

TEXAS VETERINARY LICENSE #9524; COMPLAINT NO. 21-264 AND NO. 21-315

IN THE MATTER	§	BEFORE THE EXECUTIVE
OF	§	DISCIPLINARY COMMITTEE
THE LICENSE	§	OF THE TEXAS BOARD
OF	§	OF VETERINARY MEDICAL
DANA BOEHM, D.V.M.	§	EXAMINERS

ORDER OF TEMPORARY SUSPENSION

On this day the Executive Disciplinary Committee (“EDC”) of the Texas Board of Veterinary Medical Examiners (“Board”) considered the matter of the license of Dana Boehm, D.V.M. (“Respondent”).

The EDC convened without 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, Dana Boehm, D.V.M., of Taylor, Texas, holds Texas veterinary license #9524.
2. Respondent boarded a canine Jax at her facility from March 13, 2021 to March 20, 2021.
3. When the canine was picked up by the owners, he was immediately taken to an emergency clinic for severe ulcers on his back legs and possible urine scalding.
4. Jax was ultimately euthanized due to his injuries.
5. On May 20, 2021, the Williamson County Sheriff’s Office executed a search warrant on the Respondent’s premises. TBVME conducted a simultaneous inspection.
6. The surgery room was found to be in an unsanitary condition.
7. The kennels for boarding had large amounts of urine and feces and many boarded animals did not have access to water.
8. Animal control officers determined that the boarded animals were not being provided adequate care and seized all the animals.

9. On the date of inspection, Respondent could not produce neither medical records or controlled substance logs.
10. Respondent's controlled substance cabinet was not secured.
11. 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.
2. Respondent has violated Board Rule 573.22, Standard of Care, of the Board's Rules of Professional Conduct.
3. Respondent has violated Board Rule 573.4, Adherence to Law, of the Board's Rules of Professional Conduct.
4. Respondent has violated Board Rule 573.50, Controlled Substances Record Keeping, of the Board's Rules of Professional Conduct.
5. Respondent has violated Board Rule 573.52, Veterinarian Patient Record Keeping, of the Board's Rules of Professional Conduct.
6. Respondent has violated Board Rule 573.61, Minimum Security for Controlled Substances, of the Board's Rules of Professional Conduct.
7. Respondent has violated Board Rule 573.79, Maintenance of Sanitary Premises, of the Board's Rules of Professional Conduct.
8. Respondent has violated Section 801.402(6) of the Veterinary Licensing Act, Texas Occupations Code, prohibiting acts that violate the Board's Rules of Professional Conduct.
9. 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. Respondent's license shall be temporarily suspended, effective immediately upon

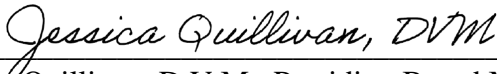
signature by the EDC's presiding officer. The temporary suspension shall remain in effect until superseded by a subsequent Order or by operation of law. During the period of the suspension, the following terms shall apply:

- 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 of record. The Board shall also provide a copy of this Order to Respondent electronically or by facsimile, as necessary.
- b. Pursuant to Section 801.409, Texas Occupations Code, and Board Rule 575.35, an informal conference will be scheduled not later than the 14th day after the effective date of this Order to determine if formal disciplinary proceedings should be initiated against Respondent. The informal conference will be conducted pursuant to Board Rules 575.35 and 575.29. The Board shall notify Respondent of the informal conference at least 72 hours prior to the informal conference.

THEREFORE, the Texas Board of Veterinary Medical Examiners, through the Executive Disciplinary Committee, does hereby adopt this Order. This Order is effective and final on this 3rd of June, 2021.



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