, TBVME vs. James L. Cox, DVM, Lic.# 5254, Sugar Land, TX**

On June 11, 2009, the Board found that Dr. Cox violated rule §573.62, VIOLATION OF BOARD ORDERS/NEGOTIATED SETTLEMENTS by failing to obtain the additional 4 hours of continuing education as ordered by Agreed Order 2005-25. **Disciplinary Action: Formal Reprimand, an Administrative Penalty of \$500, and complete the 4 remaining hours of CE in emergency medicine as mandated by Agreed Order 2005-25 by 12/31/09.**

**Case No. 2009-45, TBVME vs. James L. Cox, DVM, Lic.# 5254, Sugar Land, TX**

On June 11, 2009, the Board found that Dr. Cox violated rule §573.62, VIOLATION OF BOARD ORDERS/NEGOTIATED SETTLEMENTS by failing to pay an administrative penalty of \$500 as ordered by Agreed Order 2006-46. **Disciplinary Action: Formal Reprimand, an Administrative Penalty of \$500, and must still submit the \$500 Administrative Penalty as ordered in Agreed Order 2006-46.**

The remaining approved Agreed Orders consist of:

- 1 who received an Informal Reprimand for failure to timely examine a feline which led to additional pain & suffering and delayed treatment of the animal.
- 1 who received an Informal Reprimand for failure to properly supervise a non-licensed veterinary technician.
- 1 who received an Administrative Penalty for failure to notify the Board of a felony arrest.
- 2 who received Administrative Penalties for inadequate record keeping.
- 1 who received an Informal Reprimand and was required to pay restitution for failure to fully discuss the availability of alternative treatment procedures.
- 1 who received an Informal Reprimand and must complete 3 hours of additional continuing education in anesthesia for failure to properly monitor a canine during post-operative recovery.
- 7 who received Administrative Penalties for failure to maintain their Department of Public Safety Controlled Substances Registration.
- 8 who received Administrative Penalties and/or were required to obtain additional hours of Continuing Education for failure to obtain the required number of hours annually.
- 1 who received an Administrative Penalty for allowing a licensed veterinarian to use their Drug Enforcement Administration registration when they knew did not hold a current Department of Public Safety Controlled Substances Registration.

*Continued on page 8...*

## LEGISLATIVE ISSUES

Now that the 81st Legislative Session has ended, we would like to recap some of the activities affecting TBVME and the veterinary profession. You can view the complete text of these bills on the Texas Legislature Online website, [www.capitol.state.tx.us](http://www.capitol.state.tx.us).

- HB 378 Relating to non-veterinary horse dentistry.  
This bill amends the Veterinary Licensing Act by adding “floating a horse’s teeth” to the accepted livestock management practices.  
*This bill did not make it out of committee.*
- HB 1562 Relating to the confidentiality of investigation records of the State Board of Veterinary Medical Examiners and clarification of the regulatory authority of the board. This bill was essentially a bill to clean up the Veterinary Licensing Act.  
*This bill did not make it out of committee.*
- HB 1615 Relating to the practice of veterinarians in certain mercantile establishments.  
This bill amends the Veterinary Licensing Act to change the date from 1/1/93 to 12/31/09 in relation to veterinarians operating in mercantile establishments.  
*This bill was signed by the Governor on 05/19/2009 and went into effective immediately.*
- HB 1684 Relating to the creation and administration of the rural veterinarian loan repayment program.  
This bill provides that the Office of Rural Community Affairs shall establish and administer a program to provide loan repayment assistance to veterinarians who agree to practice veterinary medicine on livestock or deer in a designated rural area.  
*This bill was signed by the Governor on 05/26/2009 and goes into effect on 09/01/2009 only if the Comptroller of Public Accounts has published a determination that a specific appropriation in an amount of not less than \$2,790,000 has been provided for in the General Appropriations Act of the 81st Regular Legislative Session.*
- HB 2528 Relating to the requirements for obtaining a veterinarian's special license.  
This bill provides an additional route for an applicant to be eligible for a Special License. The applicant may be a graduate of an AVMA-listed school or college of veterinary medicine and is employed in a post-DVM training program at an AVMA accredited school or college of veterinary medicine  
*This bill did not make it out of committee.*
- HB 2765 Relating to the authority of a veterinarian to fill certain prescriptions in an emergency.  
This bill amends Section 801.362(a) by adding that a veterinarian licensed in another state may fill certain prescriptions in an emergency.  
*This bill was signed by the Governor on 06/19/2009 and went into effective immediately.*
- HB 4006 Relating to veterinarian reports of diseased animals.  
This bill adds bovine trichomoniasis, equine herpes virus-1 and equine viral arteritis to the list of diseases that veterinarians must report within 24 hours of diagnosis.  
*This bill was signed by the Governor on 05/27/2009 and goes into effective on 09/01/2009.*
- HB 4277 Relating to the sterilization of dogs and cats; providing a penalty.  
This bill requires that a releasing agency may not release a dog or cat for adoption unless it has been sterilized. This also modifies TBVME requirements under the Health and Safety Code to (1) develop information sheets regarding surgical or nonsurgical sterilization to be distributed by a releasing agency to a new owner; and (2) adopt rules requiring a dog or cat that has been sterilized to receive an identification marker in a manner authorized by the board.  
*This bill did not make it out of committee.*

*Continued on page 9...*

## BOARD PROPOSES CHANGES TO RULES

At the June 11, 2009 meeting, the Board directed staff to post the following proposed changes in the *Texas Register* for comment, the full text of the changes can be found on the agency website.

