

STATE OF MINNESOTA  
BOARD OF VETERINARY MEDICINE

In the Matter of  
Robert J. Elliott, D.V.M.

**CONSENT CEASE AND DESIST ORDER**

TO: Robert J. Elliott, D.V.M. “(Respondent)”, 1401 Reed Drive, Fargo, North Dakota 58102

The Minnesota Board of Veterinary Medicine has determined as follows:

1. Robert J. Elliott, D.V.M., is not currently and never has been licensed to practice veterinary medicine in the State of Minnesota.

2. Minnesota Statutes section 156.12 (2006) defines the practice of veterinary medicine, in relevant part, as follows:

[T]he 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 156.12, subdivision 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” is engaged in the practice of veterinary medicine.

4. The Complaint Review Committee (“Committee”) of the Minnesota Board of Veterinary Medicine (“Board”) has advised Respondent that it is prepared to commence formal action against him pursuant to Minnesota Statutes sections 156.15 and 214.11 (2006), as amended, based on allegations that he has engaged in the practice of veterinary medicine in the State of Minnesota without a license, in violation of Minnesota Statutes section 156.10 (2000).

5. The Committee specifically alleges that on January 31, 2006, Respondent provided veterinary medical services, including administering vaccinations, in the State of Minnesota.

6. Respondent acknowledges that he has been advised of his 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 Respondent waives those rights. Respondent further acknowledges that he has been advised of his right to be represented by legal counsel and has waived that right.

7. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minnesota Statutes section 14.59 (2000) and Minnesota Rules 1400.5900 (1999).

8. Respondent has further agreed that if he violates this Consent Cease and Desist Order, the Board is authorized to impose a civil penalty against him of up to \$1,000 per violation in addition to any other remedies provided by law. Before imposing such a penalty, the Committee shall provide Respondent with notice of the alleged violations and shall further provide Respondent 30 days during which he may request a hearing at the Minnesota Office of Administrative Hearings to challenge the allegations.

9. Respondent understands that this Consent Cease and Desist Order is classified as a public document in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to Minnesota Statutes section 156.15 (2006), that Respondent shall cease and desist from engaging in any conduct in the State of Minnesota, or for any individual or entity located in the State of Minnesota, that constitutes the practice of veterinary medicine.


**IT IS FURTHER ORDERED** that if Respondent violates this Consent Cease and Desist Order, the Board shall be authorized to impose a civil penalty against him of up to \$1,000 per violation in addition to any other remedies provided by law.

**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: Aug 26, 2008

BOARD OF VETERINARY MEDICINE

By:   
JOHN KING, D.V.M.  
Executive Director

#### **CONSENT TO ENTRY OF ORDER**

The undersigned, Robert J. Elliott, D.V.M., states that he has read this Consent Cease and Desist Order; that he knows and fully understands its contents and effect; that he has been advised of his right to a hearing; that he has been represented by legal counsel in this matter or has been advised of his right to be represented by legal counsel; and that he consents to entry of this Consent Cease and Desist Order by the Minnesota 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.

  
ROBERT J. ELLIOTT, D.V.M.  
Respondent

Dated: 8-17-08