

LECTURES AND WORKSHOPS

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Paw & Order™ - The Veterinary Profession On Trial 3-5 hours

Produced via an educational grant from Merial, Ltd., this unique, new method of teaching employs Hollywood-produced video vignettes patterned after *Law & Order* and an interactive teaching process to educate practitioners about the law of negligence and the importance of good medical records – especially as it relates to liability for the transmission of zoonotic parasitic diseases. See the common medical and legal pitfalls in clinical practice on “the large screen” and learn the steps that can be taken to reduce your risks for a lawsuit. If this doesn’t change the way you practice veterinary medicine, nothing will!

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Understanding the “Owner or Legal Consent” Doctrine and How To Achieve It In Your Practice

1.5 to 2.5 hours (Revised 2008)

State boards and the AVMA PLIT repeatedly have declared that the absence of consent forms is a serious problem for practitioners and for them as liability insurance carriers and regulatory agencies. In 2007, the AVMA adopted a policy that eliminated the words “informed consent” and replaced them with “owner consent. This seminar explains the differences between the two and provides examples of “user friendly” language currently found in legal documents drafted for veterinarians. The goal is to teach the effective draftsmanship and implementation of written consents in today’s practices.

Understanding What Leads to Client Complaints and Why the Failure to Avoid Them Requires Learning the Law of Negligence

2-4 hours (New 2011)

Handling hundreds of client complaints at the University of Pennsylvania provided your speaker with first hand knowledge as to their most common causes. This seminar starts with information on how to prevent and solve them. It continues with an interactive discussion of the four elements required for a) clients (plaintiffs) to succeed with claims for malpractice (professional negligence) in civil courts, b) state board options to discipline licensees for allegations of negligence and c) the means by which veterinarians (defendants) can defend these allegations.

Great Job Descriptions – The Key to Effective Hiring, Training, and Promotions For the Veterinary Team

1 hour

Practices that hire staff with good job descriptions and training schedules hire the right people and invite success. Those lacking them provide fodder for lawsuits based on discriminatory hiring practices and/or promotions, and wrongful terminations. Using an interactive format, learn to create task lists and training schedules, separate tasks from job profiles, advance your practice’s culture, keep newly hired staff from feeling overwhelmed, and customize your work - without reinventing the wheel. (Based on Priority Press’s and AAHA Press’s book entitled *Job Descriptions and Training Schedules for the Veterinary Team* – published summer 2005)

**Using Medical Records To Improve Your
Legal Defense, Increase Office Efficiency, And Generate Income**

2 hours

Starts with the fun filled process wherein groups of attendees analyze a medical record and veterinary care that resulted in a disciplinary action for a PA veterinarian. The goal here is to review the numerous medico-legal aspects of this medical record, consider techniques that minimize bulk, and increase office efficiencies. The importance of medical record court admissibility and credibility are emphasized along with efficiencies in the form of hospital census lists, refillable prescriptions, separate records for personal notes about clients, and use of legal consent forms.

**Over-pricing Long Term Veterinary Drugs –
Are We Killing the Goose That Lays the Golden Egg?**

1/2 - 1 hour

Traditional mark-ups for pharmaceutical products sold through veterinary practices may not work for the new, expensive, long-term care drugs that are entering the market. Is it time to rethink the way these products are priced so the profession does not promote (and lose) this profit-center to Internet sales and veterinary pharmacies in WalMarts.

**Is Production-Based Compensation The Cat's Meow or
Should It Be Tossed in the Litterbox?**

1 hour

Good, bad, ugly, and a “blemish on the profession” are all terms used by associates who are being paid based on production, yet, NCVEI data shows that nearly 50% of associates are paid in this fashion. VHMA and AAHA data shows that those paid using this system earn considerably more than salaried associates. This session analyzes the pros and cons of and potential for production-based compensation to succeed or fail. Using hypothetical examples, it also illustrates the variety of ways it is implemented by practices.

