ETHICS AND EQUINE MEDICINE: Curse, Pipedream, or Opportunity?

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No conflicts of interest to declare
Relevance to Clinical Practice

Ethical conduct benefits both practicing veterinarians and the veterinary profession
The Outline

• What are Ethics?
• Why are Ethics Important?
• Characteristics of Ethical Behavior
• Why are Ethical Discussions Full of Controversy?
• The Players in Ethical Discussions About Horses
  – Veterinarians
  – Organizations
  – Clients
  – Society
  – Horses
• Relevant Ethical Questions
• Summary
What are Ethics?

• A philosophical endeavor
• Simply stated, ethics concerns itself with right and wrong behavior
“Sometimes the hardest thing and the right thing are the same.”
Why Ethics?

To Preserve Professional Integrity

To Protect the Public

He who walks in Integrity walks securely.
Proverbs 10:9

How important are ethics in today's society?
Preserving Professional Integrity

Ethical standards

Build trust
- Maintain the veterinarian-client bond
- Are arguably the most important determinant of the success of any relationship

Define conduct
- Encourage people to seek professional services
- Provide confidence about
  - Reliability
  - Actions
Ethical Conduct is One of the Most Powerful Influences On the Perceptions of Professions

HIGHLY REGARDED

• Nurses
• Veterinarians
• Law Enforcement
• Teachers
Ethical Conduct is One of the Most Powerful Influences On the Public’s Perceptions of Professions

NOT HIGHLY REGARDED

• Lawyers
• Car Salesmen
• US Congress
In general, individuals whose work requires them to respond to the needs of other people tend to rate very highly in public opinion surveys, whereas those that are seen as being in it for their own benefit tend not to fare well.
“HORSE DOCTORING” WAS ONCE A TERM OF OPPROBRIUM
Protecting the Public

• The public lacks training and expertise, and it can be easily exploited

• Adherence to professional ethical codes help reassure the public that it is not being taken advantage of
Characteristics of Ethical Behavior

- Honesty
- Objectivity
- Confidentiality
- Transparency
- Accountability
- Respectfulness
- Integrity
- Honesty
- Obedience to the Law
- Confidentiality
If we agree that...

- Equine veterinarians should behave ethically
- The public should be protected
I know I can find the answer.

Whatever! I'll do what I want!
Everyone Has His or Her Own Ethics

ETHICS IS NOT OBJECTIVE

PATRICIA NEAL

GARY COOPER
Everyone Has His or Her Own Ethics

One person’s moral and ethical judgments are often different from another’s
Everyone Has His or Her Own Ethics

Individuals may disagree about a certain moral or ethical situation, even if they share many of the same morals and ethics.
Some Ethics Are Better Than Others

Practices that are
- Fairer
- More honest
- Kinder
- More considerate

are likely to be considered
more ethical than ...
Some Ethics Are Better Than Others

...practices that are

- Unfair
- Dishonest
- Cruel
- Thoughtless

BETTER ETHICS = BETTER PERCEPTION = TRUST
The Ethical Players

• Ethics is not conducted in a vacuum

• There are ethical considerations and consequences for all involved in the VCPR
Ethical Responsibilities to Self

"We never forget you have a choice."
Ethical Responsibilities to Self

• Veterinary Medicine is a business
• Ethics can be used to justify putting responsibilities to self above all others
  – Horse
  – Society
  – Client
• Ethics that are overly self-interested tend to foster irresponsible, dishonest, and unethical conduct
From now on I’m thinking only of me.”

“But, Yossarian, suppose everyone felt that way.” Major Danby replied. (Intellectual college professor)

“Then,” said Yossarian, “I’d certainly be a damned fool to feel any other way, wouldn’t I?”
Ethical Responsibilities to Self

• If it were easy to be ethical, there’d be no reason to have ethics discussions.

• There are times when telling the truth, or refusing to perform a procedure may result in the loss of a client.

  I need that horse to show this weekend!

