

**BEFORE THE MINNESOTA  
BOARD OF VETERINARY MEDICINE**

In the Matter of  
Charles William Extrand, D.V.M.  
License No. C4659

**STIPULATION AND ORDER**

**STIPULATION**

Charles William Extrand, D.V.M. ("Licensee"), and the Minnesota Board of Veterinary Medicine Complaint Review Committee ("Committee") agree that the above-referenced matter may be resolved without trial of any issue or fact as follows:

**I.**

**JURISDICTION**

A. The Minnesota Board of Veterinary Medicine ("Board") is authorized pursuant to Minn. Stat. ch. 156 to license and regulate veterinarians and to take disciplinary action as appropriate.

B. Licensee holds a license from the Board to practice veterinary medicine in the State of Minnesota and is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation and Order.

**II.**

**COMPLAINT REVIEW COMMITTEE**

The Complaint Review Committee that negotiated this Stipulation with Licensee is composed of Joanne Schulman, D.V.M., Michael Murphy, D.V.M., and John King, D.V.M., Executive Director of the Board. Daphne A. Lundstrom, Assistant Attorney General, represented the Committee in this matter. Licensee was represented by William G. Peterson, Esq.

### III.

#### FACTS

For purposes of Board of Veterinary Medicine proceedings only and without prejudice to Licensee in a proceeding in any other forum, the Board may consider the following as true:

A. Licensee practices veterinary medicine in and around Brainerd, Minnesota. Licensee provides veterinary services to one or more dog breeders licensed by the USDA.

B. In connection with a Board investigation, the Committee subpoenaed copies of some of Licensee's veterinary medical records for certain dog breeders.

C. Upon review of the records, the Committee determined that the records did not meet the record-keeping requirements of Minn. R. 9100.0800, subp. 4. Individual records were not kept on all adult dogs and the records that were maintained did not consistently include histories of conditions, examination findings, diagnoses, or operative reports.

### IV.

#### LAWS

Licensee acknowledges that an administrative law judge or other finder of fact could conclude that the facts and conduct described in section III above constituted violations of Minn. Stat. § 156.081, subd. 2(12), and Minn. R. 9100.0800 and would be sufficient grounds for the remedy set forth below.

### V.

#### REMEDY

Based on the foregoing facts and violations, the Board takes the following disciplinary action against Licensee:

A. The Board accepts Licensee's **VOLUNTARY SURRENDER** of his license to practice veterinary medicine, effective March 1, 2009. Licensee shall not thereafter engage in

any act which constitutes the practice of veterinary medicine as defined in Minn. Stat. ch. 156 and shall not imply by words or conduct that Licensee is authorized to practice veterinary medicine.

B. Licensee shall surrender his license to the Board by March 1, 2009. Licensee shall personally deliver or mail his license to the Minnesota Board of Veterinary Medicine , c/o John King, Executive Director, 2829 University Avenue S.E., Suite 540, Minneapolis, Minnesota 55414.

C. Within 30 days of the date of this Stipulation, Licensee shall submit to the Committee the dates, number of hours, and titles of all continuing education courses taken by Licensee in the two-year period preceding his last license renewal.

D. During Licensee's continued licensure, Licensee shall comply with the medical record-keeping requirements of Minn. R. 9100.0800, subp. 4:

A. A veterinarian performing treatment or surgery on an animal or group of animals, whether in the veterinarian's custody at an animal treatment facility or remaining on the owner's or caretaker's premises, shall prepare a written record or computer record concerning the animals containing, at a minimum, the following information:

- (1) name, address, and telephone number of owner;
- (2) identity of the animals, including age, sex, and breed;
- (3) dates of examination, treatment, and surgery;
- (4) brief history of the condition of each animal, herd, or flock;
- (5) examination findings;
- (6) laboratory and radiographic reports;
- (7) tentative diagnosis;
- (8) treatment plan; and
- (9) medication and treatment, including amount and frequency.

B. Individual records must be maintained on each patient, except that records on food, fiber, milk animals, birds, and horses may be maintained on a per-client basis.

These records may be maintained on hard copy or by use of a veterinary software program.

E. At any time during his remaining licensure, Licensee shall permit the Committee or the Committee's designee to perform on-site inspections of Licensee's records to assess Licensee's compliance with this Stipulation. The inspections shall take place during regular business hours when Licensee is on the premises and may occur with or without notice to Licensee. Licensee shall permit the Committee or the Committee's designee to review and copy client records in connection with an inspection. In lieu of entry and inspection, the Committee or Committee's designee may forward a written request to Licensee to provide the Committee or Committee's designee with copies of medical records by mail.

