

## **LVM: Session 2**

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We continue with state practice acts and regulations in the first hour, during which time we'll look at licensing issues and disciplinary actions. We'll also contrast the AVMA's Principles of Veterinary Medical Ethics (PVME) with Massachusetts law and regulations as a way to work on your understanding of the 6 boxes diagram.

We'll constantly emphasize the importance of practical thinking in ethics of all kinds—your task is to recognize options in real world settings. One goal of this course is to help you establish for yourself guidelines for decision making that are both practical and useful.

In the second hour of this session, we'll begin our engagement with the most basic features of the American legal system. We start with contracts and torts. Many of the JAVMA articles you will read assume that you are able to handle some rather sophisticated features of the American legal system (they assume, for example, that you know important legal vocabulary and certain crucial conceptual distinctions, such as civil law versus criminal law – remember, if you have difficulty with terms, you can find a full glossary of legal terms at [www.nolo.com/dictionary/wordindex.cfm](http://www.nolo.com/dictionary/wordindex.cfm)).

To make sure that you can handle the legal aspects of your profession and speak knowledgeably about important veterinary issues that are often affected by legal developments, we spend time in this and the next two lectures looking at the broadest features of the legal system (see, for example, the charts on the state and federal legal systems, and notice the complexity and technical jargon).

While we will also look at some helpful practical guidelines, we will spend most of our time focusing on veterinary-relevant areas of “substantive law” (that is, those distinct subject areas of the law, like contracts or torts, that provide the specific rules and prohibitions that impact the delivery of veterinary services—this kind of law is usually contrasted with “procedural law,” which is the set of rules about where, when, and how to use the legal system).

We'll also look at the oath used in American courts—we'll compare this directly to the Veterinarian's Oath that you will be asked to take at graduation. We'll ask these questions—what is the nature of the oath you'll take at graduation? What is the meaning of its words? Answers to these questions illustrate the differences between “boxes” or categories in the 6 boxes diagram.

### **1. Readings and Resources**

- Principles of Veterinary Medical Ethics (from the 2005 AVMA Directory)
- [Veterinary Oaths Acronyms from Tannenbaum 1995 and Some Practical Guidelines](#)
- JAVMA, December 15, 2005, 1906-1909, “Effects of veterinary board disciplinary actions on veterinarians licensed in multiple states”
- 3 charts on legal system (by Wilson and Waldau)

- The General Legal System and Substantive Law
- JAVMA, April 15, 2006, “The relationship between general practitioners and board-certified specialists in veterinary medicine”

## **1.1 Recommended Readings**

- JAVMA, August 1, 2002, “Variations in dog bite statutes”
- JAVMA, September 2004, “Dog bites veterinarian: the legal issues”
- JAVMA, January 1, 2002, “Loss of Companionship and emotional distress—who determines liability?”