

# professional liability

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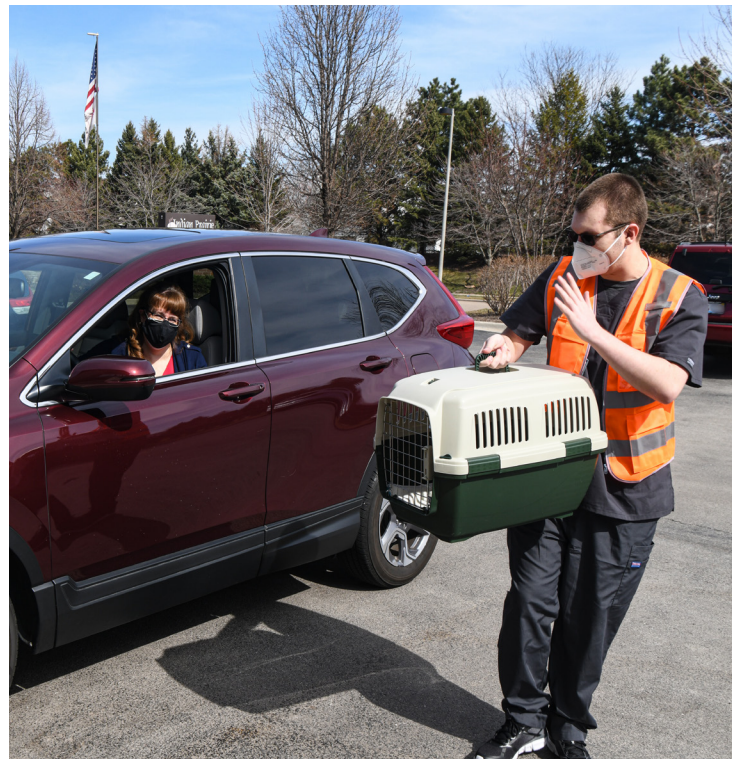
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## ALERT: Increase in Patient Handling Claims

With curbside service the norm for many veterinary practices, veterinarians and their teams have adopted new policies and procedures for interacting with clients and retrieving and discharging patients. While these new procedures can help protect the health and safety of both clients and team members, they also can create more opportunities for potentially unsafe situations for patients.

In this newsletter, we present three closed claims involving curbside service that highlight some of the potential risks to patients. We also offer tips for safe patient handling during curbside service. Finally, we provide a checklist of appropriate insurance coverages to protect you and your practice from possible claims that could arise from these new procedures.



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# Tips for Safe Patient Handling

Safe patient handling and clear communication are vital to curbside veterinary services. Having clear, safety-oriented intake and discharge policies as well as handling and restraint policies will help reduce opportunities for escape and injuries to patients. Proper communications with clients can reduce human-to-human contact while ensuring safer transfer of patients.



## **Communicate first, retrieve second.**

Communicate with the client before retrieving the patient from the vehicle. Obtain information virtually or by telephone before transferring the client to reduce the amount of time the patient spends outside the clinic. The more time spent outside, the more likely it is that patient handling issues could result in patient injuries or escapes.



## **Show some restraint.**

Ensure the patient is well-restrained during transfer. Ask how the patient is restrained in the vehicle before retrieving it. Small patients such as cats and small-breed dogs should be in an appropriate pet carrier that is securely latched. Large dogs should have an appropriately fitted collar and leash. If a client does not bring a leash, a team member should provide them with a clinic-owned slip-lead to place on the dog before opening the vehicle door.



## **Put a muzzle on it.**

If the patient is known to have aggressive behavior, have the client place a muzzle on the patient at home or while in the vehicle. Transferring an aggressive dog to staff without a muzzle can create an unsafe situation for everyone, including the patient.



## **Use the "Buddy System."**

Have two team members work together during curbside service, when needed. One team member can interact with the client—obtaining consent forms or delivering medications—while the other can focus on handling the patient. This team approach improves client service while decreasing the risk of patient escapes and injuries.



## **One at a time, please.**

Take steps to ensure only one patient is being transferred at a time to reduce opportunities for animal-to-animal contact. Instruct team members to coordinate transfers so they don't overlap. If clients are responsible for transferring patients, ask them to remain in their vehicle until they are called.

## Curbside Service Closed Claims

### Poor Recordkeeping Causes Board Complaint

Two different clients brought their black Labradors to Dr. A's veterinary practice for treatment on the same day, arriving at approximately the same time. Client B presented a young female Labrador for a recheck exam. Client C presented an older male Lab for euthanasia and parked behind the building, out of site from staff. The receptionist created a record for client C's dog to be euthanized and did not note the dog's age or sex. When the technician went to the parking lot to retrieve the dog for euthanasia, the only car the technician saw was the one presenting for a recheck exam, Client B's black Labrador. Neither the client's name nor the dog's name, age, or sex were confirmed upon intake, and Client B's Labrador was euthanized. Client B filed a board complaint against Dr. B, and Dr. B's veterinary license defense policy provided coverage for legal defense fees associated with this complaint.

### Lack of Restraint Results in Escape

A client presented three small dogs to Dr. D's facility for wellness exams and vaccinations. One dog was leashed, and the other two dogs were being held by the owner and the owner's son. The dog that was being held by the owner's son started to defecate on him, and the technician offered to take the dog. As the son handed the dog over to the technician, it bit them both, jumped out of the technician's hands, and ran away. The dog was later found injured and was treated at an emergency facility. The owner requested reimbursement of the emergency fees, and a claim was submitted under the practice owner's animal bailee endorsement. The claim was resolved, and the insurance carrier paid the emergency fees totaling \$8,000.

### Claim Narrowly Avoided after Handling Error

Client E contacted Dr. F's practice to set an appointment to board their 12-year-old Chihuahua while the client was having surgery. Due to the need for social distancing related to COVID-19, the clinic staff advised Client E to place the dog in a crate and leave it on the clinic porch. When the clinic staff attempted to remove the dog from

## Curbside Service Insurance Checklist

Check your insurance policies to ensure you have the appropriate coverages:

- **Professional Liability:** responds to allegation of veterinary negligence while treating a patient
- **Veterinary License Defense:** responds to complaints filed against your veterinary license arising out of a veterinary incident
- **Animal Bailee:** provides coverage for escapes and injuries not related to treatment but while the patient is in the care, custody, or control of the practice

Review your insurance coverages annually to ensure you are properly insured for the risks unique to veterinary practice and curbside services.

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the crate, it escaped and ran into the woods. Rescue efforts were not successful. Client E planned to pursue a claim against the practice, but luckily the dog was found a few days later. Dr. F offered goodwill services to the client for a bath and flea/tick removal and treatment. Had the dog not been found or if it was found injured and required medical care, the practice owner's animal bailee endorsement would have provided coverage against a potential claim.

For additional curbside service content, see [Curbside Service Rules of the Road](#).



For a coverage comparison and quote, call **800-228-7548, option 2**. For the full suite of AVMA Trust program offerings at [avmaplit.com](http://avmaplit.com) and [avmalife.org](http://avmalife.org).

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