



# SVME Newsletter

Newsletter of the Society for  
Veterinary Medical Ethics

Fall 2008

## President's Message Fall 2008

Dear SVME Members:

It was my pleasure to be asked to join the Board of SVME last year to begin as President-Elect and attempt to fill the position of President in 2008-9.

My background as a private practitioner, VTH director and now a member of industry during the last 38 years have allowed me to participate in and observe my colleagues in many ethical dilemmas over that time. Although I have been a member of SVME almost since it's founding, I must admit to not being very active, but more an observer. This year in New Orleans was my first annual meeting and being part of the program.

For those that were unable to attend, the day was filled with good information and thought provoking discussion on various subjects from "pay for performance" to differing points of view about the necessity of a new veterinary association. I was impressed by the quality of debate and myriad viewpoints that were placed on the floor. The discussions were broad based and for the most part meant to educate others on varying points of view.

My only regret was there could have been a much larger audience with more experience and ideas to add. Many of the subjects we cover are not black and white, but the value is in the open and frank sharing of many points of view.

Ethics in most cases is not the difference between RIGHT and WRONG, but the most ethical solution from several ethical choices.

As most Presidents, I would hope, we the membership would try and interest others in joining us. There is no shortage of ethical dilemmas facing the profession at this time and the greater number of minds and voices will lead to wiser outcomes overall.

Please do not hesitate to call me personally if you have thoughts or ideas on how to spread our message or grow our numbers. I look forward to interacting with all that participate over the next few months.

Clayton Mackay DVM  
President SVME  
Mississauga, Ontario  
905-819-4976

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## 2008-2009 SVME-WALTHAM Student Essay Contest



The annual SVME WALTHAM student essay contest has generated increasing student interest and an increase in submissions every year since its inception. Through a generous donation from the WALTHAM Centre for Pet Nutrition, the winning essay writer will receive \$1000 and up to \$1000 for travel and expenses to attend the 2009 AVMA conference and SVME plenary session. This year's topic involves alternative and complementary veterinary medicine and the role of veterinary regulatory boards.

*There has been a tremendous increase in interest by the public and veterinarians in what is referred to as alternative or complementary veterinary medicine. What role should state and provincial veterinary regulatory boards play in monitoring the use of such treatment modalities? In your response, consider and discuss the following issues:*

- \* *What is the veterinary regulatory body's role in setting practice standards and codes of conduct?*
- \* *What is the nature and the extent of its responsibility for protection of the public and their animals?*
- \* *In many jurisdictions, there is a reported increase in malpractice and negligence lawsuits against veterinarians; what if any impact will the increased use of alternative and complementary therapies have on this trend?*
- \* *Does the composition of the Board have an impact on its judgments?*

Instructions for essay submission and award criteria can be found on the SVME website  
[www.vetmed.wsu.edu/org\\_SVME/](http://www.vetmed.wsu.edu/org_SVME/)

## New Officers

At the annual SVME business meeting that took place in New Orleans, the 2008-2009 officer slate was unanimously approved.

President	Clayton MacKay DVM
President-Elect	Katherine Knutson DVM
Immediate Past President	Gary Block DVM, MS, DACVIM
Treasurer	John Wright DVM
Historian	Suann Hosie DVM
Parliamentarian	Diane Levitan VMD, DACVIM
Secretary	Gary Block DVM, MS, DACVIM

## Overview of SVME Plenary Session/Business Meeting

The SVME's 2008 plenary session took place on July 20th in New Orleans as part of the AVMA annual convention. Attendance and audience participation were both excellent. The speaker list included a number of world-renowned and highly respected speakers such as Andrew Rowan, Bernard Rollin, and Patricia Olson.

Professor Rollin provided his no-nonsense views on the practical and ethical impact of animal cloning and stem cell research. As is common in Rollin-led presentations, a free-form discussion yielded wide-ranging input from the audience. Dr. Rowan's much-anticipated presentation unveiling the Humane Society Veterinary Medical Association was met with criticism for its narrow focus as well as enthusiastic support as an agent for proactive advancement of animal welfare issues. Dr. Patty Olson, CEO and president of The Morris Animal Foundation, presentation entitled "The New Face of Animal Research" explained how Morris Animal Foundation was able to influence the experimental protocols of grant applicants to improve animal welfare and that Morris Animal Foundation's grant philosophy would always be consistent with its core humane philosophy.

A thought-provoking presentation was made by SVME member Katherine Knutson who presented veterinary practice dilemmas where adherence to the law and ethics result in divergent courses of action. Clayton MacKay and Dennis McCurnin co-led presentations on the practical and ethical issues associated with incentive pay plans for veterinarians.

