

STATE OF MINNESOTA
BOARD OF VETERINARY MEDICINE

In the Matter of
Sharon Krotzer, *Unlicensed*

**CEASE AND DESIST ORDER AND
NOTICE OF RIGHT TO HEARING**

TO: Sharon Krotzer, *Unlicensed* ("Respondent"), SK's Dachshunds, 18703 319th Avenue, Akeley, Minnesota 56433.

1. It is a gross misdemeanor for any person to practice veterinary medicine without a veterinary license. *See* Minn. Stat. § 156.10 (2012).

2. In pertinent part, Minnesota Statutes section 156.12, subdivision 1, provides that:

The practice of veterinary medicine, as used in this chapter, 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. . . .

Minn. Stat. § 156.12, subd. 1 (emphasis added).

3. In pertinent part, Minnesota Statutes section 156.18, subdivision 1(a), provides that:

A person may not dispense a veterinary prescription drug to a client without a prescription or other veterinary authorization. A person may not make extra-label use of an animal or human drug for an animal without a prescription from a veterinarian. . . .

Minn. Stat. § 156.18, subd. 1(a).

4. Respondent owns a business that breeds and sells mini dachshund dogs. Respondent does not hold a veterinary license and does not employ any veterinarians.

Respondent has rendered veterinary treatment advice and medication, including prescription medication, to customers of her dog breeding business.

5. Specifically, Respondent provided her customers with a "7 Day Health Guarantee," upon purchase of any dachshund puppy. The Guarantee provided that if a veterinarian found the purchased puppy to be unhealthy within seven days of purchase, the customer could notify Respondent, who would "send medical treatment to buyer via priority mail as some vets overcharge or misdiagnose."

6. Respondent sends medications including Albon and Metronidazole to customers who seek treatment under the "7 Day Health Guarantee."

7. Albon requires a prescription to be administered to dogs and cats.

8. Metronidazole is a prescription-only medication that is not labeled for animal use.

9. The Board, by its Complaint Review Committee ("Committee"), has substantiated that Respondent: (1) engaged in the unlicensed practice of veterinary medicine and (2) illegally dispensed prescription drugs. As a result, the Committee has determined that Respondent's conduct constitutes a violation of Minnesota Statutes sections 156.10, 156.12, and 156.18.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minnesota Statutes section 156.15, that Respondent must immediately cease and desist: (1) the unlicensed practice of veterinary medicine and (2) improperly dispensing prescription drugs.

IT IS FURTHER ORDERED, pursuant to Minnesota Statutes section 156.15, subdivisions 1 and 3, that Respondent may request a hearing in this matter. Such request must be made within 30 days of service of this Order, must be in writing, and must be delivered to the Complaint Review Committee of the Minnesota Board of Veterinary Medicine, 2829 University

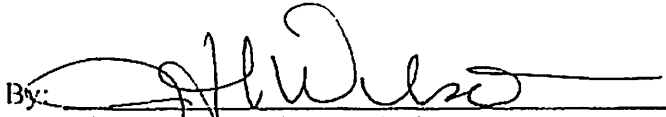
Avenue SE, Suite 401, Minneapolis, Minnesota 55414. A hearing, if requested by Respondent, must be held no later than 30 days after the written request for the hearing is received by the Committee. If Respondent does not request a hearing, this Order will become final and will remain in effect until it is modified or vacated by the Board in accordance with Minnesota Statutes section 156.15, subdivision 5.

IT IS FURTHER ORDERED that if a hearing is requested, this Order will remain in effect until it is modified or vacated or made permanent by further order of the Board in accordance with Minnesota Statutes section 156.15, subdivision 4.

IT IS FURTHER ORDERED that in the event a hearing is requested in this matter, it will be held before an administrative law judge to be appointed by the chief administrative law judge for the State of Minnesota, Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620, telephone (651) 361-7900. All parties have the right to represent themselves or to be represented throughout the proceedings herein by legal counsel or a person of their choice if not otherwise prohibited as the unauthorized practice of law. The hearing will be conducted pursuant to the contested case procedures as prescribed in Minnesota Statutes sections 14.57 to 14.69 and the Rules of the Office of Administrative Hearings, Minnesota Rules 1400.5100 to 1400.8400. Failure to attend a hearing in this matter after being duly notified may result in the allegations of this Order being taken as true. Questions concerning the issues raised in this Order, informal disposition of this proceeding, or discovery may be directed to Nicholas Lienesch, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101-2131, telephone (651) 757-1315.

Dated: June 11, 2014

BOARD OF VETERINARY MEDICINE
Complaint Review Committee

By: 
JULIA H. WILSON, D.V.M.
Executive Director
2829 University Avenue SE, Suite 401
Minneapolis, MN 55414