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BEFORE THE
VETERINARY MEDICAL EXAMINING BOARD
STATE OF OREGON

D.O.J. GENERAL COUNSEL
STATE OF OREGON

In the Matter of the License to) ORDER OF EMERGENCY
Practice Veterinary Medicine of) LICENSE SUSPENSION
) AND NOTICE OF OPPORTUNITY
Daniel G.Koller, D.V.M.,) FOR HEARING
Licensee.)
_____)

This matter having come before the Veterinary Medical Examining Board (Board) on October 6, 2008 for consideration of the entry of an Order of Emergency License Suspension suspending the veterinary license of Daniel G. Koller, DVM, (Licensee) pending the conclusion of the Board's investigation and disciplinary proceeding in the above-captioned matter, and the Board being fully advised makes the following Findings of Fact, Conclusion and Order.

FINDINGS OF FACT

1. At all relevant times, Daniel G. Koller, DVM has been licensed to practice veterinary medicine under ORS 686.020.

2. On May 14, 2004, after having been arrested and charged in California for illegal use of controlled substances (Telazol), Licensee entered into a stipulated agreement with the California Veterinary Board, in which Licensee agreed to conditions, including ongoing treatment during the probation period and providing quarterly treatment progress reports.

3. On March 2, 2005, Licensee entered into a stipulation with the

1 Board in which he agreed to comply fully with the terms and conditions of
2 the California Veterinary Board's Stipulated Settlement.

3 4. On September 28, 2007 in Clackamas County Circuit Court, Licensee
4 pled no contest to Driving Under the Influence of Intoxicants (DUII) and
5 agreed to enter a substance abuse diversion program.

6 5. On October 24, 2007, the California-Veterinary Board issued an
7 Accusation and Petition to Revoke Probation against Licensee for failure to
8 obtain ongoing medical treatment and provide quarterly reports as required
9 in his earlier stipulated agreement.

10 6. On June 19, 2008, the Board received a complaint alleging that
11 Licensee practiced veterinary medicine while impaired, i.e., sedated and
12 anesthetized animals while in an apparently physically incapacitated state;
13 was unable to stand upright and carry on a conversation; caused damage to
14 animals; fell asleep while performing surgery; and that Licensee had been
15 arrested on suspicion of drunk driving.

16 7. On July 21, 2008, the California Veterinary Board issued an
17 Amended Accusation and Petition to Revoke Probation against Licensee,
18 revoking his license.

19 8. On July 27, 2008 the Board obtained a police report from the
20 Oregon State Police which stated that on January 18, 2007, Licensee was
21 observed to be driving erratically and showing signs of extreme impairment.
22 Two hypodermic needles including a syringe containing blood were found on
23 the center console of Licensee's vehicle, and there were recent injection
24 sites on both of Licensee's arms. Licensee told officers that he was on his
25 way to a clinic to perform surgery. Licensee was administered, Field
26 Sobriety Tests, which he failed. Licensee was then arrested and charged

1 with DUII. Licensee volunteered a urine sample and tested positive for
2 morphine. Licensee was administered the Drug Influence Evaluation, which
3 concluded he was under the influence of a narcotic.

4 9. On September 12, 2008, the Board issued an Order requiring
5 Licensee to undergo a physical, mental and chemical addiction evaluation to
6 determine if he could practice veterinary medicine safely and to assess the
7 risk of harm to animals resulting from his alleged illegal use of controlled
8 drugs.

9 10. On September 27, 2008, the Board received a psychiatric evaluation
10 performed on Licensee on September 15, 2008. The evaluation provided the
11 following information:

12 a. Licensee admitted during an intake evaluation at a rehab
13 clinic that he has used Telazol since the age of thirty-four, and he has not
14 attempted to quit.

15 b. On February 19, 2002, Licensee was on the telephone with a
16 client who raised concerns that he did not sound right. Emergency medical
17 service providers were called and found him confused with slurred speech
18 and fresh needle tracks in his right antecubital fossa.

19 c. The evaluator determined that Licensee suffered from an
20 antisocial condition and sedative and hypnotics abuse and intoxication
21 (Telazol).

22 d. The evaluator concluded that Licensee was unfit to practice
23 veterinary medicine.

24 11. On October 6, 2008, the Board voted to issue Licensee this Notice
25 of Emergency Suspension
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CONCLUSION


Based on the above findings, the Board concludes that Licensee's Habitual illegal use of controlled substances and history of evading Monitoring and treatment requirements violated the statutes and rules of The Board, and Licensee poses a serious danger to the public health and Safety unless his license is immediately suspended pursuant to ORS 183.430 (2)

ORDER

IT IS HEREBY ORDERED that the license of Daniel G. Koller, DVM is suspended Effective immediately upon the execution of this document and shall remain Suspended pending further order of the Board.

Dated this 7th day of October, 2008.

VETERINARY MEDICAL EXAMINING BOARD
FOR THE STATE OF OREGON


By: Lori Makinen, Executive Director

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2. To have a hearing, you must request one in writing within 90 days of the date this Order is mailed to you. If you request a hearing, one will be scheduled as soon as practicable before a hearing officer to review this matter. Following a hearing, the Board will determine whether this Order should be affirmed, altered or revoked.

4. If you request a hearing, you are entitled to appear at the hearing, to be represented by counsel, to testify and to call witnesses on your behalf.

PAGE 5 (ORDER OF EMERGENCY LICENSE SUSPENSION AND NOTICE (Daniel G. Koller, D.V.M.,)