SVME member and director of the AVMA Animal Welfare Division, Gail C. Golab, DVM, PhD, gave a wonderful and clarifying presentation on how the Animal Welfare Division assesses, evaluates and comes to conclusions on specific animal welfare and husbandry practices. She emphasized that ethical, societal, economic and scientific aspects of the issue all needed to be considered prior to her division advising the AVMA and all its members.

### Listserv Reminder

The SVME listserv continues to pose provocative and clinically relevant ethical issues. Recent topics have included complementary veterinary medicine and the role of regulatory boards as well as a practice's responsibilities to accommodate a handicapped employee.

All SVME members are invited to post and contribute to the listserv at

[svme@listserv.vetmed.wsu.edu](mailto:svme@listserv.vetmed.wsu.edu)

## Noncompliance By Veterinary Clients as a Form of Neglect and Abuse

**Bruce Max Feldmann DVM**

**Dr. Feldman is a private practitioner and SVME member.**

*The views and opinions expressed in this article reflect the author's point of view and not necessarily those of the SVME.*

When a person takes on the responsibility of being caregiver for a companion animal, there is an implied moral contract that the person will now be acting in the animal's best interest, insofar as possible. When the person *can* act in that way--but doesn't--that act of omission is immoral, just as beating or starving that animal would be an example of a breach of the moral contract and a form of neglect or abuse.

"Neglect" is used here to mean "to leave unattended to; to fail to provide protection or veterinary care generally considered to be normal, usual, and accepted for an animal's health and well being." "Abuse" is used here to mean "an act of omission or commission which causes or unreasonably permits unnecessary or unjustifiable pain, suffering, or death; improper treatment; maltreatment."

A client-caregiver's noncompliance with unequivocally good (and normal, usual, and accepted) veterinary medical advice is not in the best interest of her/his companion animal. From an animal rights/essential interests perspective, the caregiver's motives for noncompliance morally matter not: the moral significance of such noncompliance is directly proportional to the impact of that act on the well-being of the animal. For example, a companion animal veterinarian examines an ill feline patient and clearly explains to the client that the animal has a serious but eminently treatable disease and that the animal is suffering and probably in pain. The veterinarian outlines three possible diagnostic options, three possible treatment options, and three possible payment plans. The client chooses to do nothing at all, including any measure to relieve pain and suffering or to get a second opinion. The animal later dies a slow, agonizing death. That client is acting immorally (neglectfully or abusively) as regards the animal. Or another situation where the veterinarian urges vaccination to a client who allows her healthy, unvaccinated dog to roam free, boards the dog one weekend-a-month at a "group play" boarding facility, shows the dog at a dog show six times per year and takes the dog to a dog park on most days, but still refuses *any* vaccinations. The dog dies quietly and peacefully in his sleep 14 years later. The immorality of that caregiver's noncompliance is of a lower order. It's not possible to be a little bit pregnant but it is possible to be a little bit immoral. In any event, each of these two acts of veterinary noncompliance is an example of some degree of neglect or abuse in a moral sense, though not necessarily in a legal sense.

The veterinary medical profession is the ultimate authority on companion animal health, welfare, and well-being. Public information efforts by veterinary medical organizations--aimed at the harmful consequences of noncompliance to animals--would raise caregiver consciousness. Such actions would hopefully yield benefits to companion animals commensurate with those efforts.

In order to facilitate greater compliance, we need clients to bring to the office visit a clearer picture of the impact of non-compliance. Take obesity, for example; if clients already had a clearer knowledge of, *and a visceral feeling for*, the ramifications of companion animal obesity, then practitioners' efforts to address this condition would likely be more successful. It is *pre-office* visit knowledge and attitudes where veterinary medical organizations should weigh-in with broad and deep public information efforts. These efforts should try to appeal to the conscience of caregivers by subtly and appropriately focusing on the risks and responsibilities attendant to noncompliance. Using such moral persuasion to increase client compliance is basically a matter of raising caregiver consciousness without implying "tsk, tsk, shame, shame." Public campaigns by veterinary medical organizations to increase compliance using an "It's the right thing to do for your animal" approach would, I suspect, be similar to campaigns against smoking, drunk driving, and littering and campaigns for seat belts, preventative health care, and environmental awareness. All such campaigns are based on a "do the right thing" morality and all have had some measure of success.

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A word follows about psychological elements that may bear on noncompliance and its moral dimension. Though I am not professionally qualified to pronounce on the inner life of companion animal caregivers, my lay opinion follows: It is my distinct impression that caregiver noncompliance often involves denial, such as discounting the risks posed to the animal or discontinuing the animal's suffering. Noncompliance is often explained by the caregiver as "I can't afford it." But this phrase seems to fall almost as readily from the lips of the financially comfortable as from the lips of the financially uncomfortable. And the sums involved can be rather small. I'd bet that in most cases, "I can't afford it" is shorthand for "I choose at this time not to spend a portion of my discretionary income on my animal based on your urging or recommendations. I'd rather spend it somewhere else at this time." That is, the motive, in my judgment, in most cases of noncompliance, is personal preference rather than a true reflection of financial need.