- **571.56, Military Service Fee Waiver.** *The proposed amendment sets forth the procedure for waiver of the active license renewal fee for licensees discharged from active military duty. The amendment describes the status of the individual's license following the Board's receipt of documentation reflecting separation from military service. The amendment provides that upon receipt of form DD214 (separation documentation), the licensee's active license renewal fee is waived for the remainder of the calendar year in which the licensee is discharged from military service. The license is thereafter placed in "active" status, allowing the licensee to practice veterinary medicine in Texas, or renew the license in "inactive status" the year following military separation.*
- **573.10, Supervision of Non-Licensed Employees.** *The proposed amendment sets forth that a licensee must personally sign any official health documents issued by the licensee, or any official health document for which the licensee has received compensation. Further, under the proposed amendment, the licensee will be directly responsible for all actions of non-licensed employees acting under the licensee's directions or authorization, in addition to all actions of non-licensed employees for which the licensee receives compensation.*
- **573.24, Issuance of Certificates Through Direct Knowledge Only.** *The proposed amendment sets forth that a licensee is deemed to have knowledge of any health certificates issued in his or her name by the licensee's employee and/or maintained in the licensee's patient or client records. The proposed amendment places responsibility for the security of the licensee's health certificate forms solely on the licensee, and requires the licensee to take reasonable care to prevent the misuse of said forms. The proposed amendment also requires a licensee to report any theft or misuse of health certificates to the Board.*
- **575.25, Recommended Schedule of Sanctions.** *The proposed amendment will allow the Board to impose, as a sanction for a licensee's commission of a Class A, B or C violation of the Veterinary Licensing Act and/or Board Rules, that the licensee sit for, and pass, the Texas State Board Licensing Exam, otherwise known as the "SBE."*
- **575.28, Complaints-Investigations.** *The proposed amendment streamlines the procedure for requesting patient records from a licensee following the Board's receipt of a complaint and assignment of an investigator to the matter. Currently, the rule provides that, upon receipt of a complaint, the Board requests patient records from the licensee related to the subject animal. Upon receipt of said patient records, the Board furnishes the licensee with a copy of the complaint and requests a written response within 21 days. The proposed amendment combines these steps and provides the licensee with a copy of the complaint contemporaneously with the request for patient records.*
- **577.15, Fee Schedule.** *The proposed amendments increase by \$25.00, the required fees for current license renewals, inactive renewals, and special licenses. Proportional increases are also made in delinquent renewal fees. These fee increases are required to cover the costs of the Board's legislative appropriation for FY 2010. No changes are made to fees for the State Board Examination or Special License Examination, and the provisional license fee remains \$255.*

## **REQUIREMENTS FOR RABIES VACCINATION AND THE PROPER DOCUMENTATION**

During the summer of 2008, the Rules of Professional Conduct, TAC 573.51, were amended relating to the requirements for the rabies vaccination certificate. The rabies vaccination certificate must contain all of the following to be in compliance with the Rules of Professional Conduct:

1. owner's name, address, and telephone number;
2. animal identification species, sex (including neutered if applicable), approximate age (three months to 12 months, 12 months or older), size (pounds), predominant breed, and colors;
3. vaccine used producer, expiration date and serial number;
4. date vaccinated;
5. date vaccination expires (re-vaccination due date);
6. rabies tag number if a tag is issued.

Please note that requirement (3) requires the expiration date of the vaccine used be included on the rabies vaccination certificate.

Failure to include all required information is a violation of the Rules of Professional Conduct and may delay completion of export documents for your patient as well as taking up your time providing the information after-the-fact.

If your vaccination certificates do not include all the information required, it is recommended that you make adjustments to your vaccination certificate protocol to ensure all required information is included. In some cases this may require changing the computer format.

*Lee C. Jan, DVM, DACVPM  
Export VMO*

---

## **NEWS FROM THE TEXAS ANIMAL HEALTH COMMISSION...**

### **TWO HORSES IN EAST TEXAS DIE FROM EASTERN EQUINE ENCEPHALITIS (EEE); VACCINATE YOUR HORSES AND PROTECT AGAINST MOSQUITO EXPOSURE!**

Two horses, one in Jasper County and the other in Newton County, in East Texas have died from Eastern Equine Encephalitis (EEE). Humans also are susceptible to EEE, which causes inflammation of the brain. The disease is spread by mosquitoes, and measures should be taken to prevent human and animal exposure to the biting pests.

“As part of their routine health care, horses in all parts of the state should be vaccinated to protect against dangerous mosquito-borne diseases, including West Nile Virus, and Eastern and Western Equine Encephalitis (EEE and WEE),” said Dr. Bob Hillman, Texas’ state veterinarian and head of the Texas Animal Health Commission (TAHC), the state’s livestock and poultry health regulatory agency.

“It takes a week to 10 days after vaccination for the animal to develop protective antibodies, and booster shots must be administered as directed by the vaccine manufacturer to maintain the highest level of protection,” he said. “As effective as vaccines are, however, they are not foolproof, and rare instances of disease can occur. Therefore, it is essential that you protect yourself and your horses against mosquito exposure with a repellent containing DEET.”

*Continued on page 9*

*From the Executive Director continued...*

Suppose, for example, as part of the state's two year budget, the Legislature authorized the Board to spend \$1,000,000 each year of the biennium on all its' operations and functions. We would divide that figure by the total licensee population of say 7,000 veterinarians and set the base fee at \$142 per licensee. To this base amount, we must add the \$200 professional license tax the Legislature requires each agency to collect for the General Revenue Fund for a total of \$342. Then at the June Board meeting after the session ends, we propose the new fee schedule as an agency rule. The proposed fee schedule is then adopted as a rule at the October Board meeting and becomes effective the following January when all veterinarians begin to renew their license. I would like to mention that in past years when the Legislature has approved lesser budgets or actually directed budget cuts, the agency has lowered license fees rather than keep them at the same level as many other agencies do.

