

**STATE OF MINNESOTA**  
**BOARD OF VETERINARY MEDICINE**

In the Matter of  
Luke Harrington  
*Unlicensed*

**CEASE AND DESIST ORDER AND  
NOTICE OF RIGHT TO HEARING**

TO: Luke Harrington ("Respondent"), 515 Ninth Avenue SW, Austin, Minnesota 55912.

Minnesota law prohibits any person from performing equine teeth floating without authorization, as provided in Minnesota Statutes chapter 156, unless the person is exempt from such licensing requirements.

Equine teeth floating is defined in Minnesota Statutes section 156.075, subdivision 1, as follows:

- (1) removal of enamel points from teeth with handheld, nonmotorized, non-air-powered files or rasps;
- (2) reestablishing normal molar table angles and freeing up lateral excursion and other normal movements of the mandible;
- (3) shaping the lingual aspect of the lower arcades and the buccal aspect of the upper arcades to a rounded smooth surface; and
- (4) removing points from the buccal aspect of the upper arcade and the lingual aspect of the lower arcade.

Individuals may perform equine teeth floating in Minnesota only if they are authorized according to Minnesota Statutes section 156.075, subdivision 2, or are a licensed veterinarian.

Pursuant to the above-referenced statutes, the Minnesota Board of Veterinary Medicine ("Board"), by its Complaint Review Committee ("Committee"), has determined as follows:

1. Respondent is not now and has never been authorized to perform equine teeth floating in the State of Minnesota and is not exempt from the requirements of Minnesota Statutes section 156.075.

2. In January 2010, the Board received information that Respondent performed equine dentistry.

3. On March 3, 2010, Respondent met with the Complaint Review Committee and admitted that he performed equine dentistry. During that conference, Respondent acknowledged that he performed equine teeth floating. Respondent stated that he was not familiar with the requirements for individuals performing equine teeth floating under Minnesota Statutes section 156.075.

4. At the end of the conference, the Committee asked Respondent to submit the following information required by Minnesota Statutes section 156.075:

a. Proof of current certification from the International Association of Equine Dentistry or other professional equine dentistry association as determined by the Board; and

b. A written statement signed by a supervising veterinarian experienced in large animal medicine that the applicant will be under direct or indirect supervision of the veterinarian when floating equine teeth.

5. Respondent failed to submit the requested information, despite several subsequent requests from the Committee.

6. The Committee undertook additional investigation and received information that Respondent continues to perform equine teeth floating.

7. On October 21, 2010, the Committee served a Notice of Conference on Respondent requesting his written response to the above conduct and his attendance at a

December 1, 2010, conference. Respondent did not respond to the Committee or attend the conference.

8. Respondent, by the conduct referenced above, has engaged in and threatens to continue to engage in the performance of equine teeth floating in Minnesota without authorization, in violation of Minnesota Statutes section 156.075, and should therefore be ordered to cease and desist from violating this statute.

### **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 equine teeth floating as defined in Minnesota Statutes section 156.075.

**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 4, 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 Daphne A. Lundstrom, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101-2131, telephone (651) 757-1391.

Dated: 1/7/2011

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: #2743750-v1