STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of Nancy Blood
and Paws, Claws & Hooves
Pet Boarding, LLC

CONSENT CEASE AND DESIST ORDER

TO: Nancy Blood and Paws, Claws & Hooves Pet Boarding, LLC, 10500 Great Plains Blvd., Chaska, MN 55318 c/o their attorney, Rob A. Stefonowicz, Larkin Hoffman Daly & Lindgren, LLC, 1500 Wells Fargo Plaza, 7900 Xerxes Ave. S., Minneapolis, MN 55431

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

1. Nancy Blood ("Respondent") is an owner and the manager of Paws, Claws & Hooves Pet Boarding, LLC ("Paws, Claws & Hooves"), an animal boarding facility located in Chaska, Minnesota.

2. Respondent is not currently and never has been licensed to practice veterinary medicine in the State of Minnesota.

3. Paws, Claws & Hooves is not a professional firm authorized to practice veterinary medicine or to receive compensation derived from the practice of veterinary medicine in the State of Minnesota. *See* Minn. Stat. § 156.11.

4. 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.

5. 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."

6. The Complaint Review Committee ("Committee") of the Board has advised Respondent and Paws, Claws & Hooves that it is prepared to commence formal action against them pursuant to Minn. Stat. §§ 156.15 and/or 214.11 (2004) based on allegations that they engaged in the practice of veterinary medicine and received compensation from the practice of veterinary medicine, in violation of Minn. Stat. §§ 156.10, 156.11 and 156.12 (2004), by the following conduct:

a. In or about October 2005, Respondent administered a Bordetella vaccine to a dog brought to Paws, Claws & Hooves for boarding.

b. The dog's owner was charged by and paid Paws, Claws & Hooves for Respondent's administration of the Bordetella vaccine.

7. Without admitting the foregoing allegations, Respondent and Paws, Claws & Hooves have agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2004) and Minn. R. 1400.5900 (2004).

8. Respondent, individually and as owner and manager of Paws, Claws & Hooves, acknowledges that she and Paws, Claws & Hooves have been advised of their 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 waives those rights. Respondent further acknowledges that she and Paws, Claws & Hooves been represented by legal counsel in this matter.

9. Respondent, individually and as owner and manager of Paws, Claws & Hooves, 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 or Paws, Claws & Hooves of up to $500 per violation in addition to any other remedies provided by law. Before imposing such a penalty, the Committee must provide Respondent and Paws, Claws & Hooves with notice of the alleged violations and must further provide them 30 days during which they may request a hearing at the Minnesota Office of Administrative Hearings to challenge the allegations.

10. Respondent, individually and as owner and manager of Paws, Claws & Hooves, 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 and all owners, employees and agents of Paws Claws & Hooves shall cease and desist from engaging in any activity that constitutes the practice of veterinary medicine as defined in Minn. Stat. § 156.12, subds. 1 and 3, including, but not limited to, administering vaccines to any animal they do not own whether or not compensation is derived from such activity.

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 or Paws, Claws & Hooves of up to $500 per violation in addition to any other remedies provided by law in accordance with the terms set forth in paragraph 9 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: 4-26-06

BOARD OF VETERINARY MEDICINE

By: John King DVM
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 and the right of Paws, Claws & Hooves to a hearing; that she and Paws, Claws & Hooves been represented by legal counsel in this matter; that she has authority to sign this Consent to Entry of Order in her individual capacity and on behalf of Paws, Claws & Hooves; and that she and Paws, Claws & Hooves consent 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: 4/11/06

Nancy Blood
NANCY BLOOD

AG: #1567791-v1