

325-698-3090
325-823-2382

DOCKET NO. 2006-64

IN THE MATTER OF § TEXAS STATE BOARD OF
THE LICENSE OF §
PATRICK GRIFFIN, D.V.M. § VETERINARY MEDICAL EXAMINERS

AGREED ORDER

On this the 12th day of October, 2006 came on to be considered by the Texas State Board of Veterinary Medical Examiners ("Board") the matter of the license of PATRICK GRIFFIN, D.V. M ("Respondent"). Pursuant to Section 801.408, Texas Occupations Code and Board Rule 575.27, an informal conference was held on August 31, 2006. The Respondent attended the conference without counsel. The Board was represented at the conference by the Board's Enforcement Committee.

Respondent, without admitting the truth of the findings and conclusions set out in this Agreed Order, wishes to waive a formal adjudicative hearing and thereby informally dispose of the issues without a formal adjudication. Respondent agrees to comply with the terms and conditions set forth in this Order. In waiving an adjudicative hearing, Respondent acknowledges his understanding of the alleged violations and the adequacy and sufficiency of the notice given to him.

Upon the recommendation of the Enforcement Committee and with Respondent's consent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order as set forth below.

Findings of Fact

1. On December 1, 2005, the Board received a complaint from Carol Geisselbrecht, Temple, Texas, concerning the boarding and treatment of her dogs "Lucky" and "Moocher" by Patrick Griffin, Griffin Animal Hospital, Temple, Texas. (Note: Details of the complaint are vague and Dr. Griffin has given the Board's investigator an oral recollection of the case but has not supplied a narrative response and patient records.) Dr. Griffin has closed his Temple practice and reportedly practices as a relief veterinarian in Abilene.
2. Ms. Geisselbrecht boarded her dogs "Lucky" and "Moocher" at the Griffin Animal Hospital in November 2005. After about nine days of boarding, Ms. Geisselbrecht visited the dog at the clinic and observed that "Lucky" had apparently lost weight and appeared listless. Dr. Griffin told Ms. Geisselbrecht that the dog's kidneys were apparently failing and there was nothing he could do. Ms. Geisselbrecht picked up "Lucky" and presented him to another veterinarian (not identified) who treated the dog for a kidney infection and pressure sores. The dog eventually recovered.

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3. Since "Moocher" was diabetic, Ms. Geisselbrecht left insulin and instructions for use, and was told by the clinic staff that the dog would be exercised and fed an appropriate diet while Ms. Geisselbrecht was gone. After about nine days of boarding, Ms. Geisselbrecht went to the clinic and was told by Dr. Griffin that "Moocher" had died about three days after boarding had begun. No explanation of the dog's death was offered. Ms. Geisselbrecht suspected that the dog had not been given his insulin and the care promised during boarding.

4. Dr. Griffin did not produce any records relating to the two dogs' conditions and care during boarding. Dr. Griffin reported that he had closed his clinic in Temple and is now working as a relief veterinarian in Abilene. His old clinic building in Temple was taken over by the bank and during the transfer of ownership the bank had destroyed his patient records left in the building.

5. Due to lack of records, there is insufficient evidence on which to determine the adequacy of care of the two dogs by Dr. Griffin.

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 4, Respondent has violated Rule 573.52, PATIENT RECORD KEEPING, of the Board's Rules of Professional Conduct, which requires that individual patient records be maintained at the veterinarian's place of business and be retained for a period of three years.

3. Based on Conclusions of Law 1 and 2, 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.

4. Based on Conclusions of Law 1 through 3, Respondent is subject to disciplinary action under Section 801.401 of the Veterinary Licensing Act, Texas Occupations Code:

801.401. DISCIPLINARY POWERS OF BOARD. (a) If an applicant or license holder is subject to denial of a license or to disciplinary action under Section 801.402, the Board may:

- (1) refuse to examine an applicant or to issue or renew a license;
- (2) revoke or suspend a license;
- (3) place on probation a license holder or person whose license has been

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- suspended;
- (4) reprimand a license holder; or
- (5) impose a civil penalty.

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

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that PATRICK GRIFFIN, D.V.M., be INFORMALLY REPRIMANDED.

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 provisions of the Licensing 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, and Findings of Fact and Conclusions of Law herein set forth herein, 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.

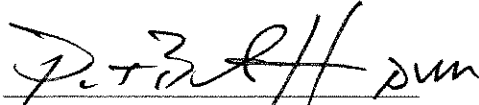
Respondent, by signing this Agreed Order, waives his right to a formal hearing and any right to seek judicial review of this Agreed Order. Respondent acknowledges that he is not represented by legal counsel in this matter.

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 effective date of this Agreed Order shall be the date it is adopted by the Board.

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I, **PATRICK GRIFFIN, D.V.M.**, HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND 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.


Patrick Griffin D.V.M.

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Date

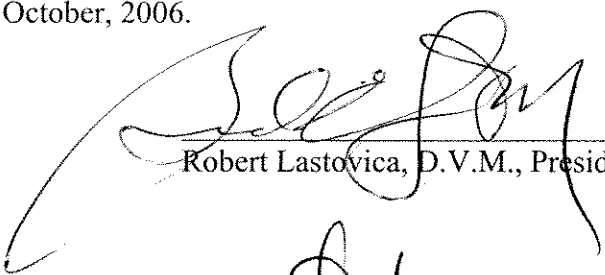
STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, on this day, personally appeared PATRICK GRIFFIN, D.V.M., known to me as the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purposes stated therein.

Given under the hand and seal of office this _____ day of _____, 2006.

Notary Public

SIGNED AND ENTERED by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS on this the 12th day of October, 2006.


Robert Lastovica, D.V.M., President

Witnessed
by