It's also very important to know that of all the money we collect that we can actually spend on operations, more than 90% is dedicated to "fixed" costs like employee salaries (including retirement contributions, insurance payments, the Peer Assistance payment to TVMA, Texas On-Line payment, travel, SOAH hearing costs, postage, copy paper, etc.) For your convenience, the pie charts (see pages 14-15) reflect the 2009 budget, as well as the 2010 and 2011 budgets that show the actual breakout of each operating expense. In practical terms, this means that there is very little discretion or leeway to spend funds on anything or anyone not a "fixed" cost. Please call, write, or email me any questions or comments on this process.

*Enforcement Issues Continued...*

- 1 who received an Informal Reprimand for failure to follow up on the condition of a bull and heifer after complications arose with the sedation during dehorning.
- 1 who received an Administrative Penalty for failure to notify the Board of their temporary vaccination clinic.
- 1 who received an Informal Reprimand and was required to pay Restitution for failure to monitor a feline during spay surgery and maintain appropriate temperature on a heating pad which led to severe thermal burns, and for failure to maintain adequate patient records.
- 1 who received an Informal Reprimand for failure to maintain adequate patient records.

## **CEASE & DESIST ORDERS**

At the June 11, 2009 meeting, the Board approved 5 Cease & Desist Orders.

- One individual in Malakoff, TX whom the Board identified as practicing veterinary medicine without a license by determining the need for and administering vaccinations, legend drugs or controlled substances to patients, as well as performing examinations, dispensing prescription of medications, issuing rabies certificates or health documents, and the diagnosis and treatment of animals .
- One individual in Garland, TX whom the Board identified as practicing veterinary medicine without a license by determining the need for and administering vaccinations to canines.
- One individual in San Saba, TX whom the Board identified as practicing veterinary medicine without a license by using any methods including acupuncture, for the diagnosis, treatment, correction, change, manipulation, relief, or prevention of animal disease, deformity, defect, injury, or other physical condition, including the prescription or administration of a drug, biologic, anesthetic, apparatus, or other therapeutic diagnostic substance or technique.
- One individual in San Antonio, TX whom the Board identified as practicing veterinary medicine without a license by using any methods, including Reiki, for the diagnosis, treatment, correction, change, manipulation, relief, or prevention of animal disease, deformity, defect, injury, or other physical condition, including the prescription or administration of a drug, biologic, anesthetic, apparatus, or other therapeutic diagnostic substance or technique.
- One corporation in various locations in Texas whom the Board identified as practicing veterinary medicine without a license by using any methods, for the diagnosis, treatment, correction, change, manipulation, relief, or prevention of animal disease, deformity, defect, injury, or other physical condition, including the prescription or administration of a drug, biologic, anesthetic, apparatus, or other therapeutic diagnostic substance or technique and that the selling and/or dispensing of HeartGuard medication without the authorization of a licensed veterinarian.

*Legislative Issues continued...*

- SB 523 Relating to the practice of veterinarians in certain mercantile establishments.  
This bill amends the Veterinary Licensing Act to change the date from 1/1/93 to 12/31/09 in relation to veterinarians operating in mercantile establishments.  
*This bill did not make it out of committee, however, the House companion to this bill (HB1615) was signed by the Governor on 05/19/2009 and went into effective immediately.*
- SB 1667 Relating to the creation and administration of the rural veterinarian loan repayment program.  
This bill provides that the Office of Rural Community Affairs shall establish and administer a program to provide loan repayment assistance to veterinarians who agree to practice veterinary medicine on livestock or deer in a designated rural area.  
*This bill did not make it out of committee, however, the House companion to this bill (HB1684) was signed by the Governor on 05/26/2009 and goes into effect on 09/01/2009 only if the Comptroller of Public Accounts has published a determination that a specific appropriation in an amount of not less than \$2,790,000 has been provided for in the General Appropriations Act of the 81st Regular Legislative Session.*
- SB 1845 Relating to the sterilization of dogs and cats; providing a penalty.  
This bill requires that a releasing agency may not release a dog or cat for adoption unless it has been sterilized. This also modifies TBVME requirements under the Health and Safety Code to (1) develop information sheets regarding surgical or nonsurgical sterilization to be distributed by a releasing agency to a new owner; and (2) adopt rules requiring a dog or cat that has been sterilized to receive an identification marker in a manner authorized by the board.  
*This bill did not make it out of committee.*
- SB 1806 Relating to liens for certain veterinary care charges for large animals.  
This bill provides that a veterinarian has a lien on a large animal and the proceeds from the disposition of the large animal to secure the cost of veterinary care the veterinarian provided to the large animal.  
*This bill was signed by the Governor on 06/19/2009 and will go into effective on 09/01/2009.*

**Senate Bill 1—General Appropriations Bill**

The Texas Board of Veterinary Medical Examiners portion of SB1, the General Appropriations Bill, increases our total method of financing by \$150,628 for FY10 to \$1,011,657 and by \$143,998 for FY11 to \$1,005,027. This will include an increase in the Executive Director's Salary from the statutory amount of \$65,000 to \$80,500. This also adds an additional 4 FTEs (Full Time Equivalents). We will soon begin the recruitment process for two additional Investigators, an Enforcement Administrative Assistant, and a Fiscal Administrative Assistant who we anticipate having a start date with the agency of September 1, 2009.