## **VI.**

### **CONSEQUENCES OF A VIOLATION**

A. *Hearing Before the Board.* If the Committee determines that Licensee has violated any term or condition of this Stipulation and Order, the Committee may schedule a hearing before the Board and serve on Licensee a Notice of Hearing for Alleged Non-Compliance With Stipulation and Order ("Notice"), which sets forth the allegations against Licensee and provides Licensee notice of the date, time, and place of the hearing before the Board. The procedures set forth in paragraph VI.B. below shall apply to the hearing.

B. *Hearing Procedures.* The following procedures shall apply:

1. *Response to Allegations in Notice.* At least seven days before the hearing, Licensee shall submit a written response to the allegations set forth in the Notice. If Licensee does not submit a timely response to the Board, the allegations may be deemed admitted.

2. *Hearing Before Board.* The Board shall hold a hearing before its own members in accordance with the procedures set forth in paragraph VI.B.3. below to determine whether the allegations are true and, if so, whether to take additional disciplinary action against Licensee, which may include any of the forms of disciplinary action set forth in Minn. Stat. § 156.127.

3. *Evidence at Hearing/Burden of Proof/Waiver of Hearing Before Administrative Law Judge.* At the hearing before the Board, the Committee and Licensee may present affidavits made on personal knowledge or authenticated documents and may present argument based on such evidence in support of their positions. The record before the Board shall be limited to such affidavits, documents, and this Stipulation and Order. The Committee shall file with the Board all evidence it intends to present at the hearing and shall serve a copy on Licensee at least 14 days before the hearing. Licensee shall file with the Board all evidence he intends to present at the hearing and shall serve a copy on the Committee at least seven days before the hearing. The Committee must prove by a preponderance of the evidence that Licensee has violated this Stipulation and Order. The Board shall issue a final order within 30 days of the hearing. Licensee waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

4. *Costs.* If the Committee proves by a preponderance of the evidence that Licensee has violated this Stipulation and Order, the Board may require Licensee to pay costs of the proceedings. The costs of the proceedings may include the cost paid by the Board to the Office of the Attorney General for investigative and legal services, the cost of reproducing records and documents, Board staff time, travel costs and expenses, and Board members' per diem reimbursements, travel costs, and expenses.

C. *Statutory Procedures.* Nothing herein shall limit the Committee's right to attempt to resolve an alleged violation of this Stipulation and Order through the procedures of Minn. Stat. § 214.103, subd. 6, or to initiate a contested case proceeding under Minn. Stat. ch. 14 based on an alleged violation of this Stipulation and Order.

## VII.

### ADDITIONAL INFORMATION

A. Licensee knowingly and voluntarily waives a contested case hearing and all other procedures before the Board to which Licensee may be entitled under the Minnesota and United States constitutions, statutes, or rules.

B. Licensee knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Order, which may otherwise be available to Licensee.

C. This Stipulation and Order, the files, records and proceedings associated with this matter shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

D. Licensee shall be responsible for all costs incurred as a result of compliance with this Stipulation and Order.

E. Licensee has read, understands, and agrees to this Stipulation and Order and has voluntarily signed the Stipulation and Order. Licensee is aware that this Stipulation and Order must be approved by the Board before it goes into effect. The Board may either approve the Stipulation and Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Licensee, the Stipulation and Order will take effect and the Order as

modified will be issued. If the changes are unacceptable to Licensee or if the Board rejects the Stipulation and Order, it will be of no effect except as specified in paragraph VII.F.

F. Licensee agrees that if the Board rejects this Stipulation and Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Order or of any records relating to it.

G. This Stipulation and Order shall not limit the Board's authority to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or omission of Licensee which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

### VIII.

#### DATA PRACTICES NOTICES

A. This Stipulation and Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minn. Stat. § 13.41, subd. 4.

B. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.


  
CHARLES WILLIAM EXTRAND, D.V.M.  
Licensee

Dated: 4 Feb., 2009

## ORDER

Upon consideration of the Stipulation and all the files, records and proceedings herein, the terms of the Stipulation are approved and adopted, and the recommended remedy set forth in the Stipulation is hereby issued as an Order of this Board effective this 5 day of May, 2009.

MINNESOTA BOARD  
OF VETERINARY MEDICINE

  
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JOHN KING, D.V.M.  
Executive Director

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