

STATE OF MINNESOTA
BOARD OF VETERINARY MEDICINE

In the Matter of
Terry Roberts, *Unlicensed*

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

TO: Terry Roberts, *Unlicensed* ("Respondent"), 29683 Cty Hwy 73, Deer Creek, MN 56527;
and Roberts Equine Dental, 102 West St, Beaufort, SC 29902

Minnesota law prohibits any person from practicing veterinary medicine without having first secured a veterinary license or temporary permit, as provided in Minnesota Statutes chapter 156, unless the person is exempt from such licensing requirements, pursuant to Minnesota Statutes section 156.12, subdivision 2.

The practice of veterinary medicine is defined in Minnesota Statutes section 156.12, subdivision 1, as follows:

Subdivision 1. **Practice.** The practice of veterinary medicine, as used in this chapter, shall mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique.

The practice of veterinary medicine includes equine dentistry and sedation with prescription medications pursuant to Minnesota Statutes section 156.12, subdivisions 3 and 4. Minnesota law prohibits any person from floating equine teeth without having met the legal requirements defined in Minnesota Statutes section 156.075.

Minnesota law prohibits any person from possessing a veterinary prescription drug unless the person is a licensed veterinarian or pharmacist, a bona fide employee of a veterinarian acting

in the course of that employment, a client holding a veterinary prescription drug by or on the order of a veterinarian, a manufacturer or wholesaler of veterinary drugs, an animal health research, or a person performing official state or federal regulatory duties, pursuant to Minnesota Statutes section 156.17.

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 licensed to practice veterinary medicine in the State of Minnesota and is not exempt from the licensure requirements set forth in Minnesota Statutes chapter 156.

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

3. The Board received a complaint alleging Respondent was engaged in the unlawful practice of veterinary medicine and equine teeth floating.

4. Upon receipt of the complaint, the Board initiated an investigation into Respondent's unlicensed practice of veterinary medicine and equine teeth floating.

5. Based on its investigation, the Committee has determined that Respondent engaged in the practice of veterinary medicine as follows:

- a. Respondent has held himself out to the public as an Equine Dentist.
- b. While providing teeth floating services, Respondent sedated equines by drawing sedation medication and administering it intravenously.
- c. During the times that he provided teeth floating services, Respondent was not employed by a veterinarian.

d. Respondent has charged fees for his dental services provided to equine.

e. To date, Respondent has never submitted the following materials to the Board in order to apply to provide equine teeth floating services in the State of Minnesota:

1) Proof of current certification from the International Association of Equine Dentistry or other professional equine dentistry association as determined by the board, and

2) 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.

6. Respondent, by the conduct referenced in paragraph 5 above, has engaged in and threatens to continue to engage in the practice of veterinary medicine and equine teeth floating in Minnesota without a license, in violation of Minnesota Statutes section 156.10, 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 the practice of veterinary medicine as defined in Minnesota Statutes section 156.12, subdivision 1.

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 401, Minneapolis, MN 55414, whereupon the Committee shall set a date for hearing within 30 days after its receipt of the

Respondent and the Committee by agreement waive the 30-day time period. Pursuant to Minnesota Statutes section 156.15, subdivision 5, 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.

Dated: October 29, 2019

BOARD OF VETERINARY MEDICINE
Complaint Review Committee

By: 
JULIA H. WILSON, D.V.M.
Executive Director

AFFIDAVIT OF SERVICE BY MAIL

Re: In the Matter of Terry Roberts, Unlicensed

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

SUZANNE ROBBINS, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on October 30, 2019, she served the attached CEASE AND DESIST ORDER AND NOTICE OF RIGHT TO HEARING by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class postage prepaid, and addressed to:

PERSONAL & CONFIDENTIAL

Terry Roberts
29683 County Highway 73
Deer Creek, MN 56527

PERSONAL & CONFIDENTIAL

Terry Roberts
Roberts Equine Dental
102 West Street
Beaufort, SC 29902



SUZANNE ROBBINS

Subscribed and sworn to before me
October 30, 2019.


Notary Public