STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of
Clement C. Demo, *Unlicensed*

CEASE AND DESIST ORDER AND NOTICE OF RIGHT TO HEARING

TO: Clement C. Demo ("Respondent"), 7898 - 290th Avenue, Pierz, MN 56364.

1. Minnesota law prohibits any person from practicing veterinary medicine without having first secured a veterinary license or temporary permit, as provided in Minnesota Statutes chapter 156, unless the person is exempt from such licensing requirements.

2. Minnesota Statutes section 156.12, subdivision 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.

3. Minnesota Statutes section 156.10, makes it a gross misdemeanor for any person to practice veterinary medicine in Minnesota without a valid veterinary license or temporary permit.

4. Pursuant to the above-referenced statutes, the Board, by its Complaint Review Committee ("Committee"), has substantiated that Respondent has performed at least two horse castrations in Minnesota in 2012. With respect to one of the castrations Respondent performed, the horse had to be euthanized due to Respondent's substandard and illegal procedure.

5. The Board, by its Committee, has determined that Respondent's conduct constitutes the unauthorized practice of veterinary medicine in Minnesota.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minnesota Statutes section 156.15, that Respondent shall cease and desist from engaging in any act or practice in Minnesota that constitutes the practice of veterinary medicine as defined in Minnesota Statutes section 156.12, subdivision 1.

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 shall be made in writing and delivered to the Complaint Review Committee of the Minnesota Board of Veterinary Medicine, 2829 University Avenue SE, Suite 540, Minneapolis, MN 55414, whereupon the Committee shall set a date for hearing within 30 days after its receipt of the request unless Respondent and the Committee by agreement waive the 30-day time period. Pursuant to Minnesota Statutes section 156.15, subdivision 5, if no hearing is requested by Respondent within 30 days of service of this Order, this Order will become final and will remain in effect until it is modified or vacated by the Board.

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 pursuant to 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 Benjamin R. Garbe, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101-2131, telephone (651) 757-1389.

Dated: October 26, 2012

BOARD OF VETERINARY MEDICINE
Complaint Review Committee

By: John King DVM

JOHN KING, D.V.M.
Executive Director
2829 University Avenue SE, Suite 540
Minneapolis, MN 55414

AG: #3106068-v1