

**BEFORE THE MINNESOTA
BOARD OF VETERINARY MEDICINE
COMPLAINT REVIEW COMMITTEE**



In the Matter of
David A. Garlie, D.V.M.
License No. C1165

**AGREEMENT FOR
CORRECTIVE ACTION**

This Agreement for Corrective Action (“Agreement”) is entered into by and between David A. Garlie, D.V.M. (“Licensee”), and the Complaint Review Committee (“Review Committee”) of the Minnesota Board of Veterinary Medicine (“Board”) pursuant to the authority of Minn. Stat. §§ 156.127, subd. 2, and 214.103, subd. 6(a)(2). Licensee and the Review Committee hereby concur that this Agreement shall be based on the following:

FACTS

1. This agreement is based upon the following facts:
 - a. On June 29, 1965, Licensee became licensed as a veterinarian in Minnesota.
 - b. Licensee conducts a veterinary practice in Northfield, Minnesota.
 - c. The Board received a complaint alleging that Licensee inappropriately dispensed sedative and anesthetic agents and controlled substances to an animal owner and that the medications were not appropriately labeled.
2. The Review Committee conducted an investigation into the complaints, which included reviewing invoices for nine dogs owned by Z.X.
3. On June 19, 2013, Licensee met with the Review Committee, composed of Michelle Vaughn, D.V.M, Board member, and John Lawrence, D.V.M., Board member, to discuss allegations made in a Notice of Conference dated May 31, 2013. Gregory J. Schaefer,

Assistant Attorney General, represented the Review Committee at the conference. Julia Wilson, D.V.M., Executive Director of the Board, also attended the conference. Following the conference, controlled substance logs and medical records for animals treated by Licensee and owned by Z.X. were obtained.

4. A review of the additional records provided to the Review Committee revealed nonexistent, incomplete, and inconsistent medical records. Problems with medical records were identified in patient ages, procedures, discharge instructions, surgical or anesthetic consent forms, and records of medications, other than ketamine, that were used for anesthesia.

5. Licensee failed to record dispensing two doses of both a sedative and a controlled substance to the animal owner. These drugs were also not reflected in the invoices for the animals.

CORRECTIVE ACTION

6. The Review Committee views Licensee's conduct as inappropriate under Minn. Stat. §§ 156.081 and 156.18 and Minn. R. 9100.0700 and 9100.0800, and Licensee agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify corrective action under these statutes and rules. Based on the above foregoing information, Licensee and the Review Committee agree to the following corrective actions:

a. Within 30 days, Licensee will provide complete documentation of continuing education attended in the period preceding his last license renewal.

b. Within three months of the date of this Agreement, Licensee shall submit to the Board evidence of completion of all modules of the "Online Veterinary Law and Ethics Course" offered by James F. Wilson, D.V.M., J.D.

c. Within 12 months of the date of this Agreement, Licensee shall submit to the Board evidence of completion of at least eight hours of continuing education on the topics of Companion Animal Anesthesia and eight hours of Companion Animal Pharmacology. Licensee must receive preapproval from the Committee prior to attending the course(s). The Committee will not accept courses that are not preapproved. Licensee shall submit written documentation, such as measurable learning objectives and qualifications of the instructor, in order to receive preapproval from the Committee of classes that Licensee takes in fulfillment of this requirement. Licensee recognizes that the continuing education hours required for corrective action may not be applied to Licensee's next license renewal.

d. Licensee shall comply with the medical record-keeping requirements of Minn. R. 9100.0800, subp. 4.

OTHER INFORMATION

7. Licensee has been advised by Review Committee representatives that Licensee may choose to be represented by legal counsel in this matter. Although aware of this opportunity, Licensee has elected not to be represented by legal counsel.

8. Upon Licensee's satisfactory completion of the corrective action referred to above, the Review Committee agrees to dismiss the complaint(s) concerning the matters referred to in paragraphs 1 to 5 above. Licensee agrees that the Review Committee shall be the sole judge of satisfactory completion.

9. If Licensee fails to complete the corrective action satisfactorily or if the Review Committee receives additional complaints alleging conduct similar to that referred to in the facts above, the Review Committee may, in its discretion, reopen the investigation and proceed according to Minnesota Statutes chapters 14, 156, and 214. Licensee agrees that failure to

complete corrective action satisfactorily constitutes failure to cooperate under Minn. Stat. § 156.123 and may subject Licensee to disciplinary action by the Board.

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

11. The effective date of this Agreement shall be the date it is executed by the Review Committee. The Agreement shall remain in effect until the Review Committee dismisses the complaint, unless the Review Committee receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Review Committee may, in its discretion, proceed according to Minnesota Statutes chapters 14, 156, and 214.

12. Licensee understands this Agreement does not constitute disciplinary action. Licensee further understands and acknowledges this Agreement and the dismissal letter issued upon successful completion of the corrective action are classified as public data pursuant to Minn. Stat. § 13.41, subd. 5.

13. Licensee hereby acknowledges he has read and understands this Agreement and has voluntarily entered into it. This Agreement contains the entire agreement between the Review Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.



DAVID A. GARLIE, D.V.M.
Licensee

Dated: 8/10/2013, 2013



JULIA H. WILSON, D.V.M.
Executive Director
For the Complaint Review Committee

Dated: Aug 21, 2013