STIPULATION

David A. Garlie, DVM ("Licensee"), and the Minnesota Board of Veterinary Medicine Complaint Review Committee ("Committee") agree the above-referenced matter may be resolved without trial of any issue or fact as follows:

I.

JURISDICTION

1. 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.

2. 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

3. On December 22, 2017, Licensee met with Committee, composed of Board members Barbara Fischley, DVM, and Michelle Vaughn, DVM. Jennifer C. Middleton, Assistant Attorney General, represented the Committee. Licensee was advised by the Board’s representatives that he may choose to be represented by legal counsel in this matter. Licensee knowingly waived legal representation.
III.

FACTS

4. The parties agree this Stipulation and Order is based upon the following facts:
   a. At all times relevant to these allegations, Licensee was a veterinarian at Northfield Pet Vet ("Clinic"), located in Northfield, Minnesota. Licensee was the owner of the Clinic and the sole Drug Enforcement Administration registrant.
   b. On more than one occasion in 2017, Licensee provided veterinary care that fell below the minimum standard of care, including failure to take radiographs when medically necessary, failure to administer adequate pain medications during surgery, and failure to maintain proper infection control.
   c. An inspection of the Clinic on October 18, 2017, revealed that the Clinic was not clean and in good repair to facilitate acceptable sanitary practice.
   d. Licensee’s controlled substances logs from 2017 failed to include requisite information for inventory and dispensing.
   e. Licensee’s medical records failed to contain age of the patient, history, examination findings, tentative diagnosis, treatment plan, medication and treatment, including amount and frequency, and veterinarian for the episode of care.

IV.

LAWS

1. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes sections 156.081, subdivision 2(11), and (12) and Minnesota
Rules 6800.9954; 9100.0300; 9100.0700, subparts 1(A), (C), and (L); and 9100.0800, subparts 1, 2, 3, and 4 and justifies the disciplinary action described in section V. below.

V.

DISCIPLINARY ACTION

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

A. Voluntary Surrender

5. The Board accepts Licensee’s VOLUNTARY SURRENDER of his license to practice veterinary medicine in the State of Minnesota. Licensee must not engage in any act which constitutes the practice of veterinary medicine as defined in Minnesota Statutes section 156.12 and must not imply by words or conduct that Licensee is authorized to practice veterinary medicine.

B. Reinstatement

6. Licensee may petition for reinstatement of his license to practice veterinary medicine after 24 months from the date of this Order and when Licensee is able to demonstrate by a preponderance of the evidence that Licensee is capable of practicing veterinary medicine in a fit and competent manner. At the time of Licensee’s petition, Licensee may be required to meet with a Committee to discuss his petition.

VI.

ADDITIONAL INFORMATION

7. 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.
8. 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.

9. 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.

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

11. 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 approve the Stipulation and Order as proposed, approve it subject to specified changes, 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 below.

12. 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.

13. This Stipulation and Order does 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

14. This Stipulation and Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5. Data regarding this action will be provided to data banks as required by Federal law or consistent with Board policy. While this Stipulation and Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4.

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

DAVID A. GARLIE, DVM
Licensee

Dated: 2-20-2018

Michele Vaughan, DVM for
BARBARA FISCHLEY, DVM
Committee Member

Dated: 2-28-18
ORDER

Upon consideration of the Stipulation, the Board accepts the VOLUNTARY SURRENDER of Licensee’s license and adopts all of the terms described above effective this 28th day of February, 2018.

MINNESOTA BOARD
OF VETERINARY MEDICINE

JULIA H. WILSON, DVM
Executive Director