*Continued from page 7*

Dr. Hillman also said other preventive measures should include draining stagnant water, where mosquitoes can breed, and using approved products that kill mosquito larvae in desired water sources, such as troughs, ponds and fountains. Avoid being outside at night or at dawn, when mosquitoes are most active, wear long sleeves when possible, and consider sheltering horses at night.“

Contact your veterinarian immediately, if your horse acts erratically, is confused, staggers or collapses. These are clinical signs of an encephalitic, or brain inflammation, condition, and a blood test is needed to confirm the diagnosis. With appropriate supportive care, about half of infected horses may survive. An infected horse will not spread the West Nile Virus, EEE or WEE to humans,” said Dr. Hillman. Although they are not regulatory diseases, these mosquito-spread infections are reportable to the TAHC, due to their potential to cause human illness. In 2009, a horse in Washington County, also in East Texas, has been confirmed to have West Nile Virus.

EEE also has been reported in July in horses in Florida, Louisiana, Missouri and Virginia.

## Newly Licensed Veterinarians

The Texas Board of Veterinary Medical Examiners has issued 363 new licenses between June 14, 2008 and June 30, 2009. The board congratulates the following new Texas licensed veterinarians:

Heather Danielle Akridge ♦ David L. Baker ♦ Ashlie Christine Abbott ♦ Victoria M. Abeln-Heidemann ♦ Veronica Adams ♦ Susan M. Adams ♦ Susan Kathleen Akers ♦ Anna Marie Aman ♦ Adria S. Anderson ♦ Kristie L. Anderson ♦ Lisa Gayle Anderson ♦ Walter C. Anderson ♦ Sarah Christine Arbuckle ♦ Elizabeth R. Babits ♦ Fairfield T. Bain ♦ Randall B. Barbe ♦ Nancy A. Barin ♦ Paul Martin Barrett ♦ William A. Baskerville ♦ Dayna Garland Baxter ♦ Brady J. Bennett ♦ Bryan Douglas Benshoof ♦ Olivia A. Berridge ♦ Pierre S. Bichsel ♦ Mark J. Birkenfeld ♦ Janel A. Blaylock ♦ Kimberly Jarrett Bolton ♦ Alberto L. Bonfiglio ♦ Glen A. Bonin ♦ Megan Ann Brandt ♦ Denise Michelle Branton ♦ Barbara C. Braziel ♦ Jamie Pamela Britton ♦ Michelle Renee Broecker ♦ Susan L. Brown ♦ Nicole Dawn Brown ♦ Wendy M. Browning ♦ Elizabeth A. Bryant ♦ Julie A. Bryngelson ♦ Andrew Craig Bugbee ♦ Aaron S. Burbach ♦ Sarah E. Burbridge ♦ Blaine A. Burkert ♦ Lauren Afsahi Butler ♦ Candace A. Cain ♦ Rebecca Lynn Carden ♦ Kathryn C. Carpenter ♦ Jennifer Gregory Carr ♦ Ilya Marie Carson ♦ D. Bart Carter ♦ Jessica L. Carter ♦ Keidra Marie Carvin ♦ Kirsten Terese Caskey ♦ Kathryn Lynn Cass ♦ Arlene A. Castellanos ♦ Ryan E. Cate ♦ Patty H. Chen ♦ Christina J. Choate ♦ Darla Gay Chow ♦ Zachary Lewis Clark ♦ Catherine Louise Clinton ♦ Donald W. Coats ♦ Jessica R. Cohen ♦ Charles Donald Collins ♦ Dana Eileen Conly ♦ Domini McKeithen Cooper ♦ Catherine J. Cooper ♦ Erin E. Corbin ♦ Weldon Mark Cousins ♦ Tannetje Marie Crocker ♦ John G. Dahlinger ♦ Trevor Louis Daniel ♦ Ryan K. Daniels ♦ Amy C. Davenport ♦ Emma Jane Dawson ♦ Germaine Daye ♦ Gustavo Pantano De Cillo ♦ Emily Nicole Deal ♦ Kabita Deka ♦ Debra Leigh Dennett ♦ Abigail E. Deuel ♦ Sarah J. Dewhirst ♦ Georgina L. Dobek ♦ Danielle Therese D'Oliviera ♦ Jessica Diane Drennan ♦ Christina Chi Du ♦ Lynn B. Dumas ♦ Geneve H. Dundas ♦ Cindy Echevarria ♦ William John Ehler ♦ Bunita May Eichelberger ♦ Bert Justin Ellsworth ♦ Cassandra Dawn Erickson ♦ Cynthia L. Exelby ♦ Raenel P. Falagraday ♦ Leigh Anne Farrington ♦ Karen K. Faunt ♦ Susan E. Fielder ♦ Alicia A. Fitzgerald ♦ Keisha Elaine Flanagan ♦ Alicia K. Foley ♦ Lynn D. Foster ♦ Mollie Fox ♦ Brian Martin Foye ♦ M. Todd French ♦ Michelle B. Frye ♦ Cariann Elizabeth Galloway ♦ Barbara Lane Geistfeld ♦ Elizabeth A. Gill ♦ Jonathon C. Given ♦ Jenifer Robin Gold ♦ Natalie Goldberger ♦ Theodore R. Gonzalez ♦ Rachel Elizabeth Goodman ♦ Megan M. Grant ♦ Dominique F. Gras ♦ Patricia Lara-Lynn Gray ♦ Barbara Anne Gray ♦ David Matthew Green ♦ Carlotta Eileen Groves ♦ Mary Elizabeth Guerra ♦ Tanya L. Gustafson ♦ Camille G. Gutierrez ♦ Michael Kenneth Guy ♦ Amanda C. Haleen ♦ Amber E. Hampton ♦ Lisa Gonzales Hansen ♦ Corinn Dianne Hardy ♦ Catherine R. Harris ♦ Crystal Lynn Hart ♦ Waqar Hassan ♦ Melissa S. Hawkins ♦ Kristine Keri Hawkins ♦ Emi Hayashi ♦ Heath B. Hayden ♦ Sarah M. Heineman ♦ David R. Helcel ♦ Martin W. Henderson ♦ Melissa J. Hensley ♦ Daniel G. Hicks ♦ Laurie Beth Higginbotham ♦ Phuong-An Vi Hoang ♦ James G. Hogle ♦ Jeanne Marie Howell ♦ Christian A. Hoyt ♦ Adrienne C. Hudgens ♦ A.K.M. Monirul Huq ♦ Joon Y. Im ♦ Benjamin A. Inman ♦ Katherine Elizabeth Irwin ♦ Amber Nicole Isbell ♦ Stacy A. Ivins ♦ Aubrey S. Ivy ♦ Rebecca A. Jacob ♦ Rachael M. Jacobs ♦ Daniel Abraham Jankovits ♦ Brenna D. Jarvie ♦ Alana June Jenkins ♦ Randy D. Johnson ♦ Barbara J. Kahl ♦ Pamela L. Kaiser ♦ Russell H. Kalis ♦ Raheema A. Kamal ♦ Erin L. Katribe ♦ Galen David Kaufman ♦ Eldred Eural Keahey ♦ Erin M. Kelley ♦ Kallie Maria Kelly ♦ Portia C. Kelly ♦ Elizabeth Claire Kemble ♦ Stephanie R. Kennedy ♦ Ioulia S. Kenzior ♦ Joseph R. King ♦ David Roy Kinkaid ♦ Angela Rebecca Herrmann Kinney ♦ Latasha Bodet Kirkpatrick ♦ Elizabeth Mattingly Kirzeder ♦ Christine T. Klippen ♦ Cassandra G. Knapp ♦ Derek R. Kopecky ♦ Sabrina A. Kordis ♦ Clarisa Ruth Krueger ♦ Emily Jessica Kuo ♦ Lisa A. LaBry ♦ Mica Foti Landry ♦ Jerry Chauncey Latham ♦ Jayme Powell Lauderdale ♦ Brooke N. Lechlitner ♦ Lauren Marie Leckie ♦ Beverly Marie Legree ♦ Richard T. Leone ♦ Julie Liu ♦ Abigail A. Lockwood ♦ Paul N. Loe ♦ Paulina Loo ♦ Paola Lazaretti Lott ♦ Ashley Marie Loven ♦ Elizabeth Lowe ♦ Melanie C. Lucero ♦ Joel Lugo ♦ Amanda Lloyd Lumsden ♦ Melinda Danielle Luper ♦ Gillian S. Mackie ♦ Jessica Julie Elaine Maloney ♦ Jennifer Lynn Marble ♦ Maud L. Marin ♦ Dustin Donald Marsh ♦ Kimberly Allison Martin ♦ Tamara L. Martin ♦ Victoria J. Roys Martinez ♦ Erin E. C. May ♦ Megan Melissa McAndrew ♦ Kelly M. McCarty ♦ Amanda Louise McCleery ♦ Clayton D. McCook ♦ Christine M. McCoy