All studies, of which I am aware, of veterinary medical (and human patient) noncompliance suggest that the problem is pervasive. Insofar as I am aware, such failure of caregiver responsibility by veterinary clients has not heretofore been addressed *publicly* as a moral question. Such noncompliance is a moral issue, because it (1) is a breach of the implied moral contract between caregiver and animal and (2) can lead to animal pain and suffering.

An increase in veterinary client compliance is a moral good. It would ameliorate neglect and abuse, save animal lives, and reduce animal suffering. Organized veterinary medicine is morally obligated to try pursuing promising unexplored ways to increase that compliance.

## Shomer Award

The 2008 winner of the prestigious SVME Shomer award was Andrew Rowan, D. Phil.

Dr. Rowan received an engraved plaque and a \$1000 honorarium at the close of the 2008 SVME plenary session that took place at the AVMA convention in New Orleans.

This award is dedicated to the memory of Dr. Robert Shomer, who graduated from the University of Pennsylvania School of Veterinary Medicine in 1934. Dr. Shomer was a co-founder and first President of the Society for Veterinary Medical Ethics. The award is bestowed upon an individual who has made a significant contribution to the field of veterinary medical ethics.

Dr. Rowan is the Senior Vice President of Research, Education and International Issues for the Humane Society of the United States, Adjunct Professor at Tufts University School of Veterinary Medicine, Senior Fellow at the Tufts Center for Animals and Public Policy and a Faculty Member at the Center for Alternatives to Animal Testing at Johns Hopkins University, School of Public Health.

Over a 10-year period, Dr. Rowan was an assistant professor, professor, and assistant dean at Tufts University and he was the Director for the Center for Animals and Public Policy at Tufts University School of Veterinary Medicine for 14 years.

Dr. Rowan has spoken more than 50 times as an invited speaker on subjects including alternatives to animals in research, lab animal welfare, pet overpopulation and farm animal welfare. He is currently on the board of organizations as diverse as Public Responsibility in Medicine and Research, Humane Society International, Animal Rights International and Earthvoice.

Some of the prestigious awards Dr. Rowan has received during his career include the Russell and Burch Award for contributions on alternatives, the Felix Wankel Prize, recognition from the Johns Hopkins Center for Alternatives to Animal Testing and a Rhodes Scholarship.

Dr. Rowan's entire Curriculum Vitae can be found online at <http://caat.jhsph.edu/about/staff/rowan/index.htm>



## Ethical Decision Making and Cosmetic Surgery

Franklin D. McMillan, DVM, Diplomate ACVIM; Best Friend's Animal Society, Utah  
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The principles of veterinary medical ethics become involved when a pet owner enlists the services of a veterinarian to perform or participate in such actions. No more prominent example of this exists than the highly controversial issue of cosmetic surgery on animals, more specifically, ear cropping and tail docking of dogs.

How do ethical issues such as this get sorted out? What should guide us in determining the correct course of action? How do we ascertain whether such actions are right or wrong? Are the moral arguments relative, depending on whether one resides in a country that has outlawed such procedures or one that has not? And does the law serve as the moral guide, such that the only reason a British veterinarian regards ear cropping as wrong and a U.S. veterinarian considers it acceptable is its illegal status in the United Kingdom and legal status in the United States?

### Moral Dilemma

The problem with using standard concepts of moral theory-utilitarian and deontologic-is that all morality is rooted in harm to a sentient individual. The harm could be to one or more individuals, now or in the future. If no one can be harmed; then that matter is outside of morality-there is no moral relevance. Stealing is a moral issue because someone gets hurt. Similarly, damaging the environment is a moral concern since such actions harm future generations. Conversely, the choice of whether to wear a blue dress over a green dress is not a moral decision because no one can be harmed by that decision. The key point is this: much of the argument supporting the acceptability of cosmetic surgery in animals is that the animals are not harmed. Whether through use of analgesics or the contention that the animals will never miss the body parts, the arguments go, there is no meaningful potential for the animal to be hurt. Thus, if harm is the foundation for moral judgments, then one whole side of the debate is based on the premise that cosmetic surgery-ear cropping and tail docking-is simply not a moral issue. This means that standard moral theory won't help resolve the question of rightness or wrongness.

### Finding Ethical Guidance

Can we look to the leading veterinary medical organization, the American Veterinary Medical Association (AVMA), which describes itself, in part, as a "collective voice for its membership and the profession," for guidance? Let's examine this possibility.

