

**BEFORE THE MINNESOTA
BOARD OF VETERINARY MEDICINE**

In the Matter of
Daniel C. Butterfield, DVM
License No. 13022

**AGREEMENT FOR
CORRECTIVE ACTION**

This Agreement is entered into by and between Daniel C. Butterfield, D.V.M. (“Licensee”), and the Minnesota Board of Veterinary Medicine Complaint Review Committee (“Complaint Review Committee”) based on Minnesota Statutes section 214.103, subdivision 6(a)(2). Licensee and the Complaint Review Committee agree to the following:

FACTS

1. While Licensee practiced veterinary medicine at Evermore Services for Pets (“Clinic”) in Park Rapids, Minnesota, the following occurred:

a. On August 27, 2022, Licensee examined Frodo, a five or six-year-old, male Belgian Malinois Mix dog, owned by A.L. as an emergency patient. Frodo had ingested carpet remnants of which had been observed dangling from his mouth and in his stool.

b. Licensee made a diagnosis of digestive tract linear foreign on the basis of Frodo’s history but determined that no immediate referral for radiographs or other diagnostic testing was needed at that time based on abdominal palpation.

c. Licensee only provided verbal recommendations to Frodo’s owner. This verbal information was inadequate for the owner’s subsequent decision-making criteria for Frodo. Frodo’s health rapidly declined and required emergency abdominal surgery to remove the obstructing carpet remnants and devitalized intestine at another emergency clinic.

2. d. Licensee failed to provide Frodo's record for any follow-up at a subsequent emergency clinic or when requested by his owner.

3. e. Licensee's medical record was incomplete, lacking details of Frodo's medical history and physical examination.

4. f. Licensee's advertisement as an emergency clinic, conversation with potential emergency clients and phone triage messaging were misleading, failing to provide details of what limited emergency services were available and that radiography or other imaging were not available at the time of Frodo's emergency appointment.

5. On February 10, 2023, Licensee met with the Complaint Review Committee, composed of Julie Dahlke, DVM, Board member, and Raye Taylor, D.V.M., Board member, to discuss allegations regarding Licensee's practice of veterinary medicine contained in a Notice of Conference dated January 12, 2023. Allan Aguilar, Assistant Attorney General, represented the Complaint Review Committee during the conference and participated remotely. Dr. Julia Wilson, executive director of the Board, also participated. Licensee was not represented by an attorney.

CORRECTIVE ACTION

6. Based on the available information, Licensee and the Committee agree that the conduct above violates Minnesota Statutes section 156.081, subdivision 2(11) and (12); and Minnesota Rules 9100.0700, subpart 1(A), (B), and (C); and 9100.0800, subparts 1, 4 and 5. Licensee and the Committee have agreed to enter into this Agreement for Corrective Action as follows:

a. Within one month from the date of this Agreement, Licensee shall submit to the Committee documentation of Licensee's continuing education for the period of November 1, 2020, through October 31, 2021.

b. Within three months from the date of this Agreement, Licensee shall submit to the Committee evidence of completion of at least six (6) credit hours of continuing education on the topics of veterinary medical records, client communication and telemedicine. For purposes of this requirement, the Committee preapproves the following online courses offered by Animal Law and Legal Services:

- 1) Michigan: Medical Records & Veterinary Law (2 credits)
- 2) 10 Top Medical Record Deficiencies (1 credit)
- 3) Consent and Client Communication (1 credit)
- 4) Telehealth & Telemedicine Legal and Ethical Considerations (2 credits)

Alternative courses for these topics must be pre-approved by the Committee. The credits from this continuing education may not be applied to the requirements for Licensee's next license renewal.

d. Within three months from the date of this Agreement, Licensee shall submit to the Committee evidence of completion of at least four (4) credit hours of continuing education on the topics of diagnosis, treatment, and surgery of gastrointestinal foreign bodies, including at least one (1) credit on the topic of linear foreign bodies. The continuing education must be pre-approved by the Committee. The credits from this continuing education may not be applied to the requirements for Licensee's next license renewal.

e. Within three months of completion of the continuing education and for three subsequent quarters, Licensee shall submit his appointment schedule from the preceding three (3) months. The schedule must indicate the purpose and patient species for each appointment. Licensee will submit copies of complete medical records from four (4) patients presented for wellness examination (1), illness (1) surgery (1) and urgent care (1) selected by the Committee. The records must meet the approval of the Committee.

OTHER INFORMATION

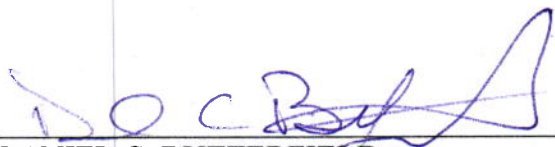
7. Upon Licensee's satisfactory completion of the corrective action referenced in paragraph 6 above, the Committee agrees to dismiss the complaint(s) concerning the matters referenced in paragraphs 1-4. The Committee shall be the sole judge of satisfactory completion. The Committee may reopen this complaint if it receives newly discovered information that was not available to the Committee during the initial investigation, or if the Committee receives a new complaint that indicates a pattern of behavior or conduct.

5. If Licensee fails to complete the corrective action satisfactorily, the Committee may, at its discretion, reopen the investigation and proceed according to Minnesota Statutes chapter 156 (the Board's Practice Act) and Minnesota Statutes chapters 214 and 14. Licensee agrees that failure to complete the corrective action satisfactorily is failure to cooperate under Minnesota Statutes section 156.123 and may subject Licensee to disciplinary action by the Board.

6. This agreement shall become effective upon execution by the Board's Executive Director and shall remain in effect until the Committee dismisses the complaint, unless the Committee receives additional information that renders corrective action inappropriate. Upon receiving such information, the Committee may, at its discretion, proceed according to Minnesota Statutes chapter 156 (the Board's Practice Act) and Minnesota Statutes chapters 214 and 14.

7. This agreement is not disciplinary action. *See* Minnesota Statutes section 214.103, subdivision 6. However, this agreement is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5, and 214.072, subdivision 3.

8. Licensee hereby acknowledges having read and understood this agreement and having voluntarily entered into it. This agreement contains the entire agreement between the Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.



DANIEL C. BUTTERFIELD
Licensee

Dated: 3/31/2023



JULIA WILSON
Executive Director

Dated: 5/11/23