Legal Brief

The ethical content of veterinary medical practice acts

When the writer was in law school, his exposure to legal ethics came through two or three lectures delivered by a retired and aged judge who was led into the classroom by a member of the faculty. His lectures were delivered in a barely audible voice. He was a venerable figure with a distinguished career as a judge, so we listened politely, learning little.

The teaching of ethics, including veterinary ethics, is often treated in a well-intentioned but cursory manner. It deserves more serious treatment. After all, ethics deals with conduct, and a veterinarian’s conduct is the key to success as a practitioner.

Codes of ethics establish a set of principles against which a practitioner’s conduct can be measured. It is in applying these principles to concrete situations that ethical behavior is determined. This isn’t always easy. A world-wide service organization, Rotary International, has prescribed what is called a “4-Way Test” of the things we think, say or do, so when one is in a quandary about what to do, one should ask him or herself these questions:

- Is it the truth?
- Is it fair to all concerned?
- Will it build goodwill and better friendships?
- Will it be beneficial to all concerned?

Applying these to a veterinarian, it is obvious that the truth is important in explaining an animal’s condition to a client and eventually getting informed consent. Fairness applies to the fee and the business relations of the veterinarian with the client. Goodwill is something all practitioners seek. Beneficial has to do with the application of the veterinarian’s skill and knowledge to produce the best result possible.

Another model for ethical behavior is that of the Australian Veterinary Association. The Australian Veterinary Association recently revised its Code of Professional Conduct, which includes ten principles and a discussion of each. Since these bear on ethics and the ethical conduct of a veterinarian, they are repeated here.

1) Veterinarians shall always consider the welfare of the animal first in the provision of veterinary services.
2) Veterinarians should strive to improve the quality of veterinary services, and the health and welfare of animals at every opportunity.
3) Veterinarians should provide the best possible veterinary services to the animals under their care and to the community based on current scientific knowledge.
4) Veterinarians shall treat information about a client and his/her animals in confidence unless otherwise compelled by law.
5) Veterinarians should, where possible, obtain the consent of the client, and discuss the cost of the service, before undertaking any procedure or treatment.
6) Veterinarians shall not misuse or permit the misuse of their professional knowledge or skills, or abuse their privilege to prescribe restricted substances for animal use.
7) Veterinarians should continue to develop their professional knowledge and skills and share their knowledge with colleagues and other relevant professionals as appropriate.
8) Veterinarians should uphold the integrity of the veterinary profession.
9) Veterinarians should ensure that animals under their care are treated humanely and with respect.
10) Veterinarians should utilize the skills of colleagues, by consultation or referral, where appropriate.

How do veterinary medical practice acts support principles such as these, those in Rotary’s 4-Way Test, and those supplied by the American Veterinary Medical Association’s Principles of Veterinary Medical Ethics?

To answer this, one needs to look at the causes listed for disciplinary action. Virtually all causes involve a breach of an ethical duty. Looking at the Illinois Veterinary Medical Practice Act as an example, we find the following among causes for disciplinary action:

- Making any misrepresentation for purposes of obtaining a license, or violating any of its provisions permitting advertising.
- Aiding or assisting any person in the illegal practice of veterinary medicine or practicing with such a person.
- Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to harm the public.
- Charging for services not rendered.
- Willfully filing false statements required by the state, especially in disease control.
- Willfully violating laws and regulations regarding the dispensing and use of drugs.

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A major purpose of veterinary medical practice acts is to protect the public from incompetent and unfair treatment; therefore, it is not surprising that they should incorporate ethical standards.

- Dishonestly reporting on results of tuberculin or other biological tests.
- Making a false report of a contagious or infectious disease.
- Failing to properly execute health certificates.
- Intentionally failing to file tax returns and pay taxes as required by the Illinois Department of Revenue.
- Supplying equipment, medicines, or drugs to a client in a manner that exploits the client for the financial gain of the veterinarian.
- Willfully overcharging of clients for financial gain.