  This isn’t good for the horse.
Ethical Responsibilities to Self

• The acid test of one’s commitment to ethics is whether he or she will do the right thing even if it is not necessarily in his or her immediate best interest to do so.
has fully earned this acid test diploma:
Ethical Responsibilities to Society

• Being socially responsible means that an individual or organization has responsibilities that lie beyond their own immediate self-interest.

• While the goal of a business may be to maximize profits, social responsibilities imply that business activities should also benefit society at large and not be solely devoted to the bottom line.
Ethical Responsibilities to Society

The success of a veterinary endeavor should be (and is) determined not only by how much money it makes, but also by how many horses and people it helps.
Ethical Responsibilities to Society

• Actions that have a social conscience benefit the veterinary profession in general by generating good will and positive press

• They also benefit the individuals who participate in such endeavors
Ethical Responsibilities to Society

- Professional organizations such as the American Association of Equine Practitioners (AAEP) also maintain ethical codes to inform society of its ethical principles.
Ethical Responsibilities to Society

Professional Organizations Do Have Some Power and Authority

- If individual members fail to meet standards propounded by the organization, membership can be revoked
- Disciplinary action is intended to protect professionals who act with conscience from being undermined commercially by those who have fewer ethical qualms
Ethical Responsibilities to Society

- Unfortunately, when professional bodies regulate their own ethics, there are opportunities for such bodies to become self-serving.
- They may fail to follow their own ethical code when dealing with renegade members in response to societal pressures.
Social Responsibilities

If professional bodies fail to regulate their own ethics, it can cast an entire profession into disrepute and lead to external regulation.
RESPONSIBILITY

No single drop of water thinks it is responsible for the flood.
It is as important for professional organizations to act as ethically and responsibly as it is for its individual members.
Ethics and the Client

- Veterinary medicine differs from human medicine in that the client and the patient are not the same individual (or species)

“Phil, could I speak to you for a moment, not as your doctor but as your horse?”
Ethics and the Client

• The veterinarian’s role with the client and his or her equine patient is most closely akin to the role of the pediatrician

  − Patient is the child
  − Has to deal with the parent concerning matters of treatment and payment
  − The veterinarian usually does not have the force of law to take or prevent action

"My doctor told me to avoid any unnecessary stress, so I didn’t open his bill."
Ethics and the Client

Client wishes and the veterinarian’s ethics can conflict

- Euthanasia on demand
- Demand for treatments or therapies to enhance performance that are against association rules
Ethics and the Client

COMPETING INTERESTS MAY HAVE VETERINARIAN AND CLIENT PULLING IN OPPOSITE DIRECTIONS
RISK OF INJURY VS. WINNING RACE

HORSE’S HEALTH VS. GETTING TO THE NEXT SHOW
Ethics and the Client

• The veterinarian’s ethical responsibility to self, as well as the responsibility to the horse, should supersede client demands.
Doing What the Client Wants May Not Be in Anyone’s Best Interest

- May increase client satisfaction (at least short term)
- Associated with worse health outcomes in human medicine
- Associated with greater costs
Ethics and the Client

• It is possible to get left holding the bag

• If something goes wrong, “The client asked me to do it,” is not an acceptable legal defense
The law generally assumes that the veterinarian’s primary duty is to the animal and not to the client.
Client’s can make it very difficult for a veterinarian to act only in the best interests of the horse.
Ethics and the Client

• Aesculapian authority
  – The place of honor traditionally given to doctors in society
  – A powerful tool for helping clients do the right thing
  – Can be greatly diminished if the veterinarian fails to act ethically

Aesclepius (in a lighter moment)
Societal Interest in Horses

• Society has no special obligation to veterinarians

• Societal concerns mostly center around equine welfare

• Societal concerns for equine welfare appear to be increasing
Societal Interest in Horses

• “Soring” and Tennessee Walking Horses
Societal Interest in Horses

• Federal Legislation Banning Horse Slaughter
  – Killing of horses abhorrent to some
  – Concerns about humane transport
  – Introduced over objections of AVMA and AAEP
Societal Interest in Horses

