

**BEFORE THE MINNESOTA  
BOARD OF VETERINARY MEDICINE**

In the Matter of  
Sandra N.M. Nelson, D.V.M.  
License No. 09575

**AMENDED STIPULATION AND ORDER**

**AMENDED STIPULATION**

Sandra N.M. Nelson, D.V.M. ("Licensee"), 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 under Minnesota Statutes chapter 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 Amended Stipulation and Order.

**II.**

**CONFERENCE**

A. The Complaint Review Committee that negotiated this Amended Stipulation and Order with Licensee is composed of Joanne Schulman, D.V.M., Board Secretary Treasurer, Lorna Reichl, D.V.M., Board Member, and Roland C. Olson, D.V.M., Executive Director of the Board. Susan E. Damon, Assistant Attorney General, represented the Complaint Review Committee. Licensee was advised of her right to be represented by an attorney in settlement negotiations and knowingly and voluntarily waived that right.

**III.**  
**FACTS**

A. 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:

1. Licensee was initially licensed by the Board as a veterinarian on July 2, 1975.

2. On August 9, 2000, the Board issued a Stipulation and Order (Stipulation and Order) placing conditions and restrictions on Licensee's license.

3. Paragraph V.A.3.b. of the Stipulation and Order provides:

No later than one year from the date of this Order, Licensee shall complete a minimum of four hours of Board-approved continuing education in record keeping. In the event that no such continuing education course is available in Minnesota within one year from the date of this Order, Licensee shall instead complete four hours of one-on-one instruction in record keeping taught by an instructor approved in advance by the Complaint Review Committee.

4. Under paragraph V.A.3.b. of the Stipulation and Order, Licensee was required to complete the continuing education in record keeping by August 9, 2001. To date, Licensee has not completed the continuing education.

5. Paragraph V.A.2 of the Stipulation and Order provides:

No later than two years from the date of this Order, Licensee shall take and pass the Companion Animal Disciplinary Examination sponsored by the National Board Examination Committee for Veterinary Medicine ("NBEC"). The minimum passing score of the Companion Animal Disciplinary Examination is the NBEC's recommended criterion-referenced passing point. Licensee shall be allowed one re-examination only if she fails to pass the Companion Animal Disciplinary Examination on the first attempt. Licensee is responsible for all costs associated with examination and for all costs of any necessary re-examination. If the Companion Animal Disciplinary Examination becomes unavailable during the two-year time period referenced herein, the Complaint Review Committee may substitute a similar examination that Licensee must take and pass to fulfill the requirements of this paragraph.

6. Licensee has informed the Board that she does not intend to take the Companion Animal Disciplinary Examination as required by paragraph V.A.2 of the Stipulation and Order.

**IV.  
LAWS**

A. Licensee acknowledges that the facts and conduct described in section III above would, if proven at a hearing, constitute violations of Minn. Stat. § 156.081, subd. 2(12), and agrees to the disciplinary action set forth below.

**V.  
DISCIPLINARY ACTION**

A. Suspension of License. Licensee's license to practice veterinary medicine in the State of Minnesota is hereby suspended for an indefinite period of time and Licensee shall not practice or hold herself out as authorized to practice veterinary medicine.

**VI.  
CONSEQUENCES OF A VIOLATION OF THIS STIPULATION AND ORDER**

A. Summary Proceeding Before the Board. If the Complaint Review Committee determines that Licensee has practiced veterinary medicine in violation of this Amended Stipulation and Order, the Complaint Review Committee may, in its discretion, seek additional discipline against Licensee by the following procedure:

1. Notice of Hearing/Response. The Complaint Review Committee shall schedule a hearing before the Board. At least 30 days before the hearing, the Complaint Review Committee shall mail Licensee a notice of the violation(s) alleged by the Complaint Review Committee. In addition, the notice shall designate the time and place of the hearing. At least 10 days before the hearing, Licensee shall submit a written response to the allegations. 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.A.3 below to determine whether to take any additional disciplinary action against Licensee, which may include any of the forms of disciplinary action set forth in Minn. Stat. § 156.127, subd. 1.

3. Evidence at Hearing/Burden of Proof/Waiver of Hearing Before Administrative Law Judge. At the hearing before the Board, the Complaint Review Committee and Licensee may present affidavits made on personal knowledge, authenticated documents, veterinary medical records and/or veterinary prescription drug records 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 Amended Stipulation and Order. The Complaint Review Committee shall file with the Board all evidence it intends to present at the hearing and shall serve a copy on Licensee at least 30 days before the hearing. Licensee shall file with the Board all evidence she intends to present at the hearing and shall serve a copy on the Complaint Review Committee at least 10 days before the hearing. The Complaint Review Committee must prove by a preponderance of the evidence that Licensee has violated this Amended 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. Nothing herein shall be construed as a waiver of Licensee's right of appeal to the Minnesota Court of Appeals from a final order issued under the summary procedures set forth in paragraphs VI.A.1-3.

