

**BEFORE THE MINNESOTA  
BOARD OF VETERINARY MEDICINE**

In the Matter of  
Kimberly A. Voller, DVM  
License No.10088

**STIPULATION AND ORDER  
FOR VOLUNTARY SURRENDER**

**STIPULATION**

Kimberly A. Voller, 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. The Complaint Review Committee is composed of Board members Julie Dahlke, DVM, and Jody Grote. Rebecca Huting, Assistant Attorney General, represents the Committee. On August 22, 2022, Licensee was scheduled to meet with the Committee to discuss the allegations in the Notice of Conference dated August 2, 2022. Licensee was notified of her right to counsel.

Licensee submitted correspondence but did not appear. Julia Wilson, DVM, executive director of the Board was present but did not participate in the discussion. Following the scheduled conference, Licensee retained attorney Katherine Bloomquist Freitag. Rebecca Huting, Assistant Attorney General, represented the Committee. Following a review of all available information, the Committee determined the matter could be resolved by mail with a Stipulation and Consent Order for Voluntary Surrender.

### **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 a veterinary clinic ("Clinic") in Elk River, Minnesota or an employee of a Minnesota horse racing agency.
  - b. Licensee has multiple health issues which led to discontinuation of her employment by the horse racing entity.
  - c. On July 24, 2022, Licensee was referred to Minnesota Health Professionals Services Program for assessment of whether Licensee's ability to practice with reasonable skill and safety was impaired by reason of illness, use of alcohol, drugs, chemicals, or any other materials. Licensee declined to undergo the assessment.
  - d. On August 2, 2022, Licensee was issued a Notice of Conference requiring her to meet with the Committee on August 22, 2022. Licensee was unavailable to attend and the parties thereafter commenced settlement discussions through counsel.

#### **IV.**

#### **LAWS**

5. Licensee acknowledges the conduct described in section III. above constitutes a violation of Minnesota Statutes sections 156.081, subdivision 2(3) and 156.123, and justifies the disciplinary action described in section V. below.

#### **V.**

#### **DISCIPLINARY ACTION**

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

##### **A. Voluntary Surrender**

6. The Board accepts Licensee's **VOLUNTARY SURRENDER** of her license to practice veterinary medicine in the State of Minnesota. Licensee must not engage in any act which constitutes the practice of veterinary medicine as defined in Minnesota Statutes section 156.12 and must not imply by words or conduct that Licensee is authorized to practice veterinary medicine. Licensee will mail or return her veterinary license to the Board within one week of the effective date of this Order.

##### **B. Reinstatement**

7. Licensee may petition for reinstatement of her license to practice veterinary medicine after a minimum of 24 months from the date of this Order and when Licensee is able to demonstrate by a preponderance of the evidence that Licensee is capable of practicing veterinary medicine in a fit and competent manner. At the time of Licensee's petition, Licensee may be required to meet with a Committee to discuss her petition.

a. At the time of Licensee's petition, Licensee must meet all reregistration requirements in effect at the time of her petition for reinstatement, including but not limited to completing the appropriate application, payment of requisite fees, and completion of any necessary continuing education requirements.

b. The Board may, at any regularly scheduled meeting following Licensee's petition for reinstatement, take any of the following actions:

1. Grant license and registration to Licensee;
2. Grant license and registration to Licensee with limitations upon Licensee's scope of practice, conditions for Licensee's practice, or both; or
3. Deny Licensee's reinstatement petition upon Licensee's failure to meet the burden of proof.

## **VI.**

### **ADDITIONAL INFORMATION**

8. 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.

9. 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.

10. 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.

11. Licensee shall be responsible for all costs incurred as a result of compliance with this Stipulation and Order.

12. 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 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.

13. 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.

14. 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.

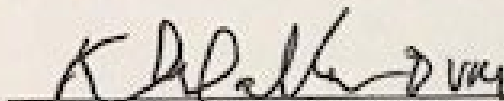
## **VIII.**

### **DATA PRACTICES NOTICES**


15. 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.

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

  
KIMBERLY A. VOLLER, DVM  
Licensee

Dated: 11/9/22

  
JODY GROTE  
Committee Member

Dated: 12/14/22

**ORDER**

Upon consideration of the Stipulation, the Board accepts the **VOLUNTARY SURRENDER** of Licensee's license to practice veterinary medicine and adopts all of the terms described above effective this 14<sup>th</sup> day of December, 2022.

MINNESOTA BOARD  
OF VETERINARY MEDICINE



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JULIA WILSON, DVM  
Executive Director