

LEGISLATIVE RESOURCE SHEET | 2019 SESSION

Minnesota Chiefs of Police Association

ISSUE/LEGISLATION: IMMUNITY FOR VETERINARIANS

The MCPA supports statutory changes that would allow for veterinarians who are mandated reporters of animal abuse to be immune from civil liability.

PROPOSAL STATUS

MCPA will actively support this proposal as part of its 2019 Legislative Agenda

- Not currently introduced

BACKGROUND

The legislation would allow for veterinarians who are mandated reporters of animal abuse to have the same immunity as provided to other mandated reporters in MN. We believe if this same immunity is offered to other mandated reporters it should be extended to veterinarians as many who abuse animals also abuse children and significant others.

This bill will give civil and criminal immunity to veterinarians who, in good faith, report animal cruelty. Animal Folks will continue to work with veterinarians and the MVMA to assist in getting this bill passed. A similar bill was introduced by Animal Folks in 2017-2018.

Mandate: The State of Minnesota requires veterinarians to report animal cruelty:

- Minn. Rules 9100.0700 subp. 1: "The following acts by a licensed veterinarian are unprofessional conduct and constitute grounds for disciplinary action against the licensee ... (s) failing to report to law enforcement or humane officers inhumane treatment to animals ..."
- Minn. Stat. sec. 346.37 subd. 6: "A veterinarian must report known or suspected cases of abuse, cruelty, or neglect to peace officers and humane agents..."

Outlier: Unlike most other states with reporting requirements, Minnesota does not have an immunity provision for veterinarians when reporting to law enforcement or humane officers. Of states with mandatory or voluntary reporting standards, 29 provide veterinarians with immunity. Only five, including Minnesota, do not.

Common in other contexts: Immunity provisions exist in several Minnesota statutes to protect other types of mandated reports, such as:

- Minn. Stat. sec. 626.557 (maltreatment of vulnerable adults)

- Minn. Stat. sec. 626.556 (maltreatment of minors)
- Minn. Stat. sec. 626.52 (suspicious wounds)
- Minn. Stat. sec. 626.5561 (prenatal exposure to controlled substances)

Public safety issue: There is a proven link between abuse of animals and abuse of children, spouses, and elders. Investigations of animal abuse may uncover or prevent violence against vulnerable people.

"If somebody is harming an animal, there is a good chance they also are hurting a human. If we see patterns of animal abuse, the odds are that something else is going on."

- *John Thompson, deputy executive director, National Sheriffs Association*

Support: The Minnesota Board of Veterinary Medicine (the state agency that licenses veterinarians in Minnesota) and the Minnesota Veterinary Medical Association (MVMA) supported the bill, along with numerous veterinarians.

Last year - 2017-2018 legislative session

In 2017-2018, the bill was H.F. 787/S.F. 1167. Links to the bill for language and status:

- [H.F. 787](#), author Representative Dennis Smith; co-authors Rep. Lesch, Rep. Slocum
- [S.F. 1167](#), author Senator Karin Housley; co-authors Sen. Limmer, Sen. Dibble, Sen. Latz

In the House, H.F. 787 passed the Civil Law and Data Practices Policy committee by unanimous vote on February 14, 2017. In the Senate, S.F. 1167 passed the Judiciary and Public Safety Finance and Policy committee by unanimous vote on March 6, 2017. Each bill was then referred to the agriculture policy committees; no hearing were given.

Bill Language: "A Minnesota licensed veterinarian acting in good faith is immune from civil liability for reporting to peace officers, humane agents, or animal control officers known or suspected inhumane treatment of animals, including but not limited to neglect, cruelty, or abuse as defined in section 343.20 or 346.46."

NOTE: Language may change slightly in 2019.