

**BEFORE THE MINNESOTA  
BOARD OF VETERINARY MEDICINE**



In the Matter of  
Kenneth L. Greiner, D.V.M.  
License No. C3967

**AGREEMENT FOR  
CORRECTIVE ACTION**

This Agreement for Corrective Action (“Agreement”) is entered into by and between Kenneth L. Greiner, D.V.M. (“Licensee”), and the Complaint Review Committee (“Review Committee”) of the Minnesota Board of Veterinary Medicine (“Board”) pursuant to the authority of Minn. Stat. § 156.127, subd. 2, and § 214.103, subd. 6(a). Licensee and the Review Committee hereby concur that this Agreement shall be based on the following:

**A. FACTS**

1. On June 29, 1967, Licensee became licensed as a veterinarian in Minnesota.
2. Licensee conducts a veterinary practice in Elbow Lake, Minnesota.
3. A prospective buyer (JD) contracted with Licensee to perform a prepurchase examination of a Quarter Horse, Diesel.
4. The Board received a complaint alleging that Licensee failed to fully disclose Diesel’s conformation issues and cryptorchid status to JD, as JD had requested to be included in the prepurchase examination.
5. Licensee assured JD verbally and in writing that Diesel was structurally sound. On the basis of Licensee’s recommendation, JD purchased Diesel.
6. Licensee failed to inform the client or document in the medical records any of the abnormalities he observed during the course of his examination of Diesel.

7. Licensee failed to provide JD radiographs and photographs taken of Diesel during the prepurchase examination in a timely manner, precluding the assessment of these images for determination of suitability for the horse's intended use.

8. Upon delivery of the horse, JD noted that two of Diesel's legs were clearly crooked, an observation that was confirmed by subsequent examination conducted by JD's veterinarian. This veterinarian also noted that Diesel was a cryptorchid, a structural abnormality.

9. On October 9, 2013, Licensee met with the Review Committee, composed of Board members Ronald Swiggum, D.V.M., and David Richter, to discuss allegations made in a Notice of Conference dated September 24, 2013. Gregory J. Schaefer, Assistant Attorney General, represented the Review Committee at the conference. Julia Wilson, D.V.M., Executive Director of the Board, also attended the conference.

#### **B. CORRECTIVE ACTION**

10. Based on the available information and discussion at the conference, under Minn. Stat. § 156.081, subd. 2(12) (unprofessional conduct), and Minn. R. 9100.0800, subp. 1 (general standard of practice), and subp. 4 (recordkeeping), Licensee and the Review Committee have agreed to enter into this Agreement for Corrective Action as follows:

a. Within three months of the date of this Agreement, Licensee shall submit to the Review Committee evidence of completion of at least five hours of continuing education on the topics of veterinary medical records, veterinary law, and ethics. Licensee shall submit written documentation, such as measurable learning objectives and qualifications of the instructor, in order to receive preapproval from the Review Committee of classes Licensee takes in fulfillment of this requirement. For purposes of this requirement, the Review Committee will

approve modules 6 and 7 of the “*Online Veterinary Law and Ethics Course*” offered by James F. Wilson, D.V.M., J.D.

b. Within three months of the date of this Agreement, Licensee will identify a minimum of three hours of education courses pertaining to equine prepurchase examinations, physical examinations, and legal aspects of equine medical records. Licensee will submit the following information to the Review Committee for preapproval: the name of the meeting(s), course(s), date(s), and speaker(s). Approved education courses for this purpose must be completed within six months of their approval. These three hours will not apply to the continuing education requirements for Licensee’s next license renewal.

c. Within six months of the date of this Agreement, Licensee will spend a minimum of six hours observing two prepurchase examinations for performance horses that are conducted by a veterinarian who is a diplomate of the American College of Veterinary Surgeons. This veterinarian must agree, in writing, to mentor Licensee throughout the prepurchase examination, and the written agreement must be sent to the Review Committee prior to the arranged observation(s) of prepurchase examinations. Licensee will note the format of the medical record that is created and discuss the images that are obtained for assessment of soundness and conformation during the examination with the veterinarian performing the prepurchase examination.

d. Within 12 months of the date of this Agreement and completion of the corrective actions above, Licensee will submit to the Review Committee examples of medical records of three prepurchase examinations for review and approval.

### **C. OTHER INFORMATION**

11. Licensee has been advised by Review Committee representatives that Licensee may choose to be represented by legal counsel in this matter. Although aware of this opportunity, Licensee has elected not to be represented by counsel.

12. Upon Licensee's satisfactory completion of the corrective action referred to above, the Review Committee agrees to dismiss the complaint concerning the matters referred to in the facts above. Licensee agrees that the Review Committee shall be the sole judge of satisfactory completion. Licensee understands that if, after dismissal, the Review Committee receives additional complaints alleging conduct similar to that referred to in the facts above, the Review Committee may reopen the dismissed complaints.

13. If Licensee fails to complete the corrective action satisfactorily or if the Review Committee receives additional complaints alleging conduct similar to that referred to in the facts above, the Review Committee may, in its discretion, reopen the investigation and proceed according to Minn. Stat. chs. 14, 156, and 214. Licensee agrees that failure to complete corrective action satisfactorily constitutes failure to cooperate under Minn. Stat. § 156.123 and may subject Licensee to disciplinary action by the Board.

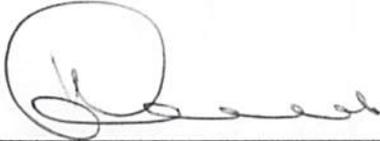
14. Licensee shall be responsible for all costs incurred as a result of compliance with this Agreement.

15. The effective date of this Agreement shall be the date it is executed by the Review Committee. The Agreement shall remain in effect until the Review Committee dismisses the complaint unless the Review Committee receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Review Committee may, in its discretion, proceed according to Minn. Stat. chs. 14, 156, and 214.

16. Licensee understands this Agreement does not constitute disciplinary action. Licensee further understands and acknowledges this Agreement and the dismissal letter issued upon successful completion of the corrective action are classified as public data pursuant to Minn. Stat. § 13.41, subd. 5.

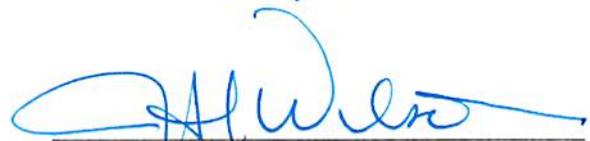
17. Licensee hereby acknowledges that he has read and understands this Agreement and has voluntarily entered into it. This Agreement contains the entire agreement between the Review Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

Dated: 2/11/14



KENNETH L. GREINER, D.V.M.  
Licensee

Dated: 2/18/14



JULIA H. WILSON, D.V.M.  
Executive Director  
For the Complaint Review Committee