



COMMONWEALTH of VIRGINIA

Robert A. Nebiker
Director

Department of Health Professions
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August 8, 2005

William L. Boyce, DVM
Boyce-Holland Veterinary Services
P.O. Box 399
Patrick Springs, VA 24133-0399

Certified Article Number

7160 3901 9848 3153 6291

SENDERS RECORD

Dear Dr. Boyce:

Enclosed is a Copy Teste of the final Order of the Virginia Board of Veterinary Medicine which was entered on August 8, 2005. The \$5000 monetary penalty is due by September 8, 2005 and should be made payable to the Treasurer of Virginia. Please mail the payment to Susan Beasecker, Enforcement Division, 6603 W. Broad St., 5th Floor, Richmond, VA 23230

If you have any questions, please call Susan Beasecker at 804/662-9018.

Sincerely,

Elizabeth A. Carter, Ph.D.
Executive Director

cc: Cynthia Gaines, Administrative Proceedings Division
Susan Beasecker, Compliance
Board members
Michael Goodman, Esq.

enclosure

VIRGINIA:

BEFORE THE BOARD OF VETERINARY MEDICINE

IN RE: WILLIAM L. BOYCE, D.V.M.
License No.: 0301-001570
Complaint No.: 97354

ORDER

Pursuant to § 54.1-110, § 2.2-4020, and § 2.2-4021 of the Code of Virginia (1950), as amended, a formal administrative hearing was convened before the Virginia Board of Veterinary Medicine ("Board"), on July 27, 2005, in Roanoke, Virginia. The purpose of the formal hearing was to receive and act upon evidence that Dr. Boyce may have violated certain laws relating to the practice of veterinary medicine. These matters are more fully set forth in a Notice of Hearing and Statement of Particulars dated June 13, 2005.

Pursuant to § 2.2-4020, § 2.2-4021 and § 54.1-2400(11) of the Code, the hearing was held before a quorum of the Board with the president of the Board presiding. The proceedings were recorded by a certified court reporter. Frank Pedrotty, Senior Assistant Attorney General presented the case to the Board. Emily O. Wingfield, Assistant Attorney General, was present as legal counsel for the Board. Dr. Boyce was present at the formal administrative hearing and represented by Michael Goodman, Esquire.

FINDINGS OF FACT

Upon consideration of the evidence and testimony presented, the Board adopts the following Findings of Fact:

1. William L. Boyce, D.V.M., holds license number 0301-001570 issued by the Board to practice veterinary medicine in the Commonwealth of Virginia. Said license will expire on December 31, 2005, unless renewed.
2. On May 31, 2004, Client A presented to Dr. Boyce's practice with "Snookums" a feline who had been hit by a car. Dr. Boyce examined and took x-rays of Snookums, and diagnosed

William L. Boyce, D.V.M.

her with being hit by a car and chest trauma. Dr. Boyce also recorded severe dyspnea but took inadequate steps to identify the cause and stabilize the condition. He failed to administer oxygen and perform a packed cell volume. The radiograph was not of diagnostic quality and precluded a definitive diagnosis. Further, Dr. Boyce documented that the cat was in pain, but he failed to treat the pain.

3. Dr. Boyce administered rabies and distemper vaccinations to Snookums on May 31, 2004. Said administration was contrary to sound medical judgment due to the diagnoses of chest trauma and severe dyspnea.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board concludes that:

1. Finding of Fact # 2 constitute a violation of § 54.1-3807 (3) and (5) of the Code, and 18 VAC 150-20-140(7) of the Regulations of the Board of Veterinary Medicine and Term #4 of the Order entered December 3, 2003.

ORDER

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

1. Dr. Boyce shall be assessed a MONETARY PENALTY of Five Thousand Dollars (\$5000.00), said penalty is to be paid to the Board by certified check or money order within thirty (30) days from the date that this Order is final. 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 Order shall constitute grounds for an administrative proceeding.

2. The License of Dr. Boyce to practice veterinary medicine shall hereby be SUSPENDED INDEFINITELY, with the suspension STAYED upon compliance with the following terms and conditions:

- a. Dr. Boyce's license is continued on PROBATION for not less than three (3) years from December 3, 2003.
- b. Dr. Boyce shall comply with the terms and conditions of the Order of the Board entered December 3, 2003, with Term 1 of the Order of December 3, 2003 being amended to require that ten (10) of the twenty-five (25) records selected shall include radiographs.
- c. Dr. Boyce 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 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 William L. Boyce, D.V.M., and an administrative proceeding shall be convened to determine whether Dr. Boyce's license to practice veterinary medicine in the Commonwealth shall be suspended or revoked.

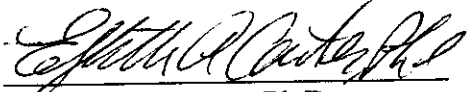
As provided by Rule 2A:2 of the Supreme Court of Virginia, William L. Boyce, D.V.M., has thirty (30) days from the date he actually receives this decision or the date it is mailed to him/her, whichever occurs first, within which to appeal this decision by filing a Notice of Appeal with Elizabeth A. Carter, Ph.D., Executive Director, Virginia Board of Veterinary Medicine. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code of Virginia, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and

William L. Boyce, D.V.M.

shall be made available for public release, inspection and copying upon request.

FOR THE BOARD:




Elizabeth A. Carter, Ph.D.
Executive Director

ENTERED: August 8, 2005

William L. Boyce, D.V.M.

Certificate of Service

I hereby certify that a true copy of the foregoing Order was mailed to William L. Boyce, D.V.M., at Boyce-Holland Veterinary Hospital, P. O. Box 399, Patrick Springs, Virginia 24133, and Michael L. Goodman, Esquire, Goodman Allen & Filetti, PLLC, 4501 Highwoods Parkway, Suite 210, Glen Allen, Virginia 23060, on the 8TH day of August, 2005.



Elizabeth A. Carter, Ph.D.
Executive Director
Board of Veterinary Medicine