◆ Renee A. Mead ◆ Christopher C. Merren ◆ Melinda Doreen Metzler ◆ Frank W. Metzler ◆ Joseph A. Miga ◆ Adam Stephen Miller ◆ Matthew Dale Miller ◆ Andrea L. Miller ◆ Matthew David Miller ◆ Nicholas Ryan Millington ◆ John G. Montalbano ◆ Wellington W. Moore ◆ Jeremiah David Moorer ◆ Valori Dee Morris ◆ Erin K. Morris ◆ Patsy Winder Morris ◆ Matthew J. Moskosky ◆ Karen E. Murphy ◆ Gabriel Christopher Musquiz ◆ Anh-Thu T. Nguyen ◆ Karen S. Nickle ◆ Paige Crystal Nilson ◆ Jennifer A. Nollman ◆ Jenny Lynn Olczak ◆ Hillary M. Olin ◆ Bettina Teresa Olivieri ◆ Christine Elizabeth Olsen ◆ Meredith Leigh Olson ◆ Mary J. Orefice ◆ Claudia M. Orso-Sims ◆ Clint Ellis Owens ◆ Geruza M. Paiva ◆ Gillian Mitchell Foley Pantone ◆ Jessica Simmons Parker ◆ Shari Renee Parker ◆ Rao Pitcheswara Perla ◆ Jennifer L. Peters ◆ Amy Jo Pilmer ◆ Sarah C. Pitts ◆ Clinton Wade Pohl ◆ Joshua D. Powell ◆ Tara M. Prezioso ◆ Alton C. Price ◆ Katherine E. Pruitt ◆ Dustin J. Pulliam ◆ Holly Jean Putnam ◆ Cynthia Elizabeth Rachal ◆ Katherine Elizabeth Ralston ◆ Chase M. Ratliff ◆ Heather Anne Ratzlaff ◆ Wendy M. Ray ◆ Megan Harris Rector ◆ Lindsey Jeanae Renner ◆ Christy Lynn Rettenmund ◆ Jean Edith Rifkin ◆ Melissa W. Riley ◆ Janet Marie Roark ◆ Lane R. Roasa ◆ Angela E. Roberts ◆ Alan M. Robinson ◆ Juan Carlos Robles ◆ Karel T. Rodriguez ◆ Jessica Y. Rodriguez ◆ Grace Courtney Rogan ◆ Amanda Michelle Roge ◆ Joanah A. Rojo ◆ Marta B. Roman-Valldejuli ◆ Amber L. Roth ◆ Lawrence Paul Ruhr ◆ Roman Slawko Savicky ◆ Zeev Schwartz ◆ Theresa A. Schweiss ◆ David Bennett Scofield ◆ Christina N. Scogin ◆ Shanna L. Seals ◆ Kirk Wayne Sears ◆ Tanner Brent Self ◆ Alani Jo Selland ◆ Lynn S. Shaver ◆ K. Michelle Shaw ◆ Angela Kay Shemek ◆ Sachi Shinagawa ◆ Charles Bradley Singleton ◆ Kristen A. Slater ◆ Kevin S. Slone ◆ Shasta Ellen Smith ◆ Charla Denise Smith ◆ Joshua Scott Smith ◆ Clayton Douglas Smith ◆ Heather Marie Smith ◆ Megan Lee Smith ◆ Lisa Marie Snow ◆ Crystal Marie Sousa ◆ Conrad Michael Spangler ◆ Gary L. Sparschu ◆ Maria C. Spriggs ◆ Aimee L. Stark ◆ Michael Sigvard Berntsen Steine ◆ Dainna K. Stelmach ◆ Emily Laura Stenseng ◆ Tamera Cole Stenson ◆ Jessica May Stokes ◆ Jonathan K.K. Stone ◆ Cameron Ann Stoudt ◆ Mary Rachael Straver ◆ Melissa O. Suarez ◆ Lacey Nicole Sullivan ◆ Bridget M. Supak ◆ Jody L. Swain ◆ Melissa Kaye Syndergaard ◆ James A. Synowsky ◆ Daren E. Tamplin ◆ Helen L. Thomas ◆ Lauren Rebecca Thomas ◆ Joshua A. Tiller ◆ W. Scott Tillman ◆ Stephanie Mary Tobia ◆ Michelle C. Trappler ◆ Roberto Paul Trevino ◆ Woodson Coleman Tucker ◆ Francis Ogochukwu Ugochukwu ◆ Samantha Rayroux Uhrig ◆ Gabriel A. Van Brunt ◆ Sunil C. Vasanjee ◆ Hari Krishna Velineni ◆ Ximena Ines Maria Vierra ◆ Dorissa Villarreal ◆ Ika Vlok ◆ Tammy Jordan Vretis ◆ Stephanie N. Walker ◆ Brett Alan Wasik ◆ Rachel B. Weiss ◆ Stephen Anthony Whipple ◆ Mary Anne White ◆ Kimberly A. Whitfield ◆ Max Kenneth Wilcox ◆ Gregory K. Wilkerson ◆ Nicole A. Wilkerson ◆ Amanda Lee Williams ◆ Elizabeth Ann Wills ◆ Claude L. Woodard ◆ Edward J. Wozniak ◆ Jessica Ward Yoder ◆ Jensen Ryan Young ◆ Ari S. Zabell ◆ Joshua Robert Zacharias ◆ Faisal Zia ◆

