

news & notes

MARCH/APRIL 2007

A LETTER FROM THE PRESIDENT

As I look forward to the coming of spring and getting my motorcycle back on the road, thoughts of fleas and skeeters returning, prompting pet owners to act on behalf of their pet's well being, get me excited. As we say goodbye to what proved to be a fairly harsh winter, I was absolutely thrilled with the turnout at the Frostbite CE Seminar in February. I was pleased to participate in a learning and social event format that will still draw DVM participation in this new century. My "helmet" goes off to Jeff Dennis and all others that participated in making this very successful seminar a reality.

Another recent development has sparked my interest. Your executive board was approached late last year by a representative of the "Animal Health Corridor," a designation bestowed on our area because Kansas City is home to some 200 animal health companies. I am not sure just how the KCVMA will choose to respond, but there has been some interest from the Kansas City Chamber of Commerce to involve area veterinary practitioners into this emerging focus group. I would like to encourage any area veterinarians with an interest or insight into Animal Health Corridor initiative to share their thoughts with the board.

As we look ahead to our November 2007 program, any member with ideas for an outstanding speaker for our all day seminar, please speak up! It is my preference that the November program be both informative and fun for all who attend, with the primary focus



being on outstanding continuing education from the best speaker(s) available.

Finally, I wish to thank all of you who commented back to me regarding my initial letter as your president. It seems that I am not the only practitioner who misses the fun that we used to have back in the "good old days." So here is yet another request from me to you. Do you have any good ideas that might lead to veterinarians having fun together again? Just think of the knowledge sharing that would likely ensue from a bunch of us getting to know one another and having a good time!

Dr. Steve Smith
President, KCVMA

MISSOURI'S VETERINARIAN-CLIENT PRIVILEGE LAW

BY: GREGORY M. DENNIS

Veterinarian-client privilege is always a concern because noncompliance with specific legal requirements can result in a lawsuit and/or disciplinary action, as well as cast the profession in an unfavorable light. I have previously addressed changes made in 2006 to the Kansas Veterinarian-Client Privilege Statute. In this article, I will address the comparable law in Missouri, which bears some similarities, but also some key differences, to the Kansas statute.

The Missouri provisions in the Veterinary Practice Act at R.S. Mo. § 340.286 state that a veterinarian, and his or her staff, cannot disclose veterinarian-client-patient information and records to a non-client except upon: (1) written authorization or other waiver by the veterinarian's client; (2) appropriate court order or subpoena; or (3) as may be required to ensure compliance with any other federal or state law. R.S. Mo. § 340.286.1. It should be noted, the third exception only says federal or state law, it does not say local law, such as a county or municipal ordinance or regulation.

"Records" are not limited to paper documents but include images and, in these days, such things as computer records, disks, tapes, CDs, CD-Rs, CD-ROMs, hard drives, portable digital devices, Zip drives, backup media, metadata, or any other forms of electronic storage.

The Missouri Board of Veterinary Medicine's Rules of Professional Conduct, also states that a veterinarian shall not reveal confidential, proprietary or privileged facts or data of any other sensitive information in a patient's medical records or as otherwise obtained in a professional capacity without the prior consent of the client or as required in the Veterinary Practice Act, board rules, court orders or any other state or federal law or regulation. 20 Mo. Code of State Regulations § 2270-6(11).

The privilege provided by R.S. Mo. § 340.286 is considered waived by a client if he or she has placed its veterinarian's care and treatment of the animal, or the nature and extent of injuries to the animal, in issue in any civil or criminal case. R.S. Mo. § 340.286.3. For example, the privilege is waived if the client sues the veterinarian for malpractice or the veterinarian sues the client for an unpaid bill and the client disputes the provided services. Also, the privilege cannot be invoked to prevent the Board of Veterinary Medicine from obtaining veterinary records and information during a disciplinary proceeding. R.S. Mo. § 340.270.