First, the position statement issued by the AVMA is as follows: *Ear cropping and tail docking in dogs for cosmetic reasons are not medically indicated nor of benefit to the patient. These procedures cause pain and distress, and, as with all surgical procedures, are accompanied by inherent risks of anesthesia, blood loss, and infection. Therefore, veterinarians should counsel dog owners about these matters before agreeing to perform these surgeries.*

This falls far short of the ethical guidance we seek. Whereas the first 2 sentences form an extremely strong argument for the immorality of these procedures, the third sentence clearly sanctions the procedure. The ambiguity of this statement offers no meaningful assistance in making ethical decisions about the issue.

Although the specific policy position on the procedures is not helpful, the AVMA has set forth specific tools for "developing and evaluating animal welfare policies, resolutions, and actions," in the form of the AVMA Animal Welfare Principles. Included in these 8 principles are those specifically addressing priorities in ethical decision making.

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- ◆ Animals should be cared for in ways that minimize fear, pain, stress, and suffering.
- ◆ Animals shall be treated with respect and dignity throughout their lives and, when necessary, provided a humane death.

This brings us much closer to substantive guidance on the issue of cosmetic surgeries. But it is not all the AVMA has to offer. In *Principles of Veterinary Medical Ethics*, section II, "Professional Behavior," the first item reads: Veterinarians should first consider the needs of the patient: to relieve disease, suffering, or disability while minimizing pain of fear." Additionally, section V of the same document, "Influences on Judgment," states clearly that "the choice of treatments or animal care should not be influenced by considerations other than the needs of the patient, the welfare of the client, and the safety of the public."

From these statements, we glean 2 key points: 1) The needs of the patient are given unequivocal priority in decision making and 2) ear cropping and tail docking "are not medically indicated nor of benefit to the patient" and "cause pain and distress." Therefore, with the single inconsistency of the statement about a veterinarian's counseling pet owners before agreeing to the surgeries, the logical conclusion of the AVMA's statements is unmistakable: these surgeries are wrong. These statements provide the ethical guidelines we seek.

### **Making the Decision**

I offer the following "test" as a helpful guide in decision-making on the issue:

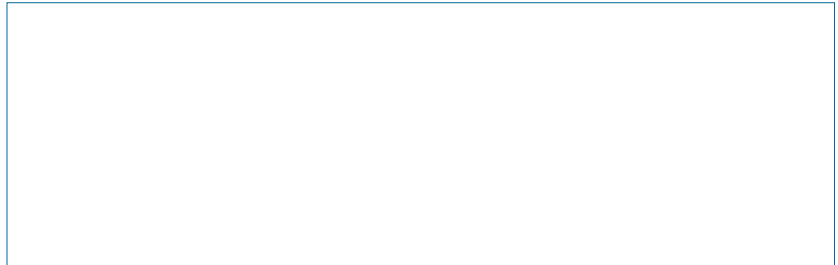
1. Would the animal, with adequate comprehension of the circumstances, be likely to elect the procedure for itself?
2. Would the procedure or a comparable one be acceptable in children?
3. Is it necessary for the animal's well being?
4. Would present-day society accept the introduction of the procedure if it were not currently being done?
5. Would the arguments supporting the procedure be equally valid if applied to all conceptually identical procedures on the same animal? For example, if it is acceptable to remove half of each pinna and four fifths of the tail, would it also be acceptable to remove the fourth digit from each foot, remove the entire left pinna and leave the right intact, or do oral cosmetic surgery to create the look of a forked tongue?

### **Canadian Veterinary Journal - Practical Ethics**

The Canadian Veterinary Journal (CVJ) has a feature open to all veterinarians entitled "Ethical Question of the Month" that invites veterinarians to pose ethical questions and submit answers to prior questions. All questions and scenarios should be based on actual events. Responses and questions can be addressed to Ethical Choices, C/O Dr. Tim Blackwell, Veterinary Science, Ontario Ministry of Agriculture, Food and Rural Affairs, Wellington Place, R.R.#1, Fergus, Ontario N1M 2W3 or via Email at [tim.blackwell@omaf.gov.on.ca](mailto:tim.blackwell@omaf.gov.on.ca)



c/o Gary Block DVM  
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## SVME Mission Statement

The SVME was founded over 10 years ago to promote discussion and debate about ethical issues arising in and relevant to veterinary medicine. The SVME publishes a newsletter, provides a listserv, holds an annual meeting at the AVMA convention, sponsors an annual student essay contest and honors an individual annually with the Shomer Award for outstanding contributions to veterinary medical ethics.

*Individuals interested in information or in joining the SVME can contact Dr. Gary Block (401) 886-6787 or visit the SVME website*

[www.vetmed.wsu.edu/org\\_svme/](http://www.vetmed.wsu.edu/org_svme/)

*to learn more about the organization.*