## Are You At Risk?

We have noticed over the past few months an increase in the number of veterinarians who have “voluntarily” surrendered their Controlled Substance Registration. Apparently the Drug Enforcement Administration (DEA) has stepped up their review of controlled substances accountability by veterinarians. Once a veterinarian has surrendered his or her registration the Board is notified. The Board is then compelled to take action against the veterinarian’s license.

If you believe you have a “problem” in this area, as a minimum, please contact Peer Assistance at 1-800-288-7996.

## UPCOMING BOARD MEETING DATES\*



2009  
October 8, 2009

\*dates are not official until posted with the Secretary of State.

## PROVISIONAL (TEMPORARY) VETERINARY LICENSE AVAILABLE IN TEXAS

Some of our Texas licensed veterinarians may be hiring new associates. As stated in the article “Working Interviews – Are they Legal?” (see page 2) in order to practice veterinary medicine in Texas, one MUST possess a Texas veterinary license. None of our licensing processes are instant, but there is a provisional license available.

The Licensing and Examinations Division of the Texas Board of Veterinary Medical Examiners gives 5 major licensing examinations annually. Starting with the April exam, we give a licensing exam every other month. The specific examination dates and deadlines by which the application (along with all required, supporting documents) must be received in the office can be found on our web site ([www.tbvme.state.tx.us](http://www.tbvme.state.tx.us)) under the “License Information” tab.

In order to bridge the gap between regular license exams, the Board has statutory authority to issue a provisional license. This is a **temporary** license. The process also involves an application, supporting documentation and a separate exam. This is NOT an instant process, but can be faster than having to wait for the next available regular license exam and not being able to practice while waiting for that regular license.

The provisional license application packet may be obtained from our office by e-mailing or faxing a request with the applicants name and mailing address. ([vet.board@tbvme.state.tx.us](mailto:vet.board@tbvme.state.tx.us) or fax 512-305-7556) We will mail out a packet within 3 days of the received request and it will include all study material. There are several eligibility requirements that the applicant must meet to be eligible for a provisional license. Details can be found on our web site on the ‘Frequently Asked Questions’ page.

