



**FOR IMMEDIATE RELEASE:**

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**Dr. Scott Jensen Files Memorandum Opposing Dismissal in Case Against  
Minnesota Board of Medical Practice**

**(Waconia, MN)** – Dr. Scott Jensen, whose license to practice medicine was threatened six times over nearly three years including the entirety of his campaign for Governor, filed a Memorandum in support of his Amended Complaint in Minnesota District Court on Thursday. Dr. Jensen is represented by the [Upper Midwest Law Center](#) (UMLC) and lead counsel Greg Joseph.

The Defendants include the Minnesota Board of Medical Practice (BMP) and its individual members, who are charged with regulating the “practice of medicine” in the State of Minnesota. They are accused of serially violating Dr. Jensen’s First Amendment rights in retaliation for his public speech on important political matters surrounding COVID-19. Dr. Jensen is also suing for an injunction to prevent future abuses of power by the BMP, including declaring unconstitutional the laws that were and continue to be used against him and other Minnesota physicians.

The Amended Complaint alleges that the BMP conducted illegal investigations based solely on Dr. Jensen's public statements, none of which involved patient care or treatment. The Amended Complaint also alleges that the BMP has no jurisdiction to investigate and punish physicians’ public political speech, consistent with the U.S. Supreme Court’s holding in *National Institute of Family and Life Advocates v. Becerra*, 585 U.S. 755 (2018), that “professional speech”—that of doctors, lawyers, nurses, and so on—on matters of public concern is entitled to the same protections as any other speech.

Earlier this Spring, the BMP convinced Judge Jerry W. Blackwell that Dr. Jensen had not alleged any specific harm associated with the repeated investigations into his license. The Court dismissed all claims for lack of “standing,” but left the door open to file an amended complaint, which Dr. Jensen did last month. The Defendants moved to dismiss the Amended Complaint, and this Memorandum followed.

“This is a critical case for every licensed professional in Minnesota and particularly practicing physicians who care about their right to free expression under the First Amendment. Campaign speeches, posts to social media, and filing an affidavit in a lawsuit in another state, are not “practicing medicine” by any definition,” said lead counsel Greg Joseph, who is working with attorneys James Dickey and Allie Howell from UMLC to represent Dr. Jensen. “As a direct result of the Defendants’ actions, this state was deprived of a full and open debate about lockdowns, mask mandates, church closures, and many other government actions taken in the name of public health. We look forward to the opportunity to litigate the merits of this case, and we will not stop until Dr. Jensen’s rights have been fully vindicated.”

Oral arguments on Defendants’ motion to dismiss are scheduled to be heard in Minnesota District Court on August 6, 2024.

[Click here](#) to view the filed amended complaint.

[Click here](#) to view the case exhibits.

***About Upper Midwest Law Center:***

*The [Upper Midwest Law Center](#) is a non-profit public interest law firm committed to upholding constitutional rights and the rule of law. UMLC advocates for the protection of individual liberties and the preservation of constitutional principles through strategic litigation and advocacy efforts.*