



Accountability in practice

The secret to
cultivating *compliments*
Instead of *complaints*

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The main purpose of this article is to discuss how veterinarians in our jurisdiction can protect themselves from the types of complaints the Saskatchewan Veterinary Medical Association (SVMA) has received in the last several years. The most common type of complaint to our Association relates to, and typically results directly from, miscommunication between veterinarians and their clients or colleagues. The second most common type of complaint involves improper medical record keeping.

An investigation into a complaint has a high price to the Association. While they also cover travel and accommodation for committee members to attend meetings and hearings, most of the financial costs of a complaint go towards legal fees. The lowest cost for an investigation in the last four years was \$4000. The highest was \$120,000.

Disciplinary hearings also take their toll on those members undergoing investigation. Being the subject of a complaint investigation may be one of the most stressful times in a veterinarian's career. Costs of the proceedings may be passed on to the member under discipline, and fines may also be imposed.

Anyone, even a veterinarian who is a good communicator and clinician, would be taken aback by having a complaint filed against them, so another purpose of this article is to discuss some of the supports available for members under such duress.

PREVENTION IS STILL THE BEST MEDICINE

If the last time you reviewed the Code of Ethics sections of the Bylaws was during the licensing process with the Association, perhaps it is time to read them again.

Sections 30-33 of the SVMA Bylaws are most applicable to avoiding a formal complaint. Reading them over with a cup of coffee will usually take no more than fifteen minutes or so. **Responsibilities to the client, The veterinary client patient relationship, Responsibilities to the profession and colleagues, and Responsibilities to society¹** should all be reviewed.

Finally, it helps to stay informed about the types of complaints that are actually made. A 2012 investigation into veterinary medical board state disciplinary actions cited negligence or malpractice as the most common type of complaint, followed by improper record keeping, followed by practising without a license and lastly, unprofessional conduct.² The trend remained consistent over a seven year period. The complaints made to state boards are very similar to the types of complaints brought to the SVMA.

Discipline case reports are listed on the SVMA website and published in this Association newsletter. These reports are posted publicly because it is the right of the public by law to be informed about the history of a disciplined veterinarian. This right extends to professional colleagues as well. In most other professions, discipline cases are also available online for public access. The Alberta Veterinary Medical Association website will list veterinarians under suspension, and the College of British Columbia Veterinarians website has a link to outcomes from the enforcement of the Veterinarians Act on unauthorized practice of veterinary medicine.

COMMUNICATION

The foundation of every good veterinary client relationship is clear communication between the people involved. Considering how miscommunication can result in a complaint, veterinarians would benefit from spending some continuing education time on enhancing communication skills.² Up to five non-scientific CE hours may be used for client communication training.¹ Veterinarians can improve verbal communication, provide written discharge instructions and use written consent forms.² Keep special circumstances, such as when more than one client is involved in the care of the animal but only one of them is in contact with the veterinarian, in mind.

Another way to augment communication skills is to learn from one of the masters. If a veterinarian is fortunate, they may come across a mentor or colleague with exceptional interpersonal skills. Ask an experienced colleague when advice is needed on how to deal with a difficult situation. Chances are they have dealt with something similar and can provide valuable guidance.

Whenever possible, try to keep the lines of communication open with the client with the edict that the animal's well-being is of primary importance. Keeping communication open may not be possible in every case, but it is beneficial to your business at all times, not just when seeking conflict resolution without involving the governing association is at stake.

As valuable as client communication is, the interaction between different clinics is just as significant. Follow the wellness link on the SVMA website to read Dr Smith's article *Inter-clinic Cooperation and Communication: Are we colleagues or competitors?* This article reminds us about our professional responsibility around effective communication with colleagues.

MEDICAL RECORD KEEPING

What happens when a veterinarian goes into an appointment after a colleague has been looking after an animal and finds there is not one thing written in the medical record? When medical records are left unwritten or incomplete, their colleague is at a disadvantage when dealing with clients and with patient care. Writing medical records days later from memory can easily result in the unintentional omission of relevant information.

If deficiencies in record keeping are found during an investigation, a veterinarian may find him/herself facing disciplinary action and as a possible result of that, have to pay a fine and/or all or part of the costs of the investigation. As written in *The Veterinarians Act, 1987*, the Professional Conduct Committee (PCC) can prosecute a member for any infraction(s) found during an investigation even if the infraction has nothing to do with the original complaint. Excerpt from *The Veterinarians Act, 1987* 20 (3.1):

The formal complaint set out in a written report made pursuant to clause (3) (a) may relate to any matter disclosed in the complaint received pursuant to subsection (1) or the investigation conducted pursuant to subsection (2).

Medical record keeping complaints are not exclusive to veterinarians in Saskatchewan. The nationwide study of the most common offenses leading to state disciplinary action in the United States listed improper record keeping as the second most common offense in 6 out of 7 years.²

Practice Standards regarding medical recordkeeping and all other clinical requirements are available on the SVMA website. The medical record is a legal document. From a legal standpoint, if it wasn't written down, it didn't happen.³ It is recommended the clinical team keep current and knowledgeable of the recordkeeping Standards set by their Association.

If time is scarce at the end of an appointment or at the end of the day to write records, looking into how time is being spent may be helpful. Delegating appropriate tasks and/or practising good time management can go a long way. The important thing to bear in mind is proper recordkeeping must be prioritized.

SUPPORTS

If a member is under investigation for a com-

plaint, there are indeed supports available. A friend, family member or colleague may be invited to hearing proceedings for support. In addition, four hours of completely confidential counseling are available annually to all SVMA members, with the costs covered by the Association through the Member's Wellness Support Program. This counseling is available whether a member is undergoing the complaints process or any other duress.

By gaining an appreciation of the types of complaints that result in disciplinary action it becomes obvious that it is important to review the SVMA bylaws and Practice Standards as a team on a regular basis.² Paying particular attention to the code of ethics sections 30-33 can help us discern what is professional and ethical conduct, and help us be more objective about our own actions than relying on intuition alone. Keeping medical records according to the Practice Standards and taking opportunities (including creditable CE hours) to refine communication skills will add to our complaint-avoidance arsenal. Now more than ever, practising veterinary medicine to the best of one's ability goes above and beyond necessary medical and surgical skills. Accountability to the public and to each other as professionals takes us the rest of the way.

REFERENCES:

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