A Missouri veterinarian releasing records or information through one of the above exceptions cannot be sued by the client or any other person for having releasing such information or records. R.S. Mo. § 340.286.2.

On the other hand, a veterinarian who releases information

to some third-person or entity, not through one of the permitted exceptions, can be sued by the client or another person for wrongfully releasing the information and records. Also, the veterinarian may be subject to disciplinary action for its wrongful disclosure. R.S. Mo. § 340.264.2(24).

An interesting difference between the Kansas and Missouri statutes lies in the release of veterinary information to report cruel or inhumane treatment of an animal. The Kansas statute (K.S.A. 47-839), allows, indeed requires, veterinarians to release veterinary information to report cruel or inhumane treatment of any animal to federal, state or local governmental agencies. Conversely, Missouri's law does not specifically address actual or suspected cruelty, abuse or neglect of an animal; however, it does mention that a veterinarian can release information as may be required to ensure compliance with any other federal or state law. A Missouri board regulation gives some guidance to Missouri veterinarians as to what they should do in such a situation by acknowledging that "veterinarians may observe cases of animal abuse or neglect as defined by federal or state laws, or local ordinances. When these situations cannot be resolved through education, the board considers it the responsibility of the veterinarian to report such cases to the appropriate authorities." 20 Mo. C.S.R. § 2270-6(11).

Any time a Missouri veterinarian releases patient information or records, he or she should have a written consent from the client or authorized agent. If the veterinarian cannot get a written consent, then he or she should promptly document in the patient's file when and under what circumstances the information and records were released. The veterinarian should provide a copy of the records and images, keeping the originals. If served with a subpoena from a governmental agency requiring the originals to be produced, the veterinarians should make a copy of everything that he or she turns over to the governmental agency.

Finally, when ownership of an animal has changed, and the new owner requests records and information from the veterinarian of the previous owner, the veterinarian should not release such records or information unless he or she has the written consent of the previous owner or has been served with a court order or subpoena requiring release the records to the new owner.

Editor's Note: Gregory M. Dennis is an attorney with Kent T. Perry & Co., L.C. in Overland Park, Kansas. He is Legal Counsel for both the M.V.M.A. and K.V.M.A. Also, he is a founding member of the American Veterinary Medical Law Association and a past president of that association.



KVMA TESTIFIES FOR PROPOSED TAX CREDITS ACKNOWLEDGING VETERINARY ROLE

BY: MICHELLE HOPKINS

Gary Reser, executive vice president of the Kansas Veterinary Medical Association (KVMA), testified before the Kansas House Taxation Committee on Feb. 1 in support of House Bill 2102. This measure would provide a tax credit to Kansas veterinarians who give professional time to community service organizations that serve indigent patients and companion animals at little or no cost. The tax credit – equivalent to \$30 an hour – would apply to all hours over 30 in each tax year and could not exceed \$2000 per veterinarian annually.

Reser noted that hundreds of veterinarians contribute thousands of hours to community service organizations each year. The tax credit could serve as an incentive for participating veterinarians to do more and for other veterinarians to get involved in community service for the first time.

“Volunteering at local humane shelters, providing free vaccinations, donating veterinary diagnostic and surgical duties, and offering spay/neuter services for low-income families’ pets only scratches the surface of contributions made to the public good by veterinarians all over Kansas,” Reser said.

The House Taxation Committee has 23 members (including Chairman Kenny Wilk of Lansing). Seven represent districts in the Kansas City area (40 miles or less). If you would like to contact them, their home district e-mail addresses and their Capitol telephone numbers are provided below.

