

**BEFORE THE MINNESOTA  
BOARD OF VETERINARY MEDICINE**

In the Matter of  
Garren Jay Kelly, D.V.M.  
License No. 7803

**AGREEMENT FOR  
CORRECTIVE ACTION**

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

**FACTS**

1. On June 1, 2003, Licensee became licensed as a veterinarian in Minnesota.
2. At all times relevant to these allegations, Licensee practiced veterinary medicine at Meadow View Veterinary Clinic (“Clinic”) located in Byron, Minnesota.
3. Between April 16, 2013 and July 23, 2015, Licensee provided veterinary services to Cassie, a 12.5 year old Schipperke mix dog, owned by S.R.
4. On April 16, 2013, the following occurred:
  - a. Cassie presented to the Clinic; Licensee diagnosed Cassie’s medical issues as chronic renal insufficiency.
  - b. Licensee failed to address other abnormalities in Cassie’s blood chemistry profile.
5. At subsequent office visits, Licensee did not recommend reassessment of Cassie’s urinary system as would be indicated for Licensee’s diagnosis of chronic renal insufficiency.

6. Licensee failed to meet minimum standards for medical record keeping. One or more of Licensee's files did not contain the following documentation: complete history and physical examination findings, differential diagnoses, treatment options, and client communication.

7. On December 2, 2015, Licensee met with the Committee, composed of Michelle Vaughn, D.V.M., Board member, and Amy Kizer, D.V.M., Board member, to discuss allegations made in a Notice of Conference dated October 20, 2015. Robert Kuderer, Esq., represented Licensee. Jennifer Middleton, Assistant Attorney General, represented the Committee at the conference. Julia Wilson, D.V.M., Executive Director of the Board, also attended the conference.

8. Pursuant to Minnesota Statutes section 214.103 subd. 6(a) and 156.127 subd. 2, Licensee and the Committee have agreed to enter into this Agreement for Corrective Action.

#### **CORRECTIVE ACTION**

Based on the available information and discussion at the conference, Licensee and Committee agree that the conduct above violates Minn. Stat. section 156.081 subd. 2(11), (12), Minn. R. 9100.0700 subp. 1(A), (C), and 9100.0800, subp. 1 and 4. Licensee and the Committee have agreed to enter into this Agreement for Corrective Action as follows:

9. Within one month from the date of this Agreement, Licensee must submit documentation of all of his veterinary continuing education from the most recent license renewal period, March 1, 2013 to February 28, 2015.

10. Within three months of the date of this Agreement, Licensee shall take the Veterinary Medical Records Online Course offered by Iowa State University. Within fourteen (14) days of completing the course, Licensee must submit to the Review Committee evidence of

completion. The six (6) credit hours from this course may not be utilized towards the continuing education requirements for Licensee's next license renewal.

11. Within twelve months of the date of this Agreement, Licensee shall submit to the Committee evidence of completion of at least eight (8) hours of interactive continuing education on the following topics:

- a. Canine renal disease (2 hours);
- b. Canine lower urinary tract infection (2 hours);
- c. Canine hepatic disease (2 hours); and
- d. Canine clinical chemistry, including chemistry interpretation (2 hours).

e. All continuing education courses must be preapproved by the Committee. Licensee must submit written documentation, such as title and schedule of the proposed continuing education and qualifications of the instructor, in order to receive preapproval from the Committee of classes Licensee proposes to take in fulfillment of this requirement. The Committee will inform Licensee of its decision within fourteen (14) days of his request. These credit hours may not be counted towards the Licensee's next license renewal.

12. Within one month following completion of the requirements above, Licensee will submit the complete medical record for five (5) patients with medical issues managed by the Licensee during a week chosen by the Committee. The records must meet the approval of the Committee.

#### **OTHER INFORMATION**

13. Licensee has been advised by Review Committee representatives that Licensee may choose to be represented by legal counsel in this matter. Licensee is represented by Robert Kuderer, Esq.

14. Upon Licensee's satisfactory completion of the corrective actions 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.

15. 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.

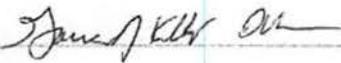
16. Licensee shall be responsible for all costs incurred as a result of compliance with this Agreement.

17. 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.

18. 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.

19. 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: 1-22-2016



GARREN JAY KELLY, D.V.M.  
LICENSEE

Dated: Feb 8, 2016



JULIA WILSON, D.V.M.  
EXECUTIVE DIRECTOR  
FOR THE COMPLAINT REVIEW  
COMMITTEE