

**THE MINNESOTA  
BOARD OF MEDICAL PRACTICE**

In the Matter of the  
Medical License of  
Robert J. Zajac, M.D.  
Year of Birth: 1969  
License Number: 44,503

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Robert John Zajac, M.D. ("Respondent"), and the Complaint Review Committee ("Committee") of the Minnesota Board of Medical Practice ("Board") as follows:

1. During all times herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice medicine and surgery in the State of Minnesota.
2. Respondent has been advised by Board representatives that he may choose to be represented by legal counsel in this matter. Respondent has chosen to be represented by Jacques G. Simon, Long Island NY Main Office, 200 Garden City Plaza, Suite 301, Garden City, New York 11530, and Brad Haddy, 3209 West 76th Street, Suite 202B, Edina, Minnesota 55435, (651) 905-4453. The Committee was represented by Kathleen M. Ghreichi, Assistant Attorney General, 445 Minnesota Street, Suite 1400, St. Paul, Minnesota 55101, (651) 757-1490.

**FACTS**

3. For the purpose of this Stipulation, the Board may consider the following facts as true:
  - a. Respondent was licensed by the Board to practice medicine and surgery in the State of Minnesota on March 9, 2002. Respondent is board certified in pediatrics.

b. From December 2017 to January 2019, the Board received four complaints about Respondent's practices related to vaccination. The complaints alleged, in part, that Respondent was practicing below the minimum standard of care, unethically, and against evidence-based medicine by actively encouraging parents not to vaccinate their children.

c. Based on the complaints, the Board initiated an investigation into Respondent's conduct. The investigation revealed that Respondent is not adequately counseling patients on vaccine risk and safety. The investigation further revealed that Respondent does not consider vaccines safe, and he notifies patients of this belief during the informed consent process.

d. On August 12, 2019, Respondent met with the Committee to discuss the allegations. Respondent stated that he tells patients, and their parents, every vaccine has a risk and that the laws in place protect the vaccine industry. When asked about informed consent, Respondent failed to articulate how he adequately communicates the risks and benefits of standard vaccines to patients.

#### **STATUTES**

4. The Committee views Respondent's practices as inappropriate in such a way as to require Board action under Minn. Stat. § 147.091, subd. 1(g) (unethical or improper conduct), (k) (conduct that departs from or fails to conform to the minimal standards of acceptable and prevailing medical practice), and (v) (knowingly providing false or misleading information that is directly related to the care of a patient). Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify the disciplinary action under this statute.

#### **REMEDY**

5. Upon this Stipulation and all of the files, records, and proceedings herein, and without any further notice or hearing herein, Respondent does hereby consent that the Board may

make and enter an Order disciplining Respondent and conditioning Respondent's license to practice medicine and surgery in the State of Minnesota as follows:

a. Respondent shall successfully complete, within one year of the date of this Order, the following courses approved in advance by the Complaint Review Committee:

- i. Medical ethics;
- ii. Communicable diseases;
- iii. Professional boundaries; and
- iv. Patient communication, focusing on explanations of risk and obtaining informed consent.

b. Respondent shall read the Health Resources and Services Administration's "What You Need to Know About the National Vaccine Injury Compensation Program," April 2019.

c. Within three months of completion of the above-referenced readings and coursework, Respondent shall write and submit a paper to the Committee of no more than five pages, summarizing the subject matter of those materials and demonstrating how it is implemented in his practice.

d. Respondent has removed from his clinic website all language critical of the CDC's research on vaccine safety and all language proposing alternative vaccines schedules.

e. Respondent agrees not to post on his clinic website blog or vlog materials that are posted in a public forum.

f. Respondent shall pay a civil penalty of \$10,000.00.

g. Respondent may petition for reinstatement of an unconditional license upon satisfactory evidence of completion of the terms and conditions of this Order. Upon hearing the petition, the Board may continue, modify, or remove the conditions set out herein.

6. Within ten days of signing the Stipulation to this Order, Respondent shall provide the Board with a list of all hospitals and skilled nursing facilities at which Respondent currently has medical privileges, a list of all states in which Respondent is licensed or has applied for licensure, and the addresses and telephone numbers of Respondent's residences. The information shall be sent to the Executive Director, Minnesota Board of Medical Practice, University Park Plaza, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota 55414-3246.

7. If Respondent shall fail, neglect, or refuse to fully comply with each of the terms, provisions, and conditions herein, the Committee shall schedule a hearing before the Board. The Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Respondent shall submit a response to the allegations at least three days prior to the hearing. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.


At the hearing before the Board, the Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

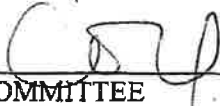
At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice, or suspension or revocation of Respondent's license.

8. In the event the Board in its discretion does not approve this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any disciplinary action by either party hereto except that Respondent agrees that should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto.

9. Respondent waives any further hearings on this matter before the Board to which Respondent may be entitled by Minnesota or United States constitutions, statutes, or rules and agrees that the Order to be entered pursuant to the Stipulation shall be the final Order herein.

10. Respondent hereby acknowledges that he has read and understands this Stipulation and has voluntarily entered into the Stipulation without threat or promise by the Board or any of its members, employees, or agents. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Stipulation.

Dated: 5/21/2021  
  
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ROBERT J. ZAJAC, M.D.  
Respondent

Dated: 5/29/2021  
  
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FOR THE COMMITTEE

**ORDER**

Upon consideration of this Stipulation and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented

by the Board this 10<sup>th</sup> day of July, 2021.

MINNESOTA BOARD OF  
MEDICAL PRACTICE

By: 

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