Kenny Wilk (Chairman).....785-296-7660.....kwilk@kc.rr.com
 Lance Kinzer (Olathe).....785-296-7692.....Lance@LanceKinzer.com
 Arlen Siegfried (Olathe).....785-296-7686.....Siegfried@sbcglobal.net
 Gene Rardin (Overland Park) ...785-296-7698.....erardin@kc.rr.com
 Tim Owens (Overland Park)785-296-7685.....towens10@kc.rr.com
 Ron Worley (Lenexa).....785-296-7689.....ronworley@aol.com
 Paul Davis (Lawrence).....785-296-7657.....davis@house.state.ks.us

The House Taxation Committee also heard the KVMA speak in support of another measure (House Bill 2139) that would provide taxpayers tax credits for contributions to educational institutions that train students in medical or health care professions. The KVMA asked that this benefit also be extended to taxpayers who make contributions to veterinary schools.

PLEA FOR HELP IN MU CVM DEAN SEARCH

BY: MICHELLE HOPKINS



The national search for a new dean of the University of Missouri-Columbia College of Veterinary Medicine needs YOUR help – but you are strongly encouraged not to delay in nominating any professional colleague who would be outstanding in this role.

Although a previously announced deadline for nominations has elapsed, interviews of potential candidates have not yet begun; thus, the door is still ajar for more nominations, but they should come in soon.

The Dean Search Committee is so committed to finding the very best candidate that it has made a strong appeal to the state’s veterinarians in a letter to members of the Missouri Veterinary Medical Assn.

Signed by MVMA President Roger Dozier, DVM, and James Howard, DVM, of the Dean Search Committee, the letter urged veterinarians to think of colleagues performing well in secure positions. It inferred that no potential candidate should be overlooked.

Nominations should be submitted to Dr. Jim Howard via e-mail, docjimdvdm@mchsi.com, or telephone, 573-636-4626.

MISSOURI MAKES RURAL VETERINARY PRACTICE MORE ATTRACTIVE

BY: MICHELLE HOPKINS

Concern over the national shortage of rural veterinarians has received compassionate relief in the Heart of America. Missouri lawmakers approved Senate Bill 320, effective August 28, 2007, to:

- Expand provisions for repayment of educational loans for large animal veterinarians. The number of veterinarians who can be granted repayment each year is increased to six from five and the amount of repayment annually for each year of service in a rural area is boosted to \$20,000 from \$10,000. Lawmakers also reduced from five to four the number of years a veterinarian must work in a rural area to qualify.

- Create the Large Animal Veterinary Student Loan Program to make loans available to a maximum of six students annually at the MU College of Veterinary Medicine. These loans will be forgiven if the recipient practices large-animal medicine in areas determined to be underserved.

- Create a fund to accept funds and administer loans. Total outstanding loan limit is \$480,000.

Administrative responsibility for these programs is transferred to the State Dept. of Agriculture from the Missouri Veterinary Medical Board.

WHAT TO DO WITH A SICK TRAIN

BY: JC BURCHAM, DVM

Millions of people have grown to cherish the important role veterinarians serve through the books of James Herriot (All Creatures Great and Small). His simple anecdotes warm hearts and increase understanding of how veterinarians are deeply caring souls. Not only Herriot, but KCVMA members have stories to tell. We urge you to share your stories with us. Enjoy the submission below from J.C. Burcham, DVM.

This is a true story.

A woman and her two sons (2 years and 8 weeks) came in for the family dog (sweet, older Maltese, JoeJoe) to have his annual exam. We put the family in our "comfort" room, which is more spacious and comfortable. I was told before going into the room that I would need to examine the "train" first.

This caused my eyebrow to rise. How does one examine a train?

Sure enough, when I entered the room, I saw a little toy train sitting on the exam table, and little JoeJoe waiting his turn patiently on the floor. The mom explained, "My son is very worried about his sick train, and hopes you'll make sure he's ok."

"What's your train's name?" I asked the little boy.

"James," he said, looking very worried.

"And is James not feeling well?"

He shook his head.

"Ok, well let's take a look at him." Trying to be as serious as I could under the circumstances, I carefully picked up the train, held it in my hand, gently ran my finger along it, set it back down on the table, and put my stethoscope on it for a few seconds.