Upon receipt of a complete provisional license application, it takes several days to work on the application, verify references, and notify the applicant. If the provisional license application file is complete, we can usually schedule a provisional license exam within 7 – 10 days. This exam is given on an “as-needed-basis”. Please keep in mind that there are quite a number of applicants that have to be worked into an already busy schedule. Generally, we strive to issue a provisional license the same day the applicant passes the provisional license exam. According to the laws and rules, at that moment, the “provisional” licensee is also scheduled for the next available regular license examination for which the deadline is met. It is not necessarily the next exam on the calendar, but the next AVAILABLE exam. It can be a few months down the road, but the provisional license enables the individual to obtain a Drug Enforcement Administration (DEA) and Texas Department of Public Safety (DPS) controlled substances permit, as well as USDA accreditation. They can practice uninterrupted until they take and pass the regular license exam for which they have been scheduled to earn a regular Texas veterinary license.

During the provisional licensing process, some of you may be asked to write a letter of reference for a provisional license applicant. The laws and rules (and the application) state that we need two letters of reference from “veterinary employers with direct knowledge of the applicant’s veterinary practice and experience”. These persons must be able to attest to the applicant’s veterinary skills. Stating that the applicant is a compassionate and wonderful person is great, but it is not attesting to their skills.

As always, we are available to answer questions. Please don’t hesitate to call on us.

# **NOTICE TO CLIENTS**

To file a commendation or grievance concerning a veterinarian, please contact:

**Texas Board of Veterinary Medical Examiners**

**333 Guadalupe, Tower 3, Suite 810**

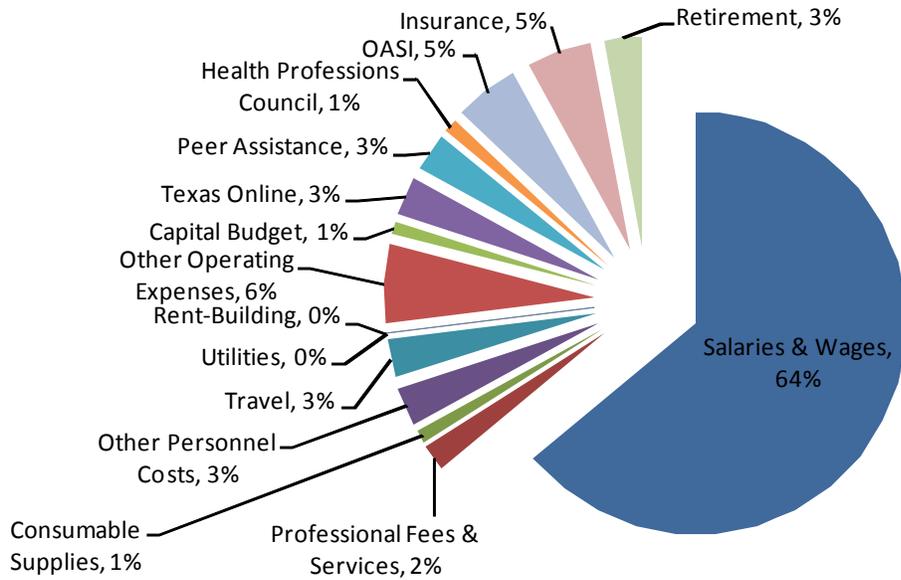
**Austin, Texas 78701-3942**

**Phone: (512) 305-7555**

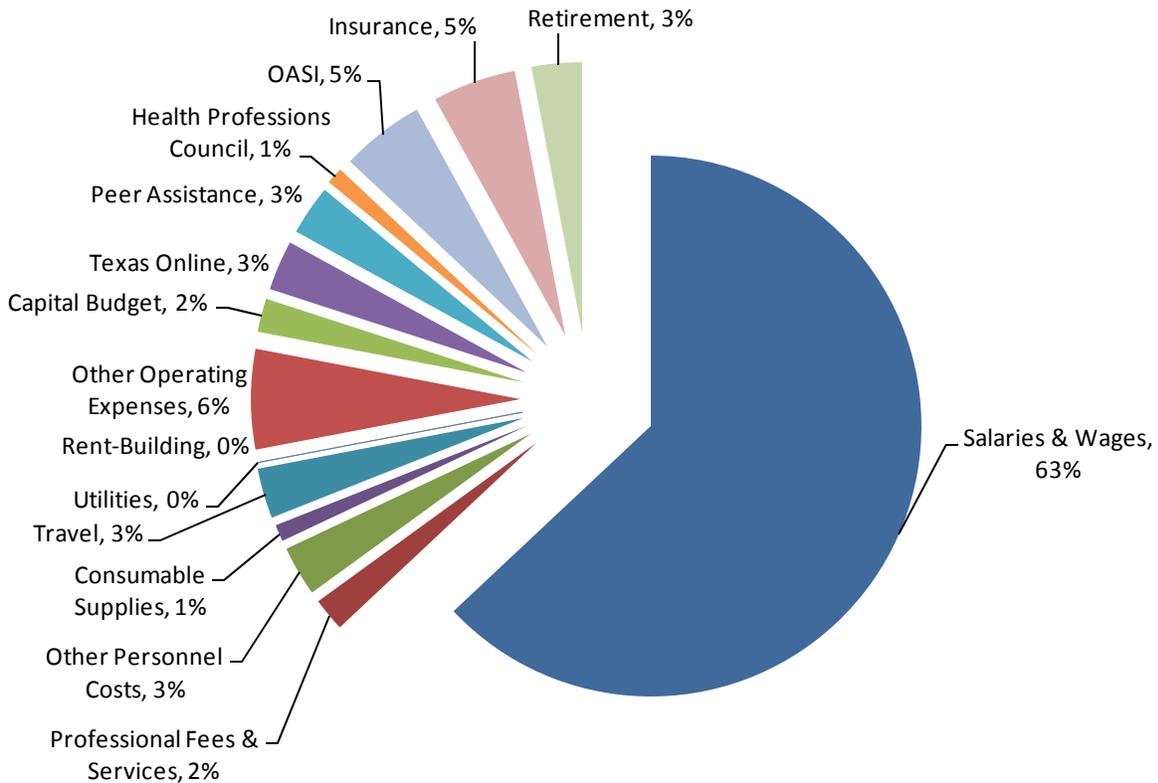
**Fax: (512) 305-7556**

To obtain information about filing a complaint, you may access the Board's voicemail 24 hours a day by calling toll free: 1-800-821-3205