• PMU Industry
  - Societal Pressure resulted in
    - Improved regulation and a code of ethics
    - More marketable foals
Societal Interest in Horses

• Carriage Horses in Urban Environments

- Some feel that horses are picturesque, quaint, and romantic
- Others see a form of abuse
- Assurances of ethical treatment might help allay concerns
Societal Interest in Horses

• Horse Racing
  – Has come under intense scrutiny
  – Lack of concern for welfare often cited as a reason for decline in popularity
  – Veterinarians implicated
Society and Veterinarians

• Society regulates the practice of veterinary medicine based on:
  – Perceptions that veterinary medicine is a field of “special knowledge”
  – How well veterinary medicine is filling its obligations to horses, horse owners, and society
  – Public demand
The mere holding of a veterinary license does not guarantee that the practice of veterinary medicine will retain its protected status.
Society and Veterinarians

• Why Should Society Protect Veterinarians?

• Others claims special knowledge
  – Lay Dentists
  – Lay “Alternative” Practitioners
    – Acupuncture
    – Massage Therapists
    – Farriers
    – Chiropractors
    – Homeopaths
    – Etc., etc., etc....
Society and Veterinarians

• Society makes laws regulating veterinary medicine

• Laws change due to changes in contexts in which they were set
  – Level of technology
  – Culture
  – Economy
  – Beliefs
  – Change in public interests

“Yeah, I hate change, too.”
ETHICAL STANDARDS AND CONDUCT OFFER ONE OPPORTUNITY FOR VETERINARIANS TO DISTINGUISH THEMSELVES FROM COMPETING SERVICE PROVIDERS
Client Obligations to Veterinarians

Something of a One-Way Street
- Clients don’t always pay bills
- Clients don’t always tell the truth about their horses
- People don’t have to use veterinarians
In their own interest, veterinarians would be well served to seek out clients who act ethically and who have the best interest of their horses in mind.

The greatness of a nation and its moral progress can be judged by the way its animals are treated.

-Gandhi
Ethical Responsibilities to the Horse

• Ideally, ethical responsibilities of horse owners, society, and veterinarians should mirror each other, all working together for the good of the horse.
Reality
Demands for increased performance may not be in the best interest of the horse’s health.
Societal Concerns About Equine Welfare May Sometimes be Misguided
• Ethical Conduct Places Veterinarians in the Best Position to Argue for the Welfare of the Horse

• It is to the Ultimate Advantage of Both the Horse and the Veterinary Profession that they Do So
WARNING

CHALLENGES AHEAD
People can readily obtain their own pharmaceutical products from online pharmacies, feed stores, and so forth. They can obtain virtually any substance they believe a horse needs.
Veterinarians Have Typically Made a Living Selling Two Things

- Services
- Products

- Unfortunately, selling products carries an inherent ethical conflict

- Human medicine has largely avoided that conflict by outsourcing to pharmacies
The only thing that veterinarians have that is unique is their special knowledge.
Individual Veterinarians Cannot Compete with Large Firms

- Products Do Not Differ With Vendors
- The Only Difference is the Price
- Some States Require Veterinarians to Write Prescriptions on Request
The AVMA’s *Principles of Veterinary Medical Ethics* recommends that veterinarians comply with their client’s wishes and provide written prescriptions if the client prefers having the prescription filled elsewhere, assuming the existence of a veterinary-client-patient relationship.
Veterinarians Can Ethically Sell Products

- Veterinarians have medications in stock and can provide medications immediately.
- Veterinarians can answer questions, provide instructions for use, and demonstrate how to give medications.
- Medications controlled by veterinarians have the assurance of having been handled properly.
Fighting Fire with Fire by Offering Drugs on Demand is Unethical

When tempted to fight fire with fire, remember that the Fire Department usually uses water.
CONSIDER A DIFFERENT PRACTICE MODEL
Focusing on providing service instead of products

Concierge Medicine
How to ethically compete with non-veterinarian “experts” (in a variety of areas), many of whom state that they provide services about which veterinarians either do not know or do not care (e.g., care of the horse’s teeth), and a seemingly endless array of products and services
Competing “Experts”

• A variety of factors have led people to believe that many things are critical for the health and welfare of their horses.