Hiring, Compensating, Contracting, and Motivating Associate Veterinarians

3-4 hours

This includes a look at the financial status of today's young associates; the type of information and interactions veterinary job applicants want and hope to receive before being hired; expectations regarding income and fringe benefits; employer-employee interactions that need to be satisfied to produce a successful environment after new doctors are hired; and the economic criteria required for employers to be able to afford to hire and retain associates. Materials also covers questions that can and should be asked as well as those that can't; an in-depth review of the issues that must be addressed to establish an enforceable restrictive covenant; and a discussion of moral, ethical, and other practice philosophy issues to address before hiring **today's** associates.

The Five Tiers of Owner Compensation

1.5 hours

Practice owners who decide to bring co-owners into the fold usually focus on a) the value of the practice, b) the percentage of the practice that will be sold, c) the size of the down payment and d) the terms for the buy-in. What they forget is the most important ingredient associated with their newly shared ownership, i.e., how they will “share the wealth as co-owners.” This seminar presents the five tiers of owner compensation, 1) payment for each party's efforts as veterinarians, 2) the distribution of management duties and salaries for such effort, 3) sharing of practice “perks”, 4) profits in the form of a return on investment, and 5) an equitable distribution of profits.

Pet Selection Appointments To Expand Your Practice's Services? – You've Got To Be Kidding

1-1.5 hours

Who Ever Heard of Pet Selection Appointments? Veterinary practices of all types often live in their old paradigms without considering options for new services their clients may embrace if they were offered. Using the creation of pet selections appointments as the template, this seminar establishes a five-step approach to the planning, marketing, cost-accounting, marketing, and implementation of any new service your veterinary business would like to offer.

The Legal Use of Veterinary Drugs

2 Hours

The application of FDA, DEA, and state pharmacy and/or controlled drug laws to veterinary medicine including the including the FDA's Compliance Guidelines on compounding of drugs, the extra-label administration and prescription of drugs, and importance of the Veterinarian-Client-Patient relationship with respect to FDA law and state practice acts and regulations.

"\$250,000 for the Loss of a Pet - What's This Bond Coming To?" New Legal Precedents In Animal Law

1.5 hours

A Kentucky jury awarded and the Appellate Court upheld a \$125,000 verdict for compensatory and punitive damage for the owner of two pet horses that were maliciously destroyed. Tennessee has a law allowing pet owners to recover up to \$4,000 for emotional distress for the intentional harm to a pet. Illinois law allows owners to recover emotional distress & punitive damages plus attorney's fees for companion animals victimized by torture, CA, RI, OR, MD, NJ, CO, and MI have had legislation submitted to allow recoveries for sums up to \$250,000. Some locals have changed their laws to integrate the word "owner" with "guardian" while others outlaw cat declaws. Laws and lawsuits involving custody battles and trusts established for animals are making the news. All this hoopla about The Bond is about to produce some major legal results. Are you ready for this change in your future?

Alternative short description

Rapid changes in laws and societal expectations governing pet cemeteries and crematoriums, the movement toward pet "guardianship" laws, the evolution of law school animal law courses, precedents allowing emotional distress damages for losses of pets, state statutes allowing pet owners to receive noneconomic damages or establish trusts for pets, increasing risks of suits for and penalties for animal cruelty, and medical research supporting the value of pets in human health are changing the landscape of veterinary and animal law. This seminar focuses attention on what the veterinary profession can and should be doing to influence or react to this course of events.

Is Your Restrictive Covenant Enforceable

2 hours

Are restrictive covenants worth the paper on which they are written? Since they violate antitrust laws, why do courts enforce them and what is required to make them enforceable? This seminar covers the issues courts review to make decide these issues. It also offers creative ideas to protect your practices, yet, provides reasonable options so that employees will sign them.

Relief Veterinarians vs. Independent Contractor Agreements

1 hour

How do agreements with these two parties differ, what is an independent contractor contract, why is a written agreement needed, and how do or should these contracts differ from other employment contracts? Just because employers claim that relief veterinarians are independent contractors does not necessarily mean their claims are valid. Are the risks associated with misclassifying such parties worth the tax savings?

Creating a First Rate Business Plan

1 to 2.5 hours

If you don't know where you are going, it's unlikely you will get there, and no one will lend you any money for your journey. This session looks at the components of a sound business plan, the resources needed to develop one, and why lenders require one. Good business plans answer the "what if" questions regarding the fruits of growth and risks for failure, while serving as a blueprint for process.

