

VIRGINIA:

BEFORE THE BOARD OF VETERINARY MEDICINE

IN RE: JERRY S. FARRIS, D.V.M.
License No.: 0301-005502
Complaint No.: 100820

CONSENT ORDER

Pursuant to § 2.2-4019, § 2.2-4021 and § 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Veterinary Medicine ("Board"), composed of George H. Siemering, D.V.M., and James W. DeBell, D.V.M., met with Jerry S. Farris, D.V.M., on January 19, 2006, in Henrico County, Virginia. Dr. Farris was present and was represented by Harold E. Johnson, Esquire. The purpose of the informal conference was to receive and act upon evidence concerning the allegations in the Notice of Informal Conference dated November 23, 2005. The Committee issued an Order, and Dr. Farris appealed its decision. The Order was vacated, and a formal administrative hearing was scheduled for May 24, 2006.

In lieu of proceeding to a formal administrative hearing, the Board and Jerry S. Farris, D.V.M., and as evidenced by their signatures affixed below, enter into this Consent Order affecting the license of Dr. Farris to practice veterinary medicine in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Board adopts the following findings and conclusions in this matter:

1. Jerry S. Farris, D.V.M., holds license number 0301-005502, which was issued by the Virginia Board of Veterinary Medicine on July 3, 1990. Said license will expire on December 31, 2006, unless renewed. Dr. Farris was a staff veterinarian at Sajo Farms Veterinary Hospital, Virginia Beach, Virginia, at all times material to the findings below.

2. Dr. Farris violated § 54.1-3807(5) of the Code, as further defined in 18VAC150-20-140(6) and (7) of the Regulations of the Board of Veterinary Medicine (“Regulations”), in that, on or about December 29, 2004, Client A presented “Lexie,” a juvenile, female Labrador retriever with complaints of vomiting, inability to stand and possible poisoning:

- a. Prior performing an anesthetic procedure on Lexie, Dr. Farris failed to perform proper diagnostic procedures that were necessitated by the differential diagnoses for a dog presenting with vomiting.
- b. Dr. Farris performed a gastroscopy on Lexie while there was still a significant amount of barium in her stomach, which prevented the appropriate visualization of the gastric and intestinal mucosa. Additionally, he failed to obtain mucosal biopsies for appropriate testing based on Lexie’s clinical signs.
- c. Dr. Farris failed to administer an appropriate amount of barium for a proper evaluation of the small intestine.
- d. Dr. Farris failed to provide proper fluid therapy for Lexie prior to and during her surgery based on his physical examination of her.
- e. Contrary to standard medical practice, Dr. Farris immunized Lexie immediately following extensive treatment for vomiting, diarrhea, and dehydration.

3. Dr. Farris violated § 54.1-3807(5) of the Code, as further defined in 18VAC150-20-195.A of the Regulations, in that he failed to include all pertinent and relevant medical data in his treatment records for Lexie, including, but not limited to, the details of fluid therapy given and the amounts of anesthetic agents administered.

4. Dr. Farris would testify that he recognizes the need for appropriately informing clients of the need for preliminary and routine diagnostic testing in establishing the treatment plan for a patient.

Jerry S. Farris, D.V.M.

Dr. Farris would further testify that he performed certain diagnostic testing, including a packed cell test, a total protein test and radiographs, in an attempt to establish a conclusive diagnosis. Dr. Farris believes the concerns presented by Client A in this matter resulted from miscommunication between Dr. Farris and Client A regarding the importance of such diagnostic testing and the expected course of treatment. Moreover, his decision making in this matter was affected by financial concerns expressed by Client A related to the care to be provided to the patient. He will continue to improve his communication skills with clients and use the continuing education to advance his clinical skills.

CONSENT

Jerry S. Farris, D.V.M., by affixing his signature hereon, agrees to the following:

1. He has been advised specifically to seek the advice of counsel prior to signing this document and is represented in this matter by Harold E. Johnson, Esq.;
2. He is fully aware that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, §2.2-4000A et seq. of the Code;
3. He has the following rights, among others:
 - a. the right to a formal administrative hearing before the Board;
 - b. the right to representation by counsel; and
 - c. the right to cross-examine witnesses against him.
4. He waives all rights to a formal administrative hearing;
5. He neither admits nor denies the truth of the above Findings of Fact, however, he agrees not to contest these facts in any future proceeding by the Board; and
6. He consents to the following Consent Order affecting his license to practice veterinary medicine in the Commonwealth of Virginia.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that:

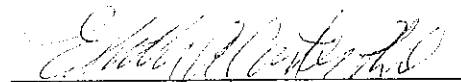
1. Jerry S. Farris, D.V.M., be, and hereby is, REPRIMANDED.
2. Dr. Farris shall be assessed a monetary penalty of Five Hundred Dollars (\$500.00), said penalty to be paid to the Board by certified check or money order within thirty (30) days from the date of entry of this Consent Order. If the monetary penalty is mailed, it shall be mailed by certified or registered mail. If said monetary penalty is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full monetary penalty plus the additional assessment within one hundred (100) days of the date of entry of this Consent Order shall constitute grounds for an administrative proceeding.
3. By January 31, 2007, Dr. Farris shall successfully complete twenty-two (22) hours of face-to-face continuing education ("CE") in the areas of gastrointestinal disease, critical care, and recordkeeping, which shall include ten (10) hours in gastrointestinal disease, including lectures in an approach to diagnosis, abdominal radiography, and endoscopy, ten (10) hours in critical care, and two (2) hours in recordkeeping. All CE shall be approved in advance of registration by the Committee. Any CE hours obtained in compliance with this term shall not be used towards compliance with the Board's continuing education requirements for license renewal.
4. Dr. Farris shall maintain a course of conduct in his practice of veterinary medicine commensurate with the requirements of Chapter 38, Title 54.1 of the Code, and the Regulations of the Board of Veterinary Medicine. Any violation of the foregoing terms and conditions of this Consent Order or any statute or regulation governing the practice of veterinary medicine in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of

Jerry S. Farris, D.V.M.

Jerry S. Farris, D.V.M., and an administrative proceeding shall be convened to determine whether Dr. Farris' license to practice veterinary medicine in the Commonwealth shall be suspended or revoked.

Pursuant to § 2.2-4023 of the Code, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

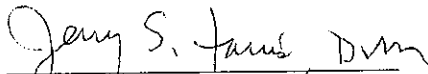
FOR THE BOARD:



Elizabeth A. Carter, Ph.D.
Executive Director


ENTERED: August 23, 2006

SEEN AND AGREED TO:


Jerry S. Farris, D.V.M.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF VIRGINIA BEACH, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the Commonwealth of Virginia, at large, this 4th day of August, 2006, by Jerry S. Farris, D.V.M.


Notary Public

My commission expires: 1-31-2009