

**BEFORE THE MINNESOTA
BOARD OF VETERINARY MEDICINE**

In the Matter of
Jason M. Razo, DVM
License No. 21417

STIPULATION AND ORDER

STIPULATION

Jason M. Razo, 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 July 28, 2021, Licensee met remotely with the Committee, composed of Board members Julie Dahlke, DVM, and Mary Olson, DVM. Rebecca Huting, Assistant Attorney General, represented the Committee. Julia Wilson, DVM, executive director of the Board, also

participated in the conference. Nicole Vink, State Program Administrator, recorded the conference remotely. Licensee was not represented by legal counsel.

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 Stillwater Veterinary Clinic (“Clinic”), located in Stillwater, Minnesota.

b. On December 11, 2020, Licensee performed a gastrotomy on Jeffery, a 9-year-old Miniature Dachshund, owned by A.R., to remove a foreign body.

1) Jeffery subsequently developed skin discoloration and excessive drainage at the incision site that resulted in an emergency two days later.

2) Licensee was informed of the emergency room visit the following day and viewed pictures of the incision. Licensee recommended washing the incision and application of a topical antibiotic for 48 hours, potentially delaying needed care

3) Jeffery’s incisional problems became progressively worse leading to repeated dehiscence of the incision, systemic infection and on December 17, 2020, Jeffery was euthanized due to his severe illness and poor prognosis.

c. On January 14, 2021, Licensee removed mammary tumors at two location on Rosey, a 6-year-old female Labrador Retriever owned by M.S. and D. S. Complications that ensued and post-operative treatment were poorly described in the medical record.

d. On January 8, 2021, Licensee evaluated Axel, a 9-year-old male Rat Terrier owned by L.H. for a wellness examination and swollen lymph nodes. Licensee’s list of potential causes included neoplasia.

1) Licensee discussed an oncology referral with his owner but failed to recommend or perform a lymph node aspirate or other diagnostic tests to confirm or rule out the presumptive diagnosis.

2) Without making any attempt to arrive at a diagnosis for Axel's lymph node enlargement. Licensee prescribed a corticosteroid, prednisone. This prescription complicated later attempts at diagnosis and also interfered with optimal treatment for lymphosarcoma which may have provided Axel with a better prognosis.

e. On October 29, 2020, Licensee performed an ovariectomy on Mila Palm, a 5-year-old female American Bulldog owned by M.P. Licensee's surgery report described removal of the uterus and ovaries.

1) Licensee diagnosed a urinary tract infection when Mila developed a bloody vaginal discharge on February 3, 2021. Licensee prescribed antibiotic treatment which was ineffective as was a second course of a different antibiotic seven days later.

2) Licensee failed to consider an ovarian remnant and estrus as a source of the discharge. Vaginal cytology assessed by another veterinarian confirmed estrus. An exploratory surgery found an intact right uterine horn, intact uterine body, and a suspect ovarian remnant.

3) Licensee's surgery report falsely indicated the uterine body and horns were completely removed.

f. Licensee's medical records were insufficient, poorly legible and lacked details of patient visits, differential diagnoses, surgery, and owner communication.

IV.
LAWS

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

V.
DISCIPLINARY ACTION

6. Based on the foregoing facts and violations, the Board takes the following disciplinary action against Licensee:

a. Within five days of the effective date of this Order, Licensee must provide a copy of the Order to Licensee's employer and cause his employer to affirm to the Committee, in writing, that he or she has read the Order and is willing to directly supervise Licensee's performance of no fewer than ten (10) intra-abdominal surgeries for a period of at least three (3) months. At least five (5) of the surgeries must be for purposes other than ovariohysterectomy. The supervisor must be a licensed veterinarian and be present throughout each procedure to observe and support Licensee's surgical technique. This veterinarian will initial or otherwise note on the medical records of all surgeries he or she observed. Following completion of the requirements above, Licensee shall cause the veterinarian to inform the Committee, in writing, that in their opinion, Licensee is competent in performing intra-abdominal surgery.

b. Within one month from the effective date of this Order, Licensee must submit documentation to the Board of all his veterinary continuing education for the most recent license renewal period, March 1, 2019 to February 28, 2021.

c. Within one month from the effective date of this Order, Licensee must contact the Health Professional Services Program (HPSP) to schedule an interview to determine eligibility for monitoring. If HPSP determines that Licensee should be monitored, Licensee will sign and fully comply with the HPSP Participation Agreement.

d. Within three months from the date of this Agreement, Licensee shall submit to the Committee evidence of completion of at least six (6) credit hours of continuing education on the topic of veterinary medical records. For purposes of this requirement, the Committee preapproves “Medical Record Keeping for Veterinarians”, an online course offered by Drip Learning Technologies. The credits from this continuing education may not be applied to the requirements for Licensee’s next license renewal.

e. Within three months from the date of this Order, Licensee shall submit to the Committee evidence of completion of at least three (3) credit hours of continuing education on the topic of veterinary ethics. For purposes of this requirement, the Committee preapproves sections 1 and 3 of “Veterinary Law and Ethics” offered by Drip Learning Technologies. The credits from this continuing education may not be applied to the requirements for Licensee’s next license renewal.

f. Within twelve months from the date of this Order, Licensee shall submit to the Committee evidence of completion of the following continuing education. The continuing education must be preapproved by the Committee and may not be applied to the requirements for Licensee’s next license renewal.