B. Statutory Procedures. Nothing herein shall limit the Complaint Review Committee's right to attempt to resolve an alleged violation of this Amended Stipulation and Order through the procedures of Minn. Stat. § 214.103, subd. 6. Nothing herein shall limit the Complaint Review Committee's right to initiate a contested case proceeding under Minn. Stat. ch. 14 or to seek injunctive relief under Minn. Stat. § 214.11 based on an alleged violation of this Amended Stipulation and Order.

C. Referral to County Attorney. If Licensee practices veterinary medicine in violation of this Amended Stipulation and Order, the Committee may refer any complaint or evidence in its possession to the County Attorney or other appropriate authority for criminal prosecution.

## VII.

### PETITION FOR REINSTATEMENT

A. Petition for Reinstatement of Conditional and Restricted License. Licensee may petition the Board for reinstatement of a conditional and restricted license at any regularly scheduled Board meeting following Licensee's compliance with all requirements set forth in

paragraphs V.A.2 and V.A.3.b of the August 9, 2000 Stipulation and Order and upon provision of proof satisfactory to the Board of her completion of all continuing education required by a licensed veterinarian from the period August 9, 2000 through the date of Licensee's petition. Any petition shall be in writing and shall include an affidavit from Licensee stating whether she has complied with paragraphs V.A.2, V.A.3.b. and all required continuing education and may include any other information that Licensee deems relevant to the Board's consideration of her petition.

B. Meeting with the Complaint Review Committee. At the time Licensee submits a petition for reinstatement of a conditional and restricted license in accordance with paragraph VII.A above, the Complaint Review Committee may, in its discretion, schedule a meeting with Licensee to discuss her petition. Licensee shall provide any additional information or documentation that the Complaint Review Committee reasonably deems necessary to the Board's consideration of Licensee's petition.

C. Information Submitted to the Board by the Complaint Review Committee. The Complaint Review Committee may submit any information to the Board that it deems relevant to the Board's consideration of Licensee's petition.

D. Grant of Petition. The Board shall grant a petition submitted in accordance with the above paragraphs if it determines that the preponderance of all information received indicates that Licensee:

1. Has fully complied with this Order;
2. Has provided wholly truthful information in her reinstatement petition and has otherwise complied with all reinstatement requirements; and
3. Can be expected to practice veterinary medicine with reasonable skill and safety to patients.

E. Terms of Reinstated Conditional and Restricted License. If the Board grants Licensee's petition, any reinstated license shall, at a minimum, contain the conditions and restrictions set forth in the August 9, 2000 Stipulation and Order and any other conditions or restrictions that the Board reasonably deems necessary to protect the public.

F. Consequences of Denial of Petition. In the event the Board denies a petition for unconditional licensure submitted by Licensee, Licensee shall not again petition the Board for a period of six months from the date of the denial.

## VIII.

### 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 Amended Stipulation and Order, which may otherwise be available to Licensee.

C. This Amended 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 was advised of her right to be represented by counsel in this matter and knowingly and voluntarily waived that right.

E. Licensee has read, understands, and agrees to this Amended Stipulation and Order and has voluntarily signed the Amended Stipulation and Order. Licensee is aware that this Amended Stipulation and Order must be approved by the Board before it goes into effect. The Board may either approve the Amended Stipulation and Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Licensee, the Amended 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 Amended Stipulation and Order, it will be of no effect except as specified in paragraph VIII.F.

F. Licensee agrees that if the Board rejects this Amended 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 Amended Stipulation and Order or of any records relating to it.

G. This Amended 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 facts and circumstances set forth in this document.

**IX.**

**DATA PRACTICES NOTICE**

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

**X.**

**ADDITIONAL INFORMATION**

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

Sandra N.M. Nelson, D.V.M.  
SANDRA N.M. NELSON, D.V.M.  
Licensee

Dated: August 7, 2002.

**ORDER**

Upon consideration of the Amended Stipulation and all the files, records and proceedings herein, the terms of the Amended Stipulation are approved, adopted and hereby issued as an Order of this Board effective this 25 day of September, 2002.

MINNESOTA BOARD

OF VETERINARY MEDICINE

John King, DVM  
ROLAND C. OLSON     John King, DVM  
Executive Director