

**BEFORE THE
VETERINARY MEDICAL BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Citation Against:

Michelle Cochran

Respondent

Citation No. 2021-19

CITATION

Complainant alleges:

PARTIES

1. Jessica Siefertman ("Complainant") brings this Citation solely in her official capacity as the Executive Officer of the Veterinary Medical Board ("Board"), Department of Consumer Affairs, State of California.
2. The Board's records fail to reveal that Michelle Cochran ("Respondent") has not been issued a veterinarian license.
3. The Board's records fail to reveal that HiCaliber Horse Rescue has been issued a premises registration.

STATUTORY PROVISIONS

4. Business and Professions Code (BPC) sections 125.9, 148, and 4875.2 and California Code of Regulations (CCR), title 16, section 2043 authorize the Executive Officer of the Board to issue citations containing orders of abatement and/or administrative fines against a licensee of the Board, or to an unlicensed person, who has committed any acts or omissions in violation of the Veterinary Medicine Practice Act (Act).
5. BPC section 4825 provides that it is unlawful for any person to practice veterinary medicine or any branch thereof in this State unless at the time of so doing, such person holds a valid, unexpired, and unrevoked license as provided

in the Act. A person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when he or she performs any act set forth in BPC section 4826, including representing himself or herself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches.

6. BPC section 4826 (c) provides, in relevant part, a person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when he or she performs any act set forth in BPC section 4826, including administering a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of animals.
7. BPC section 4853 requires all premises, including a building, kennel, mobile unit, or vehicle, where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof are being practiced to be registered with the Board.

CAUSE FOR CITATION

8. On or about August 10, 2017 through November 18, 2017, Respondent administered the scheduled IV controlled substance, Butorphanol, to equine patients one hundred thirty seven (137) times without a valid California veterinary license. Such unlicensed conduct constitutes a violation of BPC 4825 as defined in BPC 4826(c).
9. On or about August 10, 2017 through November 18, 2017, Respondent administered the scheduled IV controlled substance, Butorphanol, to equine patients one hundred thirty seven (137) times at HiCaliber Horse Rescue without a valid premise permit. Such unlicensed conduct constitutes a violation of BPC 4853.

DETERMINATION OF ISSUES **CAUSE OF ACTION**

10. Violations exist pursuant to BPC section 4825 as defined in BPC 4826(c), as set forth above in Paragraph 8. A cause of action thereby exists.
11. Violations exist pursuant to BPC section 4853, as set forth above in Paragraph 9. A cause of action thereby exists.

PENALTY

12. In compliance with BPC sections 148 and 4875.2 and CCR, title 16, section 2043, it is determined that:

Respondent be cited for a Class "C" violation in the amount of \$5,000 for the

Cause for Citation, based upon a determination that the above-described facts set forth in paragraph 8 constitute a violation of BPC section 4825 as defined in BPC 4826(c).

Respondent be cited for a Class "C" violation in the amount of \$5,000 for the Cause for Citation, based upon a determination that the above-described facts set forth in paragraph 9 constitute a violation of BPC section 4853.

13. In compliance with BPC sections 125.9 and 4875.2, and CCR, title 16, section 2043, subdivision (c), the total penalty for the above violations is \$10,000. However, pursuant to BPC section 125.9(b)(3) in no event shall the administrative fine assessed by the Board exceed \$5,000.00. Therefore, total fine amount due to the Board is \$5,000.00.

ORDER OF ABATEMENT

The Board hereby orders Respondent to cease and desist from violating BPC sections 4825 as define in BPC 4826, subdivision(c), and 4853.

September 24, 2021

DATE

SIGNATURE ON FILE

JESSICA SIEFERMAN
Executive Officer
Veterinary Medical Board
Department of Consumer Affairs
State of California