

OHIO VETERINARY MEDICAL ASSOCIATION



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**Testimony of Dr. Liesa Stone
House Bill 33
House Criminal Justice Committee
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Good morning Chairman Lang, Vice Chair Plummer, Ranking Member Leland and members of the House Criminal Justice Committee. My name is Dr. Liesa Stone. I am a veterinarian and immediate past-President of the Ohio Veterinary Medical Association (OVMA). I appear today on behalf of the over three thousand members of the OVMA to provide testimony in support of House Bill 33.

First, OVMA would like to extend our gratitude to the sponsors of this bill, Representatives Lanese and Carruthers, for bringing this important issue to the forefront as well as with working with all interested parties to address initial concerns with particular provisions in the introduced version of HB 33. Following important changes incorporated into the most recent substitute version of the bill OVMA is no longer simply an interested party but a proponent of House Bill 33.

As the professionals entrusted by society to provide medical care for animals, animal abuse is something veterinarians take very seriously. We fully understand our ethical and moral responsibility to address instances of suspected animal abuse, and we are also aware of the connection between animal abuse and human abuse in some situations. As such we are keenly aware that our role in reporting suspected animal abuse goes beyond a question of animal welfare to include at times human health as well.

There are a few significant changes made in the substitute version I would like to comment on to help illustrate the complexity and scope of our review of the introduced version of HB 33. One such change is in oversight of potential

violations of a failure to report. Under the substitute version on HB 33 if a veterinarian was alleged to have failed to report suspected animal abuse, the Ohio Veterinary Medical Licensing Board would decide based on the facts of the case if in fact that case should have been reported. Because such circumstances would consider medical evidence in a veterinarian's failure to report having other medical professionals judge that information is important.

If in fact the veterinarian were to fail to report the first offense would result in a warning from the Ohio Veterinary Medical Licensing Board recognizing that in most instances this would allow for corrective education and action. A second offense and subsequent offenses would result in a monetary fine and could potentially also lead to additional disciplinary actions by the Ohio Veterinary Medical Licensing Board based on the scope and facts of the case.

I would like to emphasize one point; OVMA agrees that veterinarians have a responsibility to report suspected animal abuse to the proper authorities for investigations. But, unlike potential human victims of abuse our animal patients cannot tell us what happened. Instead we must rely upon a physical exam, diagnostic tools, and the client's explanation of the injuries to make a clinical judgment. Sometimes evidence of abuse may be clear and substantial and at other times accidental injury may be a reasonable basis.

A fractured limb or burn may be an indication of an abusive environment. Or the injury could be caused by a misstep playing fetch or a cat jumping on a hot stove. While injuries such as these certainly warrant our attention and care, they may or may not be the result of intentional or malicious acts. Sometimes getting to a more accurate diagnosis of suspected abuse requires more in-depth diagnostics and potentially the specialized knowledge of a veterinarian with advanced training in forensics.

A more complete medical assessment represents not the only potential barrier to reporting suspected abuse. At times the specter of a client filing legal action against the veterinarian has been an impediment to situations where another

explanation could be plausible. The civil and criminal immunity provisions of HB 33 remove this potential barrier to reporting and we believe will help facilitate reporting more than any other aspect of the bill.

While currently there is obviously no law in Ohio requiring veterinarians to report suspected cases of animal abuse, this issue is one that OVMA takes very seriously. We have recently redoubled our efforts to provide members with the tools to help recognize and report suspected animal abuse. These include a daylong program as part of our annual conference this coming February, videotaped mock training scenarios, web based resources, along with printed reference guides that are currently underway.

We commend the sponsors for being a catalyst to focus attention on this issue and are pleased to join with others in supporting HB 33. OVMA respectfully encourages its favorable adoption.

Thank you again for the opportunity to testify. I would be happy to answer any questions you may have.