1) Four (4) credit hours of continuing education on the topic of abdominal surgery.

2) Four (4) credit hours of continuing education on the topic of small animal anesthesia to include anesthetic monitoring.

g. Within three (3) months of the conclusion of the continuing education and for three (3) subsequent quarters, Licensee will submit his appointment schedule for the preceding three (3) months to the Committee. Licensee will provide complete medical records including imaging files for five (5) patients selected from his schedule for review by the Committee. The patients selected will be surgical and/or sick patients. The medical records must meet the Committee's approval.

7. Upon completing the requirements set forth above, Licensee may petition for an unconditional license. Licensee's petition may be granted, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof will be upon Licensee to demonstrate by a preponderance of the evidence that Licensee has satisfied the conditions.

VI.

CONSEQUENCES FOR NONCOMPLIANCE

8. It is Licensee's responsibility to ensure all payments, reports, evaluations, and documentation required to be filed with the Board pursuant to this Stipulation and Order are timely filed by those preparing the report, evaluation, or documentation. Failure to file payments, reports, evaluations, and documentation on or before their due date is a violation of this Stipulation and Order.

9. If Licensee fails to comply with or violates this Stipulation and Order the Committee may, in its discretion, seek additional discipline either by initiating a contested case proceeding pursuant to Minnesota Statutes chapter 14 or by bringing the matter directly to the Board pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least 20 days before the hearing, the Committee shall mail Licensee a notice of the violation(s) alleged by the Committee. In addition, the notice shall designate the time and place of the hearing. Within ten days after the notice is mailed, 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.

b. The Committee, in its discretion, may schedule a conference with Licensee prior to the hearing before the Board to discuss the allegations and to attempt to resolve the allegations through agreement.

c. Prior to the hearing before the Board, the Committee and Licensee may submit affidavits and written argument in support of their positions. At the hearing, the Committee and Licensee may present oral argument. Argument shall not refer to matters outside the record. The evidentiary record shall be limited to the affidavits submitted prior to the hearing and this Stipulation and Order. Unless stated otherwise in this Stipulation and Order, the Committee shall have the burden of proving by a preponderance of the evidence that a violation has occurred. If Licensee has failed to submit a timely response to the allegations, Licensee may not contest the allegations, but may present argument concerning the appropriateness of additional discipline. Licensee waives a hearing before an administrative law judge, discovery, cross-examination of adverse witnesses, and other procedures governing hearings pursuant to Minnesota Statutes chapter 14.

d. Licensee's correction of a violation prior to the conference, hearing, or meeting of the Board may be taken into account by the Board but shall not limit the Board's authority to impose discipline for the violation. A decision by the Committee not to seek discipline

when it first learns of a violation will not waive the Committee's right to later seek discipline for that violation, either alone or in combination with other violations, at any time.

e. Following the hearing, the Board will deliberate confidentially. If the allegations are not proved, the Board will dismiss the allegations. If a violation is proved, the Board may impose additional discipline, including a period of suspension, additional license conditions, a civil penalty, or revocation of Licensee's license.

f. Nothing herein shall limit the Committee's or the Board's right to temporarily suspend Licensee's license pursuant to Minnesota Statutes section 156.126 based on a violation of this Stipulation and Order or based on conduct of Licensee not specifically referred to herein. Similarly, nothing herein shall limit the Committee's right to attempt to resolve an alleged violation of this Stipulation and Order through the procedures of Minnesota Statutes section 214.103, subdivision 6, or to initiate a contested case proceeding under Minnesota Statutes chapter 14 based on an alleged violation of this Stipulation and Order.

VII.

ADDITIONAL INFORMATION

10. 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.

11. 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.

12. 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.

13. Licensee shall be responsible for all costs incurred in order to comply with this Stipulation and Order.

14. 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 either 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.

15. 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.

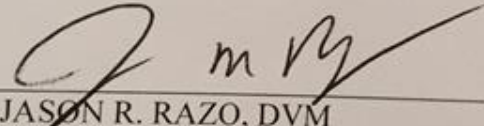
16. This Stipulation and Order does not limit the Board's authority to proceed against Licensee by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or omission of Licensee which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

VIII.

DATA PRACTICES NOTICES

17. 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.

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



JASON R. RAZO, DVM
Licensee

Dated: Nov 5, 2021

JULIE DAHLKE, DVM
Committee Member

Dated: _____

ORDER

Upon consideration of the Stipulation, the Board accepts the **CONDITIONS** of Licensee's license and adopts all of the terms described above effective this 24th day of November, 2021.

MINNESOTA BOARD
OF VETERINARY MEDICINE

A handwritten signature in dark ink, appearing to read "Julia H. Wilson", is written over a horizontal line.

JULIA H. WILSON, DVM
Executive Director