Practice Goodwill– Some Have It and Some Do Not

2 hours

New 2001

For most veterinary practices, goodwill is by far the practice's most valuable asset, yet most buyers or sellers fail to comprehend from whence this value is derived. Owners spend their professional lives striving to build their practices into valuable assets; buyers balk at paying through the nose for what they perceive as "blue sky." Unfortunately, many practitioners are rudely awakened when they discover that their practices have lots of personal but very little "practice" goodwill.

The first portion of this seminar discusses the concepts underlying the creation of a practice's goodwill and the more common methods used to value this asset. The remainder focuses on the drivers which promote, or in some cases destroy, goodwill value.

Credit Management For The Thinking Veterinarian

1.5-2 hours

Is your practice undercharging, undertreating or euthanizing the pets of clients who are good credit risks solely because the practice has never considered the alternatives? Is this problem getting worse during these recessionary times? For years practice management advisors have advised against offering credit to pet-owning clients. The result has been the evolution of veterinary credit providers like CareCredit – for those who qualify. This presentation highlights the importance of formulating your practice's financial and credit application policies while also examining the risks, benefits, and practicalities of creating logical and defensible credit policies. That leads to a discussion of third-party payment systems (pet health insurance) as a means of limiting the need for credit for those clients who have insurance.

A View Of Veterinary Medicine in The Year 2015

2 hours (Completely Updated 2005)

A futuristic look at how changing societal and economic needs are altering the public's use of and need for veterinary services. For this profession to grow and prosper, veterinarians must stop thinking of themselves as doctors who treat accidents and illnesses in animals. Instead practitioners must assume new roles as 1) "family-centered" companion animal health care professionals, 2) advocates and protectors of the nation's food supplies, 3) defenders of the environment, and 4) promoters of animal welfare in all species. New systems to deliver companion animal health care and ways for clients to pay for such services also will be discussed. Much of this seminar emerges from the speaker's experiences as a member of the Companion Animal and Family Health Council's six-day work shop developing an idealized design for the delivery of veterinary services in the next 20 years..

Animals And The Law For The “Legally Ignorant” Practice Owner

3-5 hours – limited to states wherein this subject is taught at that state’s veterinary school

The day to day hassles of animals involved in fights with other animals or abandoned at veterinary practices; clients who want to retrieve their pets without paying; handling owners whose pets pose a danger to themselves, their families, and the public; and owners whose actions appear to constitute cruelty to animals are nightmares for most practice managers. The goal of this seminar is to help veterinary staff members understand the legal liabilities brought about by confinement laws and use a knowledge of abandonment and lien laws to help convince owners it’s time to make arrangements for payment rather than simply demanding the return of their pets. It also focuses on the veterinarian’s rising responsibility to warn owners they possess dangerous animals. Lastly, now that the AVMA’s policy is that veterinarians are expected to report animal cruelty cases, it’s time to learn how to handle these situations in ways that help the animal, the family, the attending doctor, and the entire hospital staff.

Animal Law for the Curious and Discerning “But Usually Ignorant” Veterinary Student

3-5 hours

This consists of an eye-popping look at the legal events of the past few years and their impact on the future of pets in society. It then covers an introduction to laws defining a “pet” vs. an “animal,” economic vs. noneconomic damages for pet loss; and the pros and cons of the guardianship movement. At this point it shows why a knowledge of state and local laws is important, how such information impacts the confinement of companion animals, liability for the failure to confine them and the positive effects such knowledge has for the delivery of veterinary care and client service. Thereafter, it shows the application of local laws identifying animals as a nuisance, liability issues related to animal bites, the importance of dangerous animal laws as well as animal abandonment, lien, and cruelty laws. Will show and discuss powerful 45-minute *Dateline* video of a veterinarian accused, convicted and, ultimately acquitted of animal cruelty, then evaluate how this case and others would be handled under various state’s animal cruelty laws.

