

Atlanta, Georgia. Herbert Munden M.D., the peer assistance program director, has monitored Dr. Gallegos' progress in the recovery program. Dr. Gallegos has signed a five year contract to participate in the peer assistance program and is subject to periodic drug screening and other requirements of the program.

5. In March, 2007, the DPS reported that Dr. Gallegos had attempted to obtain hydrocodone shortly after he had surrendered his DPS license. The DPS has filed criminal charges and a court date is pending.
6. Dr. Gallegos did not obtain the necessary 17 hours of continuing education for calendar year 2006.

Conclusions of Law

1. 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. Based on Finding of Fact 6, Dr. Gallegos has violated Rule 573.64, CONTINUING EDUCATION REQUIREMENTS, of the Board's Rules of Professional Conduct, which requires a veterinarian to annually acquire seventeen hours of acceptable CE.
3. Based on Finding of Fact 3, Dr. Gallegos has violated Rule 573.41, USE OF PRESCRIPTION DRUGS, of the Board's Rules of Professional Conduct, which prohibits the obtaining of any drugs for non-animal use and that would promote addiction.
4. Based on Finding of Fact 3, Dr. Gallegos has violated Rule 573.60, PROHIBITION AGAINST TREATMENT OF HUMANS, of the Board's Rules of Professional Conduct, which prohibits the dispensing of prescriptions medications for personal use by a human.
5. Based on Finding of Fact 3 and 5, Dr. Gallegos has violated Rule 573.4, ADHERENCE TO THE LAW, of the Board's Rules of Professional Conduct, which states that no veterinarian shall commit any act that is in violation of the laws of the State of Texas or of the United States, if the act is connected with the veterinarian's practice of medicine.
6. Based on Conclusions of Law 2 through 5, Respondent has violated Section 801.402 (6) of the Veterinary Licensing Act, Texas Occupations Code, and is subject to disciplinary action by the Board:
801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR DISCIPLINARY ACTION. A person is subject to denial of a license or to disciplinary action under Section 801.401 if the person:
(6) engages in practices or conduct that violates the board's rules of professional conduct.

7. Based on Conclusions of Law 1 through 6, Respondent may be disciplined in accordance with the provisions of Section 801.401 of the Veterinary Licensing Act.

NOW, THEREFORE, THE BOARD AND RESPONDENT AGREE AS FOLLOWS:

The Board ORDERS that Respondent pay, within 45 days of the date of this Order, an ADMINISTRATIVE PENALTY of FIVE HUNDRED DOLLARS (\$500.00). If Respondent fails to pay the civil penalty within 45 days of the date of this Order, Respondent's license shall be suspended until the penalty is paid.

The Board further ORDERS that Respondent be formally REPRIMANDED.

The Board further ORDERS that Respondent's license to practice veterinary medicine be SUSPENDED for a period of 60 months. Such suspension shall be STAYED and the suspension shall be PROBATED for the entire 60 months.

The Board further ORDERS that Respondent continue to participate in the Board's peer assistance program for the duration of the five-year contract period (contract date: November 8, 2006). Such participation shall include period drug testing. The Respondent shall promptly report to the Board any anomalies revealed in the drug testing program.

The Board further ORDERS that:

1. Respondent shall abide by the Rules of Professional Conduct, the Texas Veterinary Licensing Act and the laws of the State of Texas and the United States.
2. Respondent shall cooperate with the Board's attorneys, investigators, compliance officers and other employees and agents investigating Respondent's compliance with this order.
3. Failure by Respondent to comply with the terms of this Agreed Order or with any other provision of the Act or the Board Rules, may result in further disciplinary action.

Respondent, by signing this Agreed Order, acknowledges his understanding of the Agreed Order, the notice, Findings of Fact and Conclusions of Law herein set forth, and agrees that he will satisfactorily comply with the mandates of the Agreed Order in a timely manner or be subject to appropriate disciplinary action by the Board.

Respondent, by signing this Agreed Order, waives his right to a hearing and any right to seek judicial review of this Order. Respondent acknowledges that he is entitled to be represented by an attorney of Respondent's choice at his expense in any proceeding before the Board.

Agreed Order 2007-28
Eric Gallegos, D.V.M.
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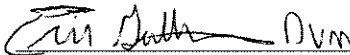
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TEXAS STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. NOTHING IN THIS ORDER SHALL BE DEEMED A WAIVER OF RESPONDENT'S RIGHTS UNDER STATUTE OR UNDER THE UNITED STATES OR TEXAS CONSTITUTIONS TO APPEAL AN ORDER OR ACTION OF THE BOARD SUBSEQUENT TO THIS AGREED ORDER EXCEPT AS RESPONDENT MAY HAVE OTHERWISE AGREED TO HEREIN. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

The date of this Agreed Order shall be the date it is adopted by the Texas Board of Veterinary Medical Examiners.

I, ERIK GALLEGOS, D.V.M., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THAT THIS ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

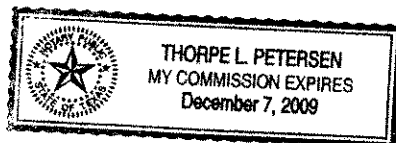

Eric Gallegos, D.V.M.


5-07-07
DATE

STATE OF TEXAS
COUNTY OF Brewer

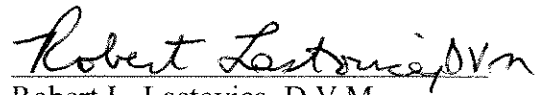
BEFORE ME, on this day, personally appeared Erik Gallegos, D.V.M., known to me to be the person whose name is subscribed to the foregoing Agreed Order, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this 4th day of May, 2007.




Notary Public

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 14th day of June, 2007.


Robert L. Lastovica, D.V.M.
President of the Board