

STATE OF MINNESOTA
BOARD OF VETERINARY MEDICINE

In the Matter of Karen Jackson

CONSENT CEASE AND DESIST ORDER

TO: Karen Jackson, Hound Dog Pet Hotel, 13013 Valley View Road, Eden Prairie, MN 55346

The Board of Veterinary Medicine ("Board") has determined as follows:

1. Karen Jackson ("Respondent") is an owner of Hound Dog Pet Hotel, a pet boarding facility located at 13013 Valley View Road, Eden Prairie, MN 55346.
2. Respondent is not currently and never has been licensed to practice veterinary medicine in the State of Minnesota.
3. Minnesota Statutes section 156.12, subd. 1 defines the practice of veterinary medicine as follows:

The practice of veterinary medicine . . . shall mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique.

(Emphasis added.)

4. Minnesota Statutes section 156.12, subd. 3 provides that "[a]ny person who sells or offers to apply, any prescription drug, biologic preparation, including sera, vaccines, bacterins, tuberculin, mallein, johnin, or any other agent for the treatment, vaccination, or testing of any animal belonging to another, shall be engaged in the practice of veterinary medicine."

5. The Complaint Review Committee ("Committee") of the Board has advised Respondent that it is prepared to commence formal action against her pursuant to Minn. Stat. §§ 156.15 and/or 214.11 (2004) based on allegations that she engaged in the practice of veterinary medicine in the State of Minnesota without a license, in violation of Minn. Stat. §§ 156.10 and 156.12 (2004), by the following conduct:

a. In about September 2003, the Board obtained information that Respondent had been vaccinating dogs owned by others. Based on this information, the Board's executive director sent Respondent a letter containing the definition of the practice of veterinary medicine set forth in Minn. Stat. § 156.12, subd. 1, advising Respondent that providing and administering vaccinations to an animal that belongs to another constitutes the practice of veterinary medicine as defined in Minn. Stat. § 156.12 and informing Respondent that she must immediately cease offering, providing and administering vaccinations to all animals.

b. In about October 2004, a person who had boarded her dog at Hound Dog Pet Hotel in the past called the facility when her dog needed a Bordetella vaccination and was told that Hound Dog Pet Hotel provided Bordetella vaccinations. Subsequently, this person's dog received a Bordetella vaccination at Hound Dog Pet Hotel.

c. On January 4, 2005, an investigator for the Board interviewed Respondent. Respondent told the investigator that she carries Bordetella vaccine at Hound Dog Pet Hotel and has administered it to animals owned by others. Respondent stated that she was unaware that administration of Bordetella vaccine constituted the practice of veterinary medicine.

6. Respondent acknowledges that she has been advised of her rights to a hearing or trial in this matter, to present argument to the Board or court and to appeal from any adverse

determination after a hearing or trial, and Respondent waives those rights. Respondent further acknowledges that she has been advised by Board representatives that she may be represented by legal counsel in this matter and has knowingly and voluntarily waived this right.

7. Without admitting the allegations, Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2004) and Minn. R. 1400.5900 (2003).

8. Respondent agrees that if any violations of this Consent Cease and Desist Order occur, the Board shall be authorized to impose a civil penalty against Respondent of up to \$1,000 per violation in addition to any other remedies provided by law. Before imposing such a penalty, the Committee must provide Respondent with notice of the alleged violations and must further provide Respondent 30 days during which she may request a hearing at the Minnesota Office of Administrative Hearings to challenge the allegations.

9. Respondent understands that this Consent Cease and Desist Order is classified as a public document in accordance with the Minnesota Government Data Practices Act, Minn. Stat. ch. 13.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 156.15 (2004), that Respondent shall cease and desist from:

a. Engaging in any activity that constitutes the practice of veterinary medicine as defined in Minn. Stat. § 156.12, subs. 1 and 3, including, but not limited to, administering vaccines to any animal she does not own, whether or not Respondent receives payment for such services.

b. Directing, authorizing or allowing any employee or agent of Hound Dog Pet Hotel to vaccinate any animal owned by another or to engage in any other activity that constitutes the practice of veterinary medicine.

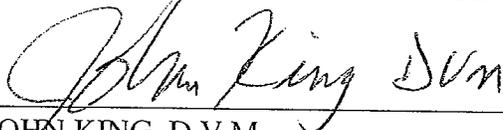
IT IS FURTHER ORDERED, that if any violations of this Consent Cease and Desist Order occur, the Board shall be authorized to impose a civil penalty against Respondent of up to \$1,000 per violation in addition to any other remedies provided by law in accordance with the terms set forth in paragraph 8 above.

IT IS FURTHER ORDERED, that this Consent Cease and Desist Order shall remain in effect until such time as it is modified or vacated by the Board.

This Order shall be effective upon signature on behalf of the Board.

Dated: 3-24-05

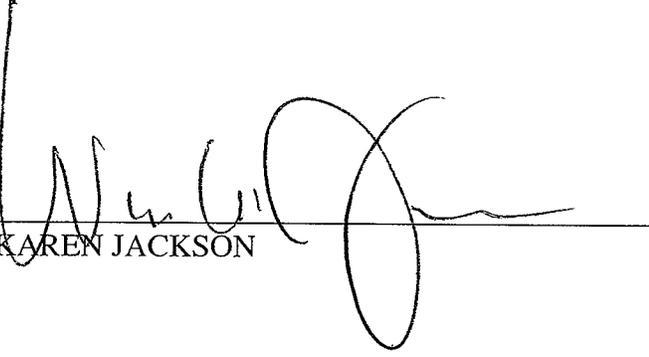
BOARD OF VETERINARY MEDICINE

By: 
JOHN KING, D.V.M.
Executive Director

CONSENT TO ENTRY OF ORDER

The undersigned states that she has read this Consent Cease and Desist Order; that she knows and fully understands its contents and effect; that she has been advised of her right to a hearing; that she has been advised of her right to be represented by legal counsel in this matter and has knowingly and voluntarily waived this right; and that she consents to entry of this Consent Cease and Desist Order by the Board of Veterinary Medicine. This Consent Cease and Desist Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either expressed or implied.

Dated: 3/17/05


KAREN JACKSON

AG: #1367629-v1