

VIRGINIA:

BEFORE THE BOARD OF VETERINARY MEDICINE

**IN RE: TAYLOR D. LYNE, D.V.M.
Testing No. 0301-006581 T**

CONSENT ORDER

Pursuant to §§ 9-6.14:11, 54.1-110 and 54.1-2400(8) of the Code of Virginia (1950), as amended, an Informal Conference Committee ("Committee") of the Virginia Board of Veterinary Medicine ("Board"), composed of Teresa K. Miller, D.V.M. and Helen M. Poland, D.V.M., met with Taylor D. Lyne, D.V.M. on August 3, 1994 in Henrico County, Virginia. Taylor D. Lyne, D.V.M. appeared in person and was represented by Ralph L. Axselle, Jr., Esquire. The purpose of the informal conference was to receive and act upon evidence concerning the allegations in the Notice of Informal Conference dated July 18, 1994.

FINDINGS OF FACT

After consideration of the evidence and statements concerning the allegations, the Committee makes the following Findings of Fact:

1. Taylor D. Lyne, D.V.M. is an applicant for licensure and holds testing number 0301-006581 T issued by the Virginia Board of Veterinary Medicine. Dr. Lyne has successfully completed all portions of the licensure examination, and is eligible for licensure to practice veterinary medicine in the Commonwealth of Virginia.

2. On or about January 20, 1994, while employed as an externe with Chester Animal Clinic ("Animal Clinic"), Chester, Virginia:

a. During the course of treatment of Lincoln, a feline owned by Client A, who was presented for a feline leukemia vaccination, examination of a sore on his side, and a neuter:

T. Lyne

(i) Dr. Lyne performed surgical procedures on Lincoln without proper identification of the animal. Further, he performed these surgical procedures without proper supervision by a licensed veterinarian.

(ii) Dr. Lyne failed to maintain adequate records regarding Lincoln's treatment, in that he failed to document the administration of anesthesia or the procedures performed.

(iii) Dr. Lyne misrepresented himself as a doctor of veterinary medicine to Client A. Specifically, he introduced himself as "Dr. Lyne" to Client A, although he had not yet received his "D.V.M." degree.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 2 constitutes violations of §§ 54.1-3805, 54.1-3807(5) of the Code of Virginia (1950), as amended, and §§ 2.3(2), 2.4(12) and 43.(A)(5) of the Regulations of the Virginia Board of Veterinary Medicine.

CONSENT

Taylor D. Lyne, 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;
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, § 9-6.14:1 et seq of the Code of Virginia;
3. He has the following rights, among others:

- a. the right to a formal fact-finding 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 hearing;
 5. He admits the truth of the above Findings of Fact; 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, Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that Taylor D. Lyne, D.V.M. be, and hereby is, granted a license to practice veterinary medicine in the Commonwealth of Virginia, subject to the following terms and conditions:

1. Taylor D. Lyne, D.V.M. shall be, and hereby is, REPRIMANDED by the Virginia Board of Veterinary Medicine.

2. The license to of Dr. Lyne practice veterinary medicine shall be placed immediately on PROBATION for a period of not less than one (1) year with the following terms and conditions:

a. Dr. Lyne must immediately inform the Board, in writing, of the location of his practice. Further, if Dr. Lyne should change the location of his practice, he shall notify the Board, in writing, within ten (10) days of the change.

b. Dr. Lyne shall not be Veterinarian-in-Charge during the probationary period.

c. Dr. Lyne shall be subject to at least one (1) unannounced inspection of his veterinary practice, to include a review treatment records. Dr. Lyne is solely responsible for the payment of a One Hundred Dollar (\$100.00) inspection fee to be paid to the Board within thirty (30) days of such inspection. If said fee is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) monetary penalty shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full fee plus the additional assessment within one hundred (100) days of each inspection shall constitute grounds for an administrative proceeding. In the event that any such inspection reveals a possible violation of the laws or regulations pertaining to the practice of veterinary medicine in Virginia, or Chapter 34 of Title 54.1, (§§ 54.1-3400 et seq) (Virginia Drug Control Act) of the Code of Virginia (1950), as amended, the Board specifically reserves the right to conduct further proceedings in this matter.

If, after the one (1) period, there are no pending investigations or unresolved allegations of a violation of law or regulation affecting the practice of veterinary medicine regarding Dr. Lyne, or if Dr. Lyne has not violated the terms and conditions of this probation, Dr. Lyne may petition the Board to be released from probation.

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

T. Lyne

Pursuant to § 9-6.14:14 of the Code of Virginia, 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:

Teresa K. Miller, DVM
Teresa K. Miller, D.V.M., President

ENTERED: 10/4/94

SEEN AND AGREED TO:

Taylor D. Lyne DVM
Taylor D. Lyne, D.V.M.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Richmond

Subscribed and sworn to before me, a Notary Public in and for the ~~city~~/county of Chestnutfield, this 17th day of August, 1994, by Taylor D. Lyne, D.V.M.

Elizabeth A. Adams
Notary Public

My Commission Expires: 9-30-95

T. Lyne

RECEIVED: Oct 7, 1994
BY: John W. Hasty
John W. Hasty, Director
Department of Health Professions

Certificate of Service

I hereby certify that a true copy of the foregoing Consent Order was mailed to Taylor D. Lyne, D.V.M. at 4601 Kingsland Road, Richmond, Virginia, 23237 on the 12th day of October, 1994.

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