A Philosophy For Establishing Realistic, Fair, and Competitive Fees

3-4 hours

A review of contemporary methods for establishing fees and determining how these methods relate to the six textbook approaches to the pricing of veterinary services. Continues with the application of basic cost accounting techniques, the effect of discounts and fee increases as well as a view of marketing psychology to the development of a realistic fee schedule. It also considers the antitrust implications of veterinary discussions about fees and explores the linkage between fees and productivity to the profitability of a practice. Application of the principles and philosophy discussed in this presentation allows them to be established more rationally and fairly, while emphasizing a veterinarian’s knowledge rather than technical skills.

Pet Health Insurance - Today’s Reality or Tomorrow’s Dream

1-1.5 hours

Through experiences as a founder of Veterinary Pet Insurance Company, a veterinary practice owner who had over 350 clients with insurance, and 10 years on VPI’s Board of Directors, Dr. Wilson has some interesting insights on this subject. Included in the discussion will be a report on the size of the pet insurance market in other countries and its growth in the U.S.A., a differentiation between HMO plans and pet insurance, an explanation as to why HMO plans probably will **not** increase the profitability of veterinary medicine, and an explanation as to why comparisons between human health insurance and pet insurance lead people to erroneous conclusions. Insightful comparisons between the medical, dental, and pet health insurance industries also are discussed.

**Moral, Ethical, and Legal Decision-Making in Veterinary Medicine –
Are You Prepared to Make Good Choices or Doomed to Make Bad Ones?**

1-4 hours

This presentation will start with definitions of these constraints and illustrate how a veterinarian's awareness or lack thereof affects the day-to-day practice of veterinary medicine and motivation (or demotivation) of staff members. Case examples will be presented to stimulate thought including what course(s) of action to take when a veterinarian is confronted with what appears to be the negligent conduct of a colleague (or competitor). Considerable time will be allocated for discussion. Depending on the amount of time allocated for this subject, we also may be able to evaluate how a knowledge of state or local laws relating to animals can help practitioners improve animal well-being, while also generating practice income.

**Guidelines for Ethically Appropriate Relations
With Veterinary Colleagues**

1 hour

This subject is taught using a case example approach to determine the proper course(s) of action one might take when a veterinarian is confronted with what appears to be the negligent conduct of a colleague, a competitor, the hermit down the street, an associate veterinarian in the same practice and, finally, him or herself.

Finding, Selecting, Hiring, Training, & (if all else fails) Firing, The Practice's Healthcare Team

4 hours

This subject presents a 10-step system for hiring support staff as well as training, managing, MOTIVATING, and when all else fails - firing employees legally. Methods for performing these tasks in a manner that maximizes one's success in finding the right people and minimizes one's exposure to lawsuits for discriminatory hiring are included. We will illustrate the importance of effective job descriptions, good employment application forms, well conceived interview questions, legal protections for telephone reference check lists, understanding which questions that should routinely be and others that cannot be asked, and letting parties not selected down gently.

The Nuts, Bolts, and Pains of Professional Liability

2 - 3 hours

This discussion focuses on the types of activities, actions, management mistakes, omissions, and commissions that lead to client complaints and ultimately to lawsuits. Participants will learn about the elements of a cause of action for negligence, types of damages recoverable by clients, defenses to legal actions, and multiple methods for preventing client complaints, state board grievances, and lawsuits.

Why Claims for Malpractice Are on the Rise & What to Do to Avoid Them

1-2 hours

This topic includes a synopsis of the drivers that are leading Americans to sue veterinarians with increasing regularity. It follows with a thirteen point list of practical do's and don'ts for veterinarians and practice managers to consider when faced with the threat of a state board claim or civil lawsuit for professional negligence. Remember, it's not negligence unless it falls below the standard of care for other reasonably competent veterinarians or practice owners so don't jump the gun with self incrimination. Learn how to douse the flames rather than fueling the fire.

**It's No Longer Just A Dog Eat Dog Situation:
Who's Liable For Educating Clients About Transmission
Of Zoonotic Diseases: - Veterinarians or Physicians?**

1 hour

The presentation starts with a brief review of the basics of veterinary malpractice law and then focuses on the application of that law to veterinarians for failing to fulfill their roles as *family health care providers* by apprising clients of the risks of acquiring zoonotic diseases from their pets. After identifying and graphically illustrating the most common diseases affecting humans, new ideas are presented to reduce disease transmission through preventive worming, by educating clients, and by limiting liability using unique client consent forms.