

OHIO VETERINARY MEDICAL ASSOCIATION



1472 Manning Parkway • Powell, Ohio 43065

614.436.1300 *phone* • 800.662.6862 *toll-free* • 614.436.1301 *fax*

www.ohiovma.org • ohiovma@ohiovma.org

Testimony of Dr. Liesa Stone House Bill 33 Senate Agriculture and Natural Resources Committee September 1, 2020

Good morning Chairman Hoagland, Vice Chair Schaffer, Ranking Member O'Brien and members of the Senate Agriculture and Natural Resources Committee. My name is Dr. Liesa Stone. I am a veterinarian at The Ohio State University College of Veterinary Medicine and a past president of the Ohio Veterinary Medical Association. I appear before you today on behalf of the over three thousand members of the OVMA to provide testimony in support of House Bill 33.

As the professionals entrusted by society to provide medical care and support the health and well-being of 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 link between animal abuse and interpersonal violence 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 and safety as well.

The bill version passed by the House earlier this summer included a number of important changes from its introduced version. These changes included stipulating that if a veterinarian is alleged to have failed to report suspected animal abuse, the Ohio Veterinary Medical Licensing Board would decide based upon the facts, if the 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 an important component to a fair review.

If a 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 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.

OVMA clearly agrees and understands veterinarians have a responsibility to report suspected animal abuse to the proper authorities for investigations. Yet, unlike potential human victims of abuse, our patients cannot talk to us and tell us what happened. This obviously makes our task of assessing potential abuse a bit more challenging. We must rely upon a physical exam, diagnostic tools, and the client's explanation of the injuries to reach 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 consideration to reporting suspected abuse. At times the specter of a client filing legal action against the veterinarian has been an impediment to reporting in situations where another explanation could be plausible. The civil and criminal immunity provisions of HB 33 remove this current potential barrier to reporting.

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 redoubled our efforts to provide members with the tools to help recognize and report suspected animal abuse. These included

programming as part of our annual conference, videotaped mock training scenarios for practitioner and veterinary student education, and useful reference guides for situations that may be commonly seen in the clinic.

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

I would be happy to answer any questions.