

SECTION 43 STATEMENT TO THE VETERINARY COUNCIL BY THE COMPLAINTS ASSESSMENT COMMITTEE: CAC16-17

Dr A

Complaint from Miss B

Dr A	Veterinarian complained about
Miss B	Complainant
C	Clinic where Dr A works
D	Miss B's cat

Summary

1. A Complaints Assessment Committee (CAC) of the Veterinary Council of New Zealand (VCNZ) has investigated the above complaint. Under section 43 of the Veterinarians Act 2005 (the Act), the CAC has reached a decision as set out below.

Background

2. Dr A is a senior veterinarian and clinic manager at C.
3. Miss B was the owner of a 16 year old cat and had been a client of C for 8 years.
4. In a complaint received 21 July 2016, Miss B advised that her cat, D, had died and was cremated however she was refused the ashes until her account had been paid in full.
5. This matter was referred to a CAC to investigate under s40 of the Act.

Information considered

6. The CAC considered the following information.
 - A concern form and attached letter from Miss B (including correspondence with VCNZ's Executive Officer confirming that she wished the matter to be considered a formal complaint)
 - Information from Dr A about C's approach to the extension of credit
 - C's Welcome Pack
 - A decision statement in the case of CAC 14-27 (precedent)

Brief case summary

7. Miss B's cat D died on 9 July 2016 and she arranged for D to be cremated. When she returned to the clinic to collect the ashes on 14 July she asked if she could pay the amount owing in two payments as she was unable to pay the total amount in one payment. Miss B was advised that this arrangement was acceptable to the clinic but that she would not be able to take the ashes until full payment had been made.

8. Miss B subsequently borrowed the money from her pastor, paid the clinic and was given the cat's ashes.
9. Miss B called Dr A, in his role as senior vet, to discuss what she considered was cruel treatment of her (withholding the ashes). However, she advised that he did not call her back.

Issues raised in the complaint

10. Miss B wrote that she considered the withholding of the ashes to be '*inhumane cruelty*' which showed '*no compassion*'.
11. She was upset that prior to arranging for the cremation she '*was not told that this policy [of withholding ashes] had been introduced*'.

CAC considerations

12. Dr A advised the CAC that, '*Clients who have been extended credit and who enter the bad debtor system automatically forfeit their access to further credit. Ms B falls into this category. The client records are annotated appropriately so that upon any attempt to make further appointments or charge product purchases the client will be advised that this or any future purchases will be strictly on a cash only basis*'.
13. Dr A further wrote that '*Ms B was advised at the time of her cat's euthanasia, that she would be required to settle her account in full before being able to uplift the cat's ashes.*'
14. The Welcome Pack provided to all new clients specifies the terms and conditions as follows:
'Our terms are strictly cash, unless prior credit arrangements have been made with management. If accounts are not paid by the due date, we charge you interest, legal fees and all costs associated with recovering your debt'.

CAC suggestions

15. The CAC noted that Dr A advised that Miss B had been told at the time of her cat's euthanasia that she would be required to settle her account in full before being able to uplift her cat's ashes. However, members were mindful that this is a very stressful time for owners and information delivered at this time may not be adequately processed by the distressed client. Given this, the CAC suggests that in the future C communicate this policy, both verbally and in writing, prior to the animal being euthanased, or at the time the body is presented for cremation.

Decision

16. The CAC considers that this case requires no further investigation and is therefore closed. This is in line with section 40(2)(a) of the Veterinarians Act 2005.

Reasons

17. While the CAC sympathises with Miss B over the loss of a dearly loved companion and the distressing situation of not being given the cat's ashes due to an unpaid bill, it notes that this business practice is followed by many Veterinary Clinics.



14 September 2016

Dr Mark Simpson
Chair
Complaints Assessment Committee

Date

Learnings for the profession

This case reiterates the need for veterinarians to ensure that practice policies are clearly communicated in the most effective and wide-reaching way. When considering how information is communicated, staff should take into account the impact of distress on a client's ability to process information.