Your aging horse has changing nutritional needs — are you keeping up with them?

3 Supplements Your Senior Horse Shouldn’t Be Without
Veterinarians are Uniquely Qualified

- Special Knowledge (Education)
- Scientific Research
- Ethics

Veterinarians are best suited to determine which products and services are in the best interest of the horse, and in the best interest of their clients’ pocketbooks.
That Advantage Goes Away if Veterinarians Try to Compete Against “Experts” on Their Turf

- Chiropractors have degrees in chiropractic
- “Dentists” are certified by their own academies
- Lasers, magnets, crystals, LED devices, etc., can all be applied by non-veterinarians
Veterinarians who compete with non-veterinarian providers based only on the service provided risk being viewed negatively

• “In it for the money,” especially if the products or services have no benefit

• “Turf protectors” if they cannot show why they should be performing the service
Ethical Veterinarians Should Focus on What is Best for the Horse

• Don’t try to compete in areas in which veterinary medicine provides no special knowledge or training

• Client loyalty comes when clients recognize that their veterinarian tries to do the right thing for the horse(s), first and foremost
“If I don’t do it, somebody else will.”
FUTILITY

The journey of 1000 miles often ends with you being eaten by a bear
Futility Illusion

• There is no point in not doing something (e.g., giving a medication) because it won’t prevent the substance from being given, and I’ll lose the business.
Three Problems

• The “If I don’t do it” argument is:
  – Faulty
  – Self-serving
  – Absurd

Other than that, Mrs. Lincoln, how was the play?
Faulty

- If a group of young people were to come across a solitary old person, and one of the group decided that the old person should be robbed and could not be dissuaded, the rest of the group would not be blameless if they decided to participate in the robbery because it was going to happen anyway.

“If I hear about any of this going towards bonuses, I’ll be really steamed.”
Self-Serving

ON THE ONE HAND

• It may be more humane if an unethical procedure is performed by a veterinarian
  – Anesthesia
  – Proper surgical technique
  – Post-op pain control

ON THE OTHER HAND

• The procedure being performed would still be unethical
• Its performance by veterinarians would only serve to perpetuate the unethical practice

BUT...
Absurd

- There are times when someone else will not do it
The Futility Illusion is Merely an Excuse for Not Acting in the Best Interest of the Horse

meal-y-mouthed (also meal-y-mouthed)
adjective
afraid to speak frankly or straightforwardly: mealy-mouthed excuses.
Providing treatments
Ethics of Treatment

• Providing a therapy that is effective is an ethical imperative

• A therapy that is proven is more likely to be effective than an unproven therapy

• If therapies are unproven, there is an ethical obligation to demonstrate their effectiveness, or else they should be discarded
Informed Consent

• To be truly informed, clients must know
  - The nature of the decision/procedure
  - Reasonable alternatives to the proposed intervention
  - The relevant risks, benefits, costs, and uncertainties related to the treatment
Ethical Treatment Failures

• Not providing necessary information so that the client fully understands what is known about the potential risks and benefits of a treatment

• Promoting a therapy on the basis of criteria that are not relevant to the likelihood of a successful outcome for the horse
  - “New”
  - “Natural”
  - “Ancient”
  - Etc.
Ethics of Treatment

• Ethical treatment dilemmas can occur when a client’s ideology differs from that of the veterinarian
  - Chronic, incurable disease, where the horse is suffering, but the client does not want to let go
Ethics of Treatment

• The owner may be unwilling to let the horse go
• The owner may be willing to pay for myriad treatments
Ethics of Treatment

