

The Case for Civil and Criminal Immunity for Licensed Veterinarians Who Report Actual or Suspected Animal Abuse or Neglect

Prepared by the
Washington State Veterinary Medical Association

INTRODUCTION

Washington state veterinarians are not protected from civil or criminal liability¹ for reporting in good faith real or suspected animal abuse or neglect² by either the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC). The Washington State Veterinary Medical Association (WSVMA) representing more than half the state's veterinarians seeks to establish in the RCW and administered by the WAC, IMMUNITY for REPORTING for all licensed veterinarians and licensed staff.

THE CASE FOR IMMUNITY

- Most licensed medical personnel in the United States *are protected* for REPORTING of their charges. This is true for human medical license holders nationwide and in 27 states for veterinarians. Some states, such as Georgia, Nebraska, and West Virginia, provide IMMUNITY for REPORTING by any person.
- Universally, the letter and intent of immunity is the encouragement of REPORTING and therefore prevention or cessation of undue injury, suffering, illness, and death across any attendant cause.
- REPORTING can in some cases protect public and animal health and well-being. This may include REPORTING that uncovers fighting dogs, animals ill with zoonotic disease that may or may not be reportable to the Washington State Department of Agriculture, and animals that represent by the nature of their illness or infection a threat to wells, groundwater, or other environmental elements.
- IMMUNITY can influence liability insurance carrier rates for veterinarians, their staff, and practices allowing without penalty REPORTING.
- Limiting IMMUNITY to for veterinarians and their licensed staff, versus all employees or the public in general prevents the abuse of consequence-free REPORTING done to be harassing, vindictive, or obstructionistic to other individuals, businesses, animal related events (rodeos), or biomedical research using animals. It is easy to imagine spouses locked in a divorce proceeding issuing claims of animal cruelty against one another repeatedly for purposes of harassment.

¹ For brevity the phrase, "civil or criminal liability," shall be known as simply, "IMMUNITY," throughout the remainder of this document.

² For brevity, the phrase "reporting in good faith real or suspected animal abuse or neglect," shall be known as simply "REPORTING" throughout the remainder of this document.