"Looks like he's going to be ok," I said.

The mom piped in, "What's the diagnosis?"

I hate when people ask me that. Especially when it comes to inanimate objects. I stifled a laugh and said, "Well, I think what he really needs is someone to take really good care of him. Can you do that?"

"See, honey, just like your doctor said. He just needs lots of love."

I placed James back in the little boy's hands and knelt down beside him as I said, "He's very lucky to have you. You must take very good care of him, I can tell."

He sat down with James as I did the exam on JoeJoe and finished up with the appointment. I had a very nice conversation with the woman while my technician stepped out of the room to grab some things. When my tech came back, I had her finish up

the appointment, and I stepped out of the room.

I made it all the way back to my office when I heard the stomp-stomp-stomp of little 2-year old feet and I turned around in time to find the little boy latching onto my leg.

"Um, thank you for um, fixing James. He's my, um, train. Thank you."



JC Burcham, DVM

KCVMA

news¬es

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All suggestions and comments are welcomed.
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March Continuing Education Event

Speaker: Dr. Wayne Hunthausen
Topic: Treatment Protocols for Common Behavior Problems of the Cat and Dog
Date: March 15, 2007 (3rd Thursday of the Month)
Time: Dinner: 6:30pm, Seminar: 7pm
Location: Campus Center at Maple Woods Community College
CE: 2 Hours
Fee: FREE! Current membership dues cover all CE. Technicians free with a dues paid veterinarian.



Dr. Wayne Hunthausen, a KC veterinarian and an internationally known pet behavior specialist, is the director of Animal Behavior Consultations, assisting pet owners and veterinarians. He currently serves on the Practitioner Board for Veterinary Medicine and the Behavior Advisory Board for Veterinary Forum. A prolific author and popular speaker, Dr. Hunthausen received the American Animal Hospital Assn.'s Petcare Award in 2002. He received his Bachelor of Arts (zoology) and Doctor of Veterinary Medicine (1979) degrees from the University of Missouri in Columbia. In his spare time, he enjoys photography, skiing, cycling, movies, traveling with his wife, Jan, and hiking with their dogs, Ralphie, Beau, and Peugeot.

April Continuing Education Event

Sponsored by 

Speaker: Dr. Jerry Quinlan
Topic: Risk Management and Vaccine Protocols
Date: April 19, 2007 (3rd Thursday of the Month)
Time: Dinner: 6:30pm, Seminar: 7pm
CE: 2 Hours
Location: Saint Joseph Health Center's Community Center for Health & Education, Community Meeting Room
Fee: FREE! Current membership dues cover all CE. Technicians free with a dues paid veterinarian.

Dr. Quinlan received both his Bachelor of Science and Doctor of Veterinary Medicine degrees from Michigan State University. He was a private mixed animal practitioner for nine years. For the last 20 years, Dr. Quinlan has worked in the pharmaceutical industry in Professional Services, marketing, sales management and currently sales training. He has published over 30 articles on immunity and disease management. He has been a frequent speaker at veterinary schools, as well as Local, State, National, and International forums. Because of his somewhat unorthodox training practices and classroom antics, veterinary students across the country have come to know him as "Dr. Evil."

May Continuing Education Event

Speaker: Dr. Stan W. Casteel, University of Missouri CVM
Topic: Toxicology
Date: May 17, 2007 (3rd Thursday of the Month)
Time: Dinner: 6:30pm, Seminar: 7pm
CE: 2 Hours
Location: Saint Joseph Health Center's Community Center for Health & Education, Community Meeting Room
Fee: FREE! Current membership dues cover all CE. Technicians free with a dues paid veterinarian.

Come join the KCVMA Board for a night at a Kansas City T-Bones baseball game! Mark your calendar for a 7:05 start on Saturday, August 4th against the Winnipeg Goldeyes. Four tickets will be provided to members at no charge; additional tickets can be purchased through the KCVMA for regular price. Fax this form to 913-341-4225 or mail to Wanda Grindstaff, PO Box 12468, Shawnee Mission, KS 66282-2468 before July 1st. If purchasing additional tickets, please make checks payable to KCVMA.



Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Complimentary Tickets (Max. 4) _____

Additional Tickets (@ \$8.50/each) _____

Total Amount Due
= \$ _____

CLASSIFIED ADS

Send your classified ads to: Wanda Grindstaff, PO Box 12468, Shawnee Mission, KS 66282-2468 or fax them to her attention at 913-341-4225. Ads must not be over 100 words in length. Classified ads will be run at the sole discretion of the editor. Deadline for the next newsletter is 4/13/07.

Part time and full time veterinarian needed for 5 doctor small animal practice just south of Kansas City. Urgent care from 6pm to 11pm. Clinic is open 7 days a week including holidays. Salary commensurate with experience and benefits available. RVT assistance, new facility, great equipment. Exotic experience preferred but training available for those less experienced. Apply at Belton Animal Clinic & Exotic Care Center through Teresa Bradley Bays, DVM at 816-331-3120 or mail resume to 1308 N. Scott Ave., Belton, MO 64012.

Exceptional Vet for exceptional clinic! High volume (60 -80 clients daily), high pay, small animal practice in rural setting drawing clientele from a 100+ mile radius. Rapidly expanding, all new equipment. Practice vet. medicine the way it should be in a not-for-profit environment where the client comes first. Angels Vet Express is just 45 miles north of Kansas City, MO, a division of the largest no-kill animal rescue in USA, M Shoozy's Animal Rescue. For interview contact: Gary Silverglat 816-324-5825

Full time associate wanted for 3 doctor, mixed practice. 65% companion animal, 30% bovine, 5% equine. Located in growing small community near Kansas City, MO. Experienced practitioner desired but new graduate considered. Salary and benefits commensurate with experience. Send resume and salary requirements to Dr. Paul B. Terry, Animal Clinic, P.C., P.O. Box 365, Plattsburg, MO 64477. Phone: 816-930-2629, FAX 816-930-2630, Evening phone 816-930-2566 or e-mail Prodox@aol.com

Full-time associate needed for established, fast-paced 3 doctor SA practice in Kansas City suburb. Operating in well-equipped new building with dedicated and very knowledgeable support staff. We strive to provide compassionate, quality patient care with emphasis on client satisfaction. We are looking for a self-motivated individual with excellent people and medical skills to be part of our team. Competitive salary based on experience, competitive benefits package, no emergency hours. Contact us at 816-252-5105; Fax 816-252-6037 or E-mail rschrock@threetrillsah.com.

For Sale - Shoreline cages. Multiple sizes and banks of 4, 6, 8 cages. Contact Bob Cannon DVM, Small Animal Hospital 816-931-5989.

Veterinary Technician Opening. Immediate opening for a Full-time RVT to work in a progressive, very rapidly growing and well-established, two-doctor, small animal practice in Gardner, KS in Southern Johnson County. We have a new state-of-the-art hospital facility as well as a new boarding, grooming and training facility next door. Gardner Animal Hospital is 2007 Winner of KC Small Business Monthly 25 Under 25 Award. Ideal candidate must have excellent people skills and be very customer service oriented. Position offers competitive salaries commensurate with experience and an excellent benefit package. Please contact Dr. Eileen Mertz or Michelle Stewart - General Manager at 913-856-6255 or email Dr. Mertz at emertzdvm@gardnerah.com. Check us out at www.gardnerah.com.

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Sandi Leonard, DVM, CVA 913-706-0411

Eliza Sundahl, DVM, CVA, ABVP 816-361-4888

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Jennifer Hyman, DVM, ACVO 913-381-3937
Susan Keil, DVM, MS, ACVO 913-722-5566
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913-381-3937 or 800-776-3937

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(Topeka) 785-478-9708

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816-513-4669