

**BEFORE THE MINNESOTA  
BOARD OF VETERINARY MEDICINE**

In the Matter of  
Colin Kirkegaard, D.V.M.,  
Applicant for Licensure

**STIPULATION AND ORDER**

**STIPULATION**

Colin Kirkegaard, D.V.M. ("Applicant"), and the Minnesota Board of Veterinary Medicine Complaint Review Committee ("Complaint Review 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 Minnesota Statutes chapter 156 to license and regulate veterinarians and to take disciplinary action as appropriate.

B. Applicant has submitted an application for 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**

A. The Complaint Review Committee that negotiated this Stipulation with Applicant is composed of Lynn Green, Public Member, Frederick Mehr, D.V.M., Board Secretary Treasurer, and John King, D.V.M., Executive Director of the Board. Susan E. Damon, Assistant Attorney General, represented the Complaint Review Committee in this matter. Applicant was

advised of his right to be represented by legal counsel and knowingly and voluntarily waived that right.

### **III.**

#### **FACTS**

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

1. Applicant is currently licensed as a veterinarian in good standing in Iowa, South Dakota and Alberta. He is employed by an animal feed company and provides support services regarding animal nutrition and production to the company's employees and clients.

2. On February 7, 2005, Applicant submitted an application for a license to practice veterinary medicine in Minnesota.

3. The Board received a complaint alleging that Applicant had practiced veterinary medicine without a license in Minnesota.

4. The Committee investigated the complaint, including by holding a conference with Applicant on June 29, 2005 to discuss the allegations. Applicant fully cooperated with the Committee's investigation.

5. In written correspondence with the Board and during the conference, Applicant admitted having conducted a post-mortem examination on a pig at one Minnesota farm and having issued a veterinary feed directive for a Minnesota farmer. At the time this conduct occurred, Applicant was not aware that it met the definition of "practice of veterinary medicine" set forth in Minn. Stat. § 156.12, subd. 1.

**IV.**

**LAWS**

A. Applicant acknowledges that the conduct described in paragraph III.A.5 above, if proven at a hearing, would violate Minn. Stat. §§ 156.081, subd. 2(12) and 156.10 and is a sufficient basis for the civil penalty described in section V below.

**V.**

**REMEDY**

A. Applicant shall pay to the Board a civil penalty of \$500. Payment of the civil penalty is due no later than 30 days from the date of this Order.

B. Applicant is granted a license to practice veterinary medicine in the State of Minnesota.

**VI.**

**ADDITIONAL INFORMATION**

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

B. Applicant 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 Applicant.

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. Applicant was advised of his right to be represented by counsel in this matter and knowingly and voluntarily waived that right.

E. Applicant has read, understands and agrees to this Stipulation and Order and has voluntarily signed the Stipulation and Order. Applicant 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 Applicant, the Stipulation and Order will take effect and the Order as modified will be issued. If the changes are unacceptable to Applicant or if the Board rejects the Stipulation and Order, it will be of no effect except as specified in paragraph VII.F.

F. Applicant 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, Applicant 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 Applicant by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or omission of Applicant which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

## **IX.**

### **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.

Signature on File

COLIN KIRKEGAARD, D.V.M.

Applicant

Dated: July 25, 2005.

### **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 21st day of September, 2005.

MINNESOTA BOARD  
OF VETERINARY MEDICINE

Signature on File

JOHN KING, D.V.M.

Executive Director