

COMMENTS TO THE REPRESENTATIVES – APRIL 19, 2017

The Sunset Advisory Committee concluded that the Vet Board has serious problems regarding its mandate to enforce accountability for veterinarians who commit malpractice. The bill's own analysis states that this has created 'significant distrust between licensees, the public, and the agency.'

This board is run by veterinarians who are regulating veterinarians and it should be no surprise they have been protecting veterinarians from their malpractice for years, which only exacerbates the harm to the public by leaving those dangerously incompetent veterinarians to continue their malpractice on our beloved pets.

We do not have the option of using the Courts for redress because in the eyes of the Courts, our pets are worthless and have no sentient value. Our legal fees would greatly outsize any damages awarded. The only avenue the public has for redress for the nightmare of losing a beloved pet to malpractice is to file a complaint with this board.

I can tell you from experience that if your pet was killed by veterinarians and you filed a claim with the expectation that it would be treated with the seriousness it deserves, only to have it tossed out as if it's nothing, is unbearably painful. It only victimizes us again.

My very serious complaints of gross malpractice and animal cruelty in the horrifying death of my horse, Harvey, were dismissed and also my appeals were dismissed in spite of an abundance of supporting evidence against the worst of veterinarians during the recent Sunset Advisory Commission review.

A major problem in the way complaints are handled is that the medical reviewers comments are ignored and action taken by the Board to dismiss complaints has no bearing on the facts in the case. There must be supervision of this agency to ensure a correlation between the sanctions for an offending veterinarian and the seriousness of the violations which he or she is guilty of – and the death of a pet should be at the top of that list. Without supervision, these serious cases will continue to be dismissed, which allows the public no warning at all.

I want to stress to the legislature that two reviewers is absolutely necessary. This is an area of huge concern for the public. Right now two reviewers are required

and removing one of those reviewers voids the positive impact of Sunset's reduction of veterinarian board members from six to five because a board reviewer is not allowed to vote on a case he or she reviewed. That a single reviewer could stop a complaint invites the abuse and conflicts of interests that have plagued this board. This issue has been battled before by previous victims whose cases were dismissed by a single reviewer. If the number of reviewers drops to one, it leaves the board votes on enforcement cases unchanged. I don't believe that's what Sunset intended. We need more eyes on these malpractice cases. I hope you will seriously reconsider that change.

In a recent case involving a neurosurgeon who killed two patients and maimed many others, it was clear the Texas Medical Board did not timely act to revoke his license. That grossly incompetent doctor was stopped only because brave doctors stood up and were persistent in demanding that the board stop him. The actions of these doctors were especially brave in this era of people who wrongly think loyalty means lying to protect fellow doctors or veterinarians from their own gross malpractice. These State agencies must stop protecting their own and move more readily and quickly to revoke the licenses of those who commit horrible acts of gross malpractice and animal cruelty on the public and their pets.

We love our pets as children and suffer the same grief at their loss, especially when that loss is so senseless and unnecessary and when the guilty parties walk free of any consequences for their actions.

I am left with terrible images of the suffering of my beautiful horse, Harvey, who should be alive today but instead died a horrible death because of veterinarians who should not be licensed to practice.

In the words of Supreme Court Justice Kennedy, "the need for supervision is manifest." I appreciate the efforts of Senator Watson and Representative Raymond to improve the administration of this agency. Thank you.

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