

FILING A COMPLAINT

Board of Veterinary Medicine Complaint Investigation and Resolution Process

WHAT IS THE BOARD OF VETERINARY MEDICINE?

- The Board's mission is to promote, preserve, and protect the health, safety, and welfare of the public and animals through the effective control and regulation of the practice of veterinary medicine. This is accomplished by:
 - Enforcing the Veterinary Practice Act ([Minnesota Statutes Chapter 156](#)).
 - Licensing veterinarians that are qualified, professional, ethical, and accountable.
 - Investigating and resolving complaints when services do not meet standards or unlicensed persons are engaged in the practice of veterinary medicine.
- Licensing provides safeguards for the public and animals when professional standards are not met.

HOW DO I KNOW IF SOMEONE IS LICENSED?

- Use the [Public License Lookup](#) at the Board's website to find out:
 - If someone is licensed.
 - If the license is current.
 - If there has been public action against the license.
 - If there are any restrictions on the license.

WHAT IS A COMPLAINT?

- A complaint is a report that a veterinarian or non-veterinarian may have violated the Veterinary Practice Act.
 - The Board's authority to investigate complaints is limited to:
 - Individuals licensed with the Board of Veterinary Medicine.
 - Applicants for licensure with the Board of Veterinary Medicine.
 - Individuals practicing veterinary medicine without a license.
 - Professional firms registered to practice veterinary medicine.
- NOTE: Veterinary technicians are not licensed or registered in Minnesota.

HOW DO I FILE A COMPLAINT?

- Download or print the [Complaint Registration Form](#) from the Board's website.
 - Complaints must be filed in writing and signed.
 - Complaints may be submitted via email attachment, fax, or mail.

- Submit the [Complaint Registration Form](#) with a detailed description of your concerns and any information you think the Board should know. Use as many pages as needed. For example:
 - Provide as much detail about the people involved as you can (full name, address, phone number, place of employment, license number if known, etc.).
 - What happened? Who did what, where, when, and why?
 - Were others involved? If so, describe each person's involvement or role.
 - Arrange information in order by date or some other logical way as if you are explaining the situation to someone who knows nothing about it.
 - If the animal was seen by another veterinary clinic before or after these events, include the name and location of the clinic.
 - Include past health history of the animal if relevant.
 - If you were provided with components of the medical record from the veterinarian who is the subject of the complaint, please include copies or scans of those records.
 - Include copies of any documents, photos, videos, advertisements, or websites that might help the Board understand your complaint.

WHAT WILL THE BOARD DO WITH MY COMPLAINT?

- When the Board **receives a complaint**, the Board will:
 - Verify if the person is licensed, an applicant for licensure, or practicing veterinary medicine without a license to determine if the Board has jurisdiction (the legal authority to investigate the complaint).
 - Determine if the complaint alleges a violation of the Veterinary Practice Act.
 - Acknowledge that the complaint was received via a letter sent to you within 14 days of receiving your complaint unless the complaint was filed anonymously.
- Next, Board **investigates the complaint if it is jurisdictional**.
 - The Board may contact you for more information, usually via email.
 - The Board will contact the veterinarian or individual involved for a response to the allegations and request the complete medical record.
 - **Your identity is confidential—the Board will *NOT* tell the individual involved who filed the complaint. The veterinarian will assume that it was the owner of the animal most of the time. In very rare circumstances, the complaint may need to go before an administrative law judge in which circumstance, the Board be required to do provide your name and the documents you have sent to the Board.**
 - Medical records may also be requested from other veterinary practices that have been involved in your animal's care. The veterinary practice is not told who filed the complaint, nor the identity of the veterinarian or unlicensed person.
 - If warranted by the allegations, the Board may request an investigation by the Office of the Attorney General. This may include an inspection of the veterinary clinic or mobile practice vehicle.
- Board members review the complaint and the veterinarian's response to **decide what actions are warranted**.
 - All seven Board members are appointed by the Office of the Governor and serve as volunteers.
 - Board members are assigned to Complaint Review Committees based on their professional expertise. Each Committee is made up of two Board members, including either two licensed veterinarians or one licensed veterinarian and one public member (not licensed as a veterinarian).
 - Complaint Review Committee members review, evaluate, and discuss the findings of the investigation and decide the outcome on a case-by-case review. Every case is reviewed based on the individual facts.

