Top five reasons vets get sued and how to avoid them as a recent graduate

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How do new veterinary graduates generally find themselves slapped with lawsuits? Typically, what happens is we get complaints from disgruntled pet owners. These complaints, if deemed sufficiently serious, are then followed up with some form of legal investigative process. The objective of the process is usually to try to recover money but also to ensure the required standard of practice was met, or will be met in the future.

The good news is that such complaints rarely follow this course. It is far more common, for example, for a complaint to be dealt with internally, without resorting to legal recourse. As new graduates we are genuinely afraid of being sued but the truth is, it doesn't occur that often. And that's good news for us all.

New graduates should take comfort and encouragement from data unearthed from one of the larger veterinary boards (the organizations that regulate veterinarians) in Australia. This reliable data showed that, in Australia, there appeared to be no correlation between years of experience and complaints to veterinary authorities. For example, the average number of complaints in the first year after graduation was three, while the highest number of complaints was eight, and that came 24 years after graduation. In fact, on a graph, each of the tall skyscrapers were for experienced doctors, which is the opposite of what you might expect. Incidentally, these trends were also present in the data documented within the United Kingdom.

When you delve into the reasons for complaints, the questions answer themselves. As new graduates, we think bad things will happen because we are inexperienced. Of course, that's true to some extent. But we're also aware of the potential for getting sued, which makes us more careful and more tentative. We're not yet at a stage where we begin to take chances or start believing our own hype. So we're cautious and that probably protects us a bit.

COMMON REASONS FOR COMPLAINTS LODGED AGAINST VETERINARY SURGEONS

There are five common ways people receive complaints:

- Poor communication
- Misdiagnosis leading to delayed or wrong treatment
- Poor standard leading to negative outcome for patient

- Unrealistic expectations set by veterinary surgeon
- Doing too much with too little

And there are also ways to avoid negative outcomes. Here's how you minimize your risk.

- Build rapport: people are less likely to sue you if they like you
- Treat your clients and their pets with respect and kindness
- Be confident but know your limits
- Make sure you have delivered a clear and coherent plan to your pet owner
- Communicate costs before doing any work
- Communicate changes to the plan before doing work
- Master complaint resolution
- Stay current
- Get a second opinion on anything if you are unsure
- Keep clear, detailed and contemporaneous clinical records

KEY LEARNING OBJECTIVES

- To know the common ways veterinary surgeons get sued
- To be able to develop the skills required to minimize the risk of having a serious complaint lodged against you as a veterinary surgeon
- To not be stressed about being sued

MULTIPLE CHOICE QUESTIONS

1. Which is NOT a reason for getting sued?
(A) You made the wrong diagnosis and an animal suffered as a result
(B) You had porridge for breakfast
(C) You promised to cure an inoperable cancer and the client paid a lot of money to try
(D) You were practising as a veterinary surgeon without a degree
2. Which of the following is TRUE?
(A) You will be more likely to be sued immediately on graduating
(B) You will be more likely to be sued 1 year post graduation
(C) You will be more likely to be sued 10 years post graduation
(D) There is no correlation with years post graduation and getting sued
3. What things should you do to reduce your chances of being sued?
(A) Build rapport: people are less likely to sue you if they like you
(B) Treat your clients and their pets with respect and kindness
(C) Be confident but know your limits
(D) All of the above