• Even so, the veterinarian should advocate for the animal, and prevent suffering

• Therapies that lack foundation
  – Prolong suffering
  – Waste client resources
Ethics of Treatment

• If a therapy is harmless, but probably worthless
  – Articulate your reasons for not recommending the therapy
  – Stay involved with the horse and client
Ethics of Treatment

• STAY INVOLVED

• Help ensure that unscrupulous practitioners or the cost of new treatments do not financially bleed owners

• Keep the client focused on objective milestones that signify efficacy or lack thereof

• Show *you* care

I'd just like to ask you a few more questions!
Self-Policing
Self-Policing

- An ethical imperative for a profession
- Allows a profession to maintain control over the standards to which it is held
- A way to handle internal problems within a profession
Benefits of Self-Policing

Good alternative to public relations campaigns to repair damage

Breakdown
Death and disarray at America’s racetracks Racing Economics Collide With Veterinarians’ Oath
“Horse-racing veterinarians are both doctor and drugstore; the more drugs they prescribe, the more money they make.”

NEW YORK TIMES, Sept. 21, 2012
Why Does Self-Policing Fail?

• Inherent conflicts often override ethical considerations
Why Does Self-Policing Fail?

• Fear of bad publicity

"This really is an innovative approach, but I'm afraid we can't consider it. It's never been done before."
Why Does Self-Policing Fail?

- Fear of being ostracized
- Fear of being denied referrals

“Dad paid me $10 not to tell you that he went to a tailgate party instead of work. For $10, I’ll tell you where that party is.”
Alternative to Self-Policing

- Veterinary malpractice law is arguably the fastest growing segment of the law in the United States.

“The partners are very excited about your interview, Mr. Moe.”
Curse, Pipedream, or Opportunity?
UNIVERSAL presents

Lon Chaney in

"The Mummy's Curse"

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Curse?

- Some may feel that ethics constrains their “right” to practice in a manner of their choosing.

*It usually does*
Even if veterinarians do not feel constrained by ethics the law and the legal system stands ready to provide a reminder.
Pipedream?

- It is probably a fact that not everyone will always act with the horse’s best interest in mind.
- In some cases, it may be economically disadvantageous to act in the horse’s best interest.
Pipedream?

• If ethics are a professional standard, then it should be possible for ethical veterinarians and organizations to lead the fight against unethical practices, and to reap the benefits.
Pipedream?

- Ultimately, unethical practices lead to societal complaints, which then lead to ways to redress those complaints.
- The methods of redress may not be to the liking of professionals.
Opportunity?

• Strict attention to ethics can separate professionals from other providers of equine health-related services
Opportunity?

- Ethics is a powerful driver of clients’ perceptions of trust, honesty, and professionalism.
Opportunity

If veterinarians are perceived as practicing for the benefit of the horse, their opinions and expertise are likely to be solicited.

If veterinarians are perceived as being in it for themselves (for the money) they may be ignored, or worse, derided.
Opportunity?

- Professional organizations representing veterinarians should advocate loudly for the ethical treatment of horses
  - Taking proactive stances
  - Disciplining members, or denying membership to those who fail to abide by ethical standards
Seven Levels of an Ethical Organization

1. Financial Stability
   - Pursuit of profit and stability

2. Communication
   - Relationships that support the organization

3. Systems & Processes
   - Compliance systems and processes

4. Accountability
   - Responsibility & initiative

5. Alignment
   - Shared values guide decision-making

6. Sustainability
   - Strategic alliances with external stakeholders

7. Social Responsibility
   - Resilience to withstand integrity challenges
Opportunity?

- Ethical leaders can strongly influence unethical behavior in the workplace.
- Best done before public pressure requires that they do so.

Cartoon: Run this by the legal department, but run super fast so the ethics department doesn’t see it.
Opportunity?

Vocal advocacy for ethical conduct and the welfare of the horse only serves to benefit veterinarians, as well as the veterinary profession (and the horse).
Thanks for Listening