- The Complaint Review Committee may dismiss the complaint or decide to meet with the veterinarian to learn more about the events as these apply to the statutes and rules that govern the practice of veterinary medicine
- Factors that the Complaint Review Committee consider are:
 - Severity of the error(s) and outcome.
 - Veterinarian’s current ability to practice safely.
 - Whether the veterinarian has a history of prior complaints, corrective action or discipline.
 - What steps should be taken to protect the health, safety, and welfare of the public and animals.
- If the Committee recommends disciplinary action, the full Board reviews and discusses the facts of the complaint and proposed discipline, then votes to approve or disapprove the disciplinary action. This is done during a portion of a Board Meeting that is closed to the public
- The Board will **notify you of the outcome** once the Complaint Committee/Board has made a final decision. Please note that the existence of a complaint and details of the investigation are not public.
 - If the Committee/Board takes corrective or disciplinary action against the veterinarian, that document is public, sent to you, and posted to the [Board’s website](#).
 - A final decision may take several months or longer.

WHAT ARE THE POSSIBLE OUTCOMES OF A COMPLAINT?

- **Non-public complaint outcomes:**
 - **Dismissal** if there is not enough evidence or Complaint Review Committee members determine action is not needed to protect the public.
 - **Referral** to the [Health Professionals Services Program \(HPSP\)](#) without discipline if the veterinarian has an illness that may impact their ability to practice safely.

If a complaint is dismissed or referred to Health Professionals Services Program (HPSP), the Government Data Practices Act ([Minnesota Statutes Chapter 13](#)), makes the data private, so you will be notified of the outcome of the complaint investigation, but the amount of information that can be provided to you is limited by law.

- **Public complaint outcomes:**
 - **Corrective action** if the veterinarian needs remedial training and Complaint Review Committee members agree additional education will effectively protect the public
 - Corrective actions are public, non-disciplinary agreements between the veterinarian and the Committee and do not require a vote of the full Board.
 - The veterinarian must agree to the corrective action.
 - Completion of the requirement is noted on the Board’s website.
 - **Disciplinary action titled Stipulation** - if the veterinarian has violated the Veterinary Practice Act and Board members agree that discipline is needed to protect the public and animals, the discipline can include but is not limited to:
 - Administrative penalty or fine.
 - Conditions – Veterinarian retains license predicated on fulfilling certain requirements specified by the Board. Conditions may be removed by the Board if the veterinarian has met the specified requirements.
 - Limitations - Veterinarian retains license but is prohibited from performing specified acts or services. Limitations are defined in the Stipulation. Limitations may be removed by the Board if the veterinarian has completed the required remediation for the specific limitation to be removed.

- Removal from practice through suspension or revocation of license:
 - Suspension - The license is taken from the veterinarian indefinitely or for a specified period of time and restored to the veterinarian predicated on the veterinarian's fulfillment of specific requirements. Suspension may be stayed (i.e. not in effect) so long as the veterinarian honors all conditions of that suspension order.
 - License Revocation - The license to practice is taken from the veterinarian, usually on a permanent basis.
- Requires approval of the full Board and the veterinarian's agreement to abide by the requirements.
- **Hearing before an administrative law judge**
 - If the subject of the complaint disagrees with the proposed corrective or disciplinary action, the matter may be brought before an administrative law judge. The judge will hear testimony from the veterinarian, the Board, and expert witnesses. The judge will evaluate the evidence and determine whether the proposed corrective action or discipline is warranted by a preponderance of the evidence to protect the public and animals.
 - Information provided at a hearing becomes public
- **Completion of corrective action or disciplinary requirements are also posted on the Board's website.**
- **Board Actions for Unlicensed Practice**
 - Cease and Desist - The Board has the authority to issue a warning letter or order requiring an unlicensed person to cease and desist from the unauthorized practice of veterinary medicine. The person is given the opportunity to respond to the Board and request a hearing. As the unlicensed practice of veterinary medicine is a gross misdemeanor, the Board can also assess a fine up to \$10,000. Cease and Desist Orders but not letters are public and posted on the Board's website.