

1 AN ACT relating to veterinarians.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 321 IS CREATED TO
4 READ AS FOLLOWS:

5 ***(1) If a veterinarian finds that an animal under his or her care has been abused, the***
6 ***veterinarian shall make a report to law enforcement.***

7 ***(2) A veterinarian making a report in good faith under this section shall be immune***
8 ***from liability arising from the report.***

9 ➔Section 2. KRS 321.185 is amended to read as follows:

10 (1) In order for a veterinarian to practice veterinary medicine, a relationship among the
11 veterinarian, the client, and the patient shall be established and maintained.

12 "Veterinarian-client-patient relationship" means that:

13 (a) The veterinarian has assumed the responsibility for making judgments
14 regarding the health of the animal and the need for veterinary treatment, and
15 the client, whether owner or other caretaker, has agreed to follow the
16 instructions of the veterinarian;

17 (b) There is sufficient knowledge of the animal by the veterinarian to initiate at
18 least a general or preliminary diagnosis of the medical condition of the animal.
19 This means that the veterinarian has recently seen and is personally acquainted
20 with the keeping and care of the animal by virtue of an examination of the
21 animal or by medically appropriate and timely visits to the premises where the
22 animal is kept; and

23 (c) The practicing veterinarian is readily available or shall provide medical
24 service for follow-up in case of adverse reactions or failure of the regimen of
25 therapy. A new regimen of therapy shall be contingent only upon cooperation
26 of the client and availability of the subject animal.

27 (2) The veterinarian shall maintain records which document patient visits, diagnosis,

1 treatment, and other relevant information.

2 (3) (a) A veterinarian shall not violate the confidential relationship between the
3 veterinarian and the veterinarian's client.

4 (b) A veterinarian shall not release information concerning a client or care of a
5 client's animal, except~~[on the veterinarian's receipt of]~~:

6 1. **On the veterinarian's receipt of:**

7 **a.** A written authorization or other form of waiver executed by the
8 client; or

9 **b.**~~[2.]~~ An appropriate court order or subpoena; **or**

10 **2. In cases of known animal abuse, pursuant to Section 1 of this Act.**

11 (c) A veterinarian who releases information under paragraph (b) of this
12 subsection shall not be liable to any person, including the client, for an action
13 resulting from the disclosure.

14 (d) The privilege provided by this subsection is waived by the client or the owner
15 of an animal treated by the veterinarian to the extent the client or owner places
16 at issue in a civil or criminal proceeding:

17 1. The nature and extent of the animal's injuries; or

18 2. The care and treatment of the animal provided by the veterinarian.

19 (e) This subsection shall not apply to:

20 1. An inspection or investigation conducted by the board or an agent of the
21 board; or

22 2. The veterinary reporting requirements and regulatory authority of the
23 Kentucky Horse Racing Commission to inspect, investigate, and
24 supervise horses and other participants in horse racing as provided by
25 KRS Chapter 230 and the administrative regulations promulgated under
26 KRS Chapter 230, or any other law applicable to the regulation of horse
27 racing in the Commonwealth.

- 1 (4) Veterinarians providing copies of records under this section may charge no more
- 2 than the actual cost of copying, including reasonable staff time.