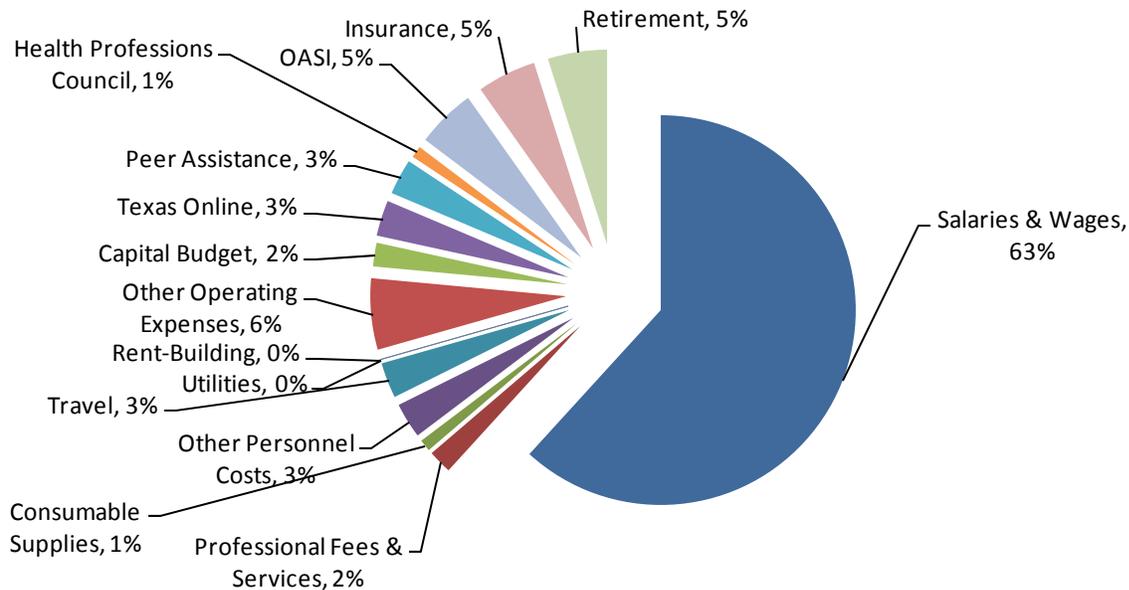
### Texas Board of Veterinary Medical Examiners FY 2009 Budget



### Texas Board of Veterinary Medical Examiners FY 2010 Budget



## Texas Board of Veterinary Medical Examiners FY 2011 Budget



## PATIENT RECORD KEEPING

Board Rule, Section 573.52(a) outlines the information that is required to be kept in a patient's records. At a minimum, you must have the following:

- name, address, and phone number of the client;
- identification of patient, including name, species, breed, age, sex, and description;
- patient history;
- dates of visits;
- any immunization records;
- weight if required for diagnosis or treatment. Weight may be estimated if actual weight is difficult to obtain;
- temperature if required for diagnosis or treatment except when treating a herd, flock, or a species, or an individual animal that is difficult to obtain a temperature;
- any laboratory analysis;
- any diagnostic images or written summary of results if unable to save image;
- differential diagnosis and/or treatment, if applicable;
- names, dosages, concentration, and routes of administration of each drug prescribed, administered and/or dispensed;
- other details necessary to substantiate the examination, diagnosis, and treatment provided, and/or surgical procedure performed.
- any signed acknowledgment required by 573.12, 573.14, 573.15, and 573.16. Each entry in the patient record shall identify the veterinarian who performed or supervised the procedure recorded; and .
- Any amendment, supplementation, change, or correction in a patient record not made contemporaneously with the act or observation shall be noted by indicating the time and date of the amendment, supplementation, change or correction, and clearly indicating that there has been an amendment, supplementation, change, or correction.

**NOTICE OF ADDRESS CHANGE**

Please email, fax, or mail to:

Texas Board of Veterinary Medical Examiners  
333 Guadalupe, Suite 3-810  
Austin, Texas 78701  
FAX: 512-305-7556  
Email: [vet.board@tbvme.state.tx.us](mailto:vet.board@tbvme.state.tx.us)

*Please print or type*

Name \_\_\_\_\_

License Number \_\_\_\_\_

**Mailing Address:**

Street/PO Box \_\_\_\_\_  
City, State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Practice Address:**

Practice Name \_\_\_\_\_  
Street \_\_\_\_\_  
City, State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_

**Home Address:**

Street \_\_\_\_\_  
City, State \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Email \_\_\_\_\_

Note: The mailing address is the default address. All documents, forms and letters sent to you from this agency will be mailed to this address.

The mailing address is printed on your license renewal certificate. If you have changed your mailing address and need a duplicate renewal certificate, please indicate below.

\_\_\_ Please send a duplicate renewal certificate.

*Pursuant to Board Rule 573.75(e) A veterinarian shall notify the Board of any change of name, address or name of clinic not later than the 60th day after the change takes place.*