

A bill for an act

relating to health-related licensing boards; modifying the membership and authority of the Board of Veterinary Medicine; amending Minnesota Statutes 2006, sections 156.01, subdivision 1; 156.127, subdivision 1, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 156.01, subdivision 1, is amended to read:

Subdivision 1. **Creation; membership.** There is hereby created a state Board of Veterinary Medicine which shall consist of two public members as defined by section 214.02 and five licensed veterinarians appointed by the governor of whom at least two veterinarians must reside outside of the nine-county metropolitan area. For purposes of this section, the nine-county metropolitan area includes Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, and Washington Counties. Each appointee shall be a resident of the state of Minnesota, and the veterinarian members of the board shall have practiced veterinary medicine in this state for at least five years prior to their appointment. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214.

Sec. 2. Minnesota Statutes 2006, section 156.127, subdivision 1, is amended to read:

Subdivision 1. **Board action.** When grounds exist under section 156.081, or other statute or rule which the board is authorized to enforce, the board may take one or more of the following disciplinary actions:

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- (1) deny an application for a license;
- (2) revoke the regulated person's license;
- (3) suspend the regulated person's license;
- (4) impose limitations on the regulated person's license;
- (5) impose conditions on the regulated person's license;
- (6) censure or reprimand, publicly or privately, the regulated person;
- (7) impose an administrative penalty not exceeding ~~\$10,000~~ \$5,000 for each separate violation, the amount of the penalty to be fixed so as to deprive the person of any economic advantage gained by reason of the violation, or to discourage similar violations, ~~or to reimburse the board for the cost of the investigation and proceeding including, but not limited to, fees paid for services provided by the Office of Administrative Hearings, legal and investigative services provided by the Office of the Attorney General, court reporter services, witnesses, reproduction of records, board members' per diem compensation, board staff time, and board and staff expenses;~~ or
- (8) take any other action justified by the facts of the case.

Sec. 3. Minnesota Statutes 2006, section 156.127, is amended by adding a subdivision to read:

Subd. 5. **Contested cases.** Notwithstanding any law to the contrary, in all contested cases initiated by the board, the report or order of the administrative law judge constitutes the final decision in the case.