

North Dakota Board Of Veterinary Medical Examiners
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Complaint Information

The mission of the North Dakota Board of Veterinary Medical Examiners is to protect the public and animals through control and regulation of persons who practice veterinary medicine or veterinary technology within this state. One of the functions of the Board is to investigate and respond to complaints against licensed veterinarians and veterinary technicians. The Veterinary Medical Practice Act (Chapter 43-29 of the North Dakota Century Code) specifies grounds for discipline and the complaint procedure. There is more information in the board rules (Chapter 87 of the North Dakota Administrative Code). Copies of the pertinent sections of the Act and the board rules are enclosed. The full text of the practice act and the board rules is available from our office, through links on the board's web site (www.ndbvme.org), and in most public libraries.

Grounds for Disciplinary Action

The Board may take disciplinary action against a licensee only if grounds for the action exist in law or rule. Complaints should not be submitted if they are based on matters not addressed in the practice act or board rules, including fees charged by the veterinarian, refusal of the veterinarian to provide services due to inability to pay or previous interactions with the client, death of a patient due to complications beyond the control of the veterinarian, and attempts to recover financial compensation from the veterinarian.

Board's Process

Any person may file a written complaint against a licensee. See N.D.C.C. § 43-29-15(1); N.D. Admin. Code § 87-05-01-01.

Upon receiving a complaint, the licensee is served with a copy of the complaint and supporting documents. See N.D.C.C. § 43-29-15(1); N.D. Admin. Code § 87-05-01-01.

The licensee has an opportunity to respond to the complaint. See N.D.C.C. § 43-29-15(1); N.D. Admin. Code § 87-05-01-01.

The Board will supply the complainant with a copy of the licensee's response to the complainant. N.D. Admin. Code § 87-05-01-01. No subsequent reply, from the complainant, to the licensee's response is authorized or required under statute or rule. As such, no reply will be considered unless solicited as part of the Board's investigation.

The Board will consider the complaint and the licensee's response at a meeting. Upon consideration, the Board may decide to:

- Seek additional information. See N.D. Admin. Code § 87-05-01-01.
- Appoint a peer review committee for the purpose of investigation and recommendation. See N.D.C.C. § 43-29-15(1); N.D. Admin. Code §§ 87-05-01-01, 87-05-01-02.
- Dismiss the complaint. See N.D. Admin. Code § 87-05-01-01.
- Proceed with a disciplinary action "if there is a reasonable basis to believe the allegations are true and that the allegations constitute a violation of [N.D.C.C. ch. 43-29] or the rules of the board." N.D.C.C. § 43-29-15(2).

Complaint Form

In order to process a complaint, the following information is necessary. Please complete this form to the best of your ability. Send the completed form to the address above.

Part 1. Your information

Your name _____

Your address _____

Your telephone number _____

Your email address _____

Part 2. Your animal's information (species, breed, age, gender, name, etc., as applicable)

Part 3. Veterinarian information

Veterinarian's name _____

Veterinarian's address _____

Part 4. Complaint Information

Grounds for Complaint:

Briefly state what grounds for discipline you believe apply to your complaint. As noted above, the violation must fall within the grounds for disciplinary action as set forth in N.D.C.C. § 43-29-14(1) and N.D. Admin. Code ch. 87-05-02 which are attached. (such as failing to meet minimum standards of practice, or failing to report to law enforcement the inhumane treatment of animals.)

Complaint:

Be as specific as possible (dates, locations, times, participants, actions). Use additional sheets of paper, as necessary. Try to focus on the important points, in chronological order. Supporting documentation (such as medical records, signed statements of witnesses, photographs, or legal documents) can be included if you think they are relevant to the complaint. If the complaint proceeds to a formal investigation, you may be asked to support your claims with additional evidence and/or witnesses. Further, if the Board decides to proceed to a disciplinary action, you and any witnesses may be called to testify in an administrative hearing. Allegations made by other individuals relating to separate incidents should not be included in your complaint. Those

individuals may file their own complaint even though the circumstances may be similar. Statement that are heresy or are unrelated to this complaint should not be included.

Part 5.

By my signature, I authorize the release to the North Dakota Board of Veterinary Medical Examiners of any and all medical records necessary for evaluation of this complaint.

Your Signature _____ **Date** _____