

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

WEST VIRGINIA BOARD OF  
VETERINARY MEDICINE,  
Complainant,

v. Case No. 0814B

GREG EATON,  
Veterinarian License Number: 9303  
Respondent.

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CONSENT AGREEMENT AND ORDER

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After due investigation of a written complaint, the West Virginia Board of Veterinary Medicine (Board) determined that there was probable cause to believe that Greg Eaton (Respondent) has exhibited unprofessional and unethical conduct in the practice of veterinary medicine, in violation of the provisions of W. Va. Code § 30-10-1 *et seq.* and the W. Va. Code R §26-1-1 *et seq.* The Respondent was provided with written notice of the allegations against him pursuant to the rules of the Board and the laws of this State.

Now, in lieu of hearing, the parties have reached an agreement for the resolution of Case Number 0814B and the parties agree to entry of the following Order in disposition of this matter.

## FINDINGS OF FACT

The Board adopts the following findings in this matter:

1. That Greg Eaton is a licensee of the Board with license number 9303 and is subject to the license requirements of said Board. Moreover, Dr. Eaton is the co-owner of Avalon Dog and Cat Hospital.
2. The Board is a regulatory board created for the purpose of regulating the practice of veterinary medicine. W. Va. Code § 30-10-1 *et seq.*
3. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual's veterinary medicine license because of authority granted to it by W. Va. Code §§ 30-10-5 and 30-10-19.
4. That on or about August 7, 2014, the Board received a written complaint from an individual complaining of the treatment that her animal had received while in the care of the Respondent.
5. The written complaint alleged that a cat had been taken to the Respondent's veterinary practice on February 7, 2014, April 3, 2014, May 31, 2014, June 12, 2014, complaining of the same following symptoms: blood in the urine and urinating outside the litter box. Each time the problem was treated with a shot of an antibiotic except on the fourth visit the cat was given Clavamox drops to be administered twice a day; however the Complainant was unable to administer the drops, and as such, the Complainant boarded the cat with the Respondent. Then on July 31, 2014, the problem returned yet again, but with much more blood in the urine; however, the Complainant took

the cat to different veterinarian who discovered the cat had bladder stones. Successful surgery was performed by this veterinarian to remove the bladder stones.

6. Respondent did file a timely response to these allegations, and states that he did perform a physical examination of the cat on each visit and no palpable stones were revealed each time. The Respondent stated that he told the Complainant on the first visit that if the condition did not clear up, then she would need to return with the cat for x-rays. Moreover, the Respondent stated that on the fourth visit she was again told that if this condition did not clear up, then x-rays would need to be taken on the cat. However, no x-rays were ever taken by the Respondent of this cat.

7. Respondent admits that he, “[c]ertainly . . . dropped the ball in this case and should have taken a radiograph by the second or at least the third relapse. I had wrongly assumed that if stones were present, even if I couldn’t palpate them, that the blood would not have cleared up on antibiotics, and stayed away for nearly two months.”

8. That upon recommendation of the Complaint Committee, after reviewing the complaint and accompanying documents, the Board, by unanimous vote, at its Board meeting on November 11, 2014, determined there was sufficient evidence to warrant further proceedings and that further action should be taken against the licensee, Greg Eaton.

9. That the Respondent’s actions constitute conduct, practices or acts in violation of W. Va. Code § 30-10-19(g)(3) and W. Va. Code R. § 26-1-9.1.e and 4-4.2.

10. That Respondent was reprimanded by the Board on June 10, 2014, for unprofessional conduct in regards to his care and treatment of an animal.

#### CONCLUSIONS OF LAW

1. That the Board has jurisdiction to take disciplinary action against Respondent.

2. That based upon the allegations of unprofessional or unethical conduct set out above in the *Findings of Fact* section, the Board is authorized to suspend, revoke or otherwise restrict the license of the Respondent to practice veterinary medicine, pursuant to W. Va. Code § 30-10-19.

3. That the Board has defined unprofessional conduct by adopting the standards of practice at W. Va. Code R §26-4-1 *et seq.* and violations of these standards of practice may be grounds for disciplinary action by the Board pursuant to W. Va. Code § 30-10-19(g)(3).

4. That the Board served a *Complaint* upon the Respondent pursuant to the laws and regulations of West Virginia.

#### CONSENT OF LICENSEE

I, Greg Eaton, by affixing my signature hereto, acknowledge the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.

3. That I acknowledge that I am aware that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights regarding this matter, but intelligently, knowingly and voluntarily waive such rights.

4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. That I admit that my actions were unprofessional and a violation of the Rules of the Board.

The Respondent, Greg Eaton, by affixing his signature hereon, agrees to the following:

ORDER

On the basis of the foregoing, the Board does hereby ORDER and DECREE that:

1. Respondent's license to practice is hereby SUSPENDED for a period of ninety (90) days for his actions in this matter effective upon entry of this *Consent Agreement and Order*.

2. Respondent shall reimburse the Board for the costs of these proceedings, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case. This reimbursement shall be paid within ninety (90) days from the entered date of this *Consent Agreement and Order*.

4. Any violation of this *Consent Agreement and Order*, or failure to adhere to its terms may result in the immediate suspension of the Respondent's license.

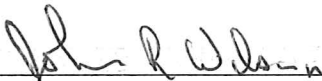
5. The Board is bound by agreement and by law to report the results of all disciplinary actions, including the instant matter, for posting in the AAVSB Veterinary Practitioners Disciplinary Database.

6. That this document is a public record as defined in W. Va. Code § 29B-1-2(4).

7. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

In recognition of this *Consent Agreement and Order* and these terms, we hereby affix our signatures.

WEST VIRGINIA BOARD OF  
VETERINARY MEDICINE

By:   
JOHN R. WILSON, DVM  
CHAIRMAN

Entered: 1/1/15  
DATE

Reviewed and agreed to by:

  
Greg Eaton, Respondent

12/31/14  
DATE