

1 AN ACT relating to the reporting of animal abuse.

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

3 ➔Section 1. KRS 321.185 is amended to read as follows:

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

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

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

11 (b) There is sufficient knowledge of the animal by the veterinarian to initiate at
12 least a general or preliminary diagnosis of the medical condition of the animal.
13 This means that the veterinarian has recently seen and is personally acquainted
14 with the keeping and care of the animal by virtue of an examination of the
15 animal or by medically appropriate and timely visits to the premises where the
16 animal is kept; and

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

21 (2) The veterinarian shall maintain records which document patient visits, diagnosis,
22 treatment, and other relevant information.

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

25 (b) A veterinarian shall not release information concerning a client or care of a
26 client's animal, except on the veterinarian's receipt of:

27 1. A written authorization or other form of waiver executed by the client;

1 or

2 2. An appropriate court order or subpoena.

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

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

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

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

11 (e) This subsection shall not apply to:

12 1. An inspection or investigation conducted by the board or an agent of the
13 board; or

14 2. The veterinary reporting requirements and regulatory authority of the
15 Kentucky Horse Racing Commission to inspect, investigate, and
16 supervise horses and other participants in horse racing as provided by
17 KRS Chapter 230 and the administrative regulations promulgated under
18 KRS Chapter 230, or any other law applicable to the regulation of horse
19 racing in the Commonwealth.

20 **(f) A veterinarian who suspects a violation of KRS 525.125, 525.130, 525.135,**
21 **or 525.137 shall be immune from any civil or criminal liability, or any**
22 **administrative penalty or sanction on account of any report, records,**
23 **information, or testimony, if, in good faith, the veterinarian:**

24 **1. Makes a report to a peace officer, including an animal control officer;**

25 **2. Provides records or information related to a report made under**
26 **subparagraph 1. of this paragraph; or**

27 **3. Testifies in any judicial proceeding arising from such report, records,**

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