

AAEP NEWS

Ethics: Role of ethical equine veterinarians in equine insurance

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ETHICAL PRACTICE *Every Day-Every Time*

Highlights:

Withholding known health history or pertinent exam findings may negate a policy if a claim is made.

Veterinarians shouldn't succumb to owner pressure to misrepresent the severity or duration of a condition.

Permission to euthanize should be received from the insurance company to protect the owner's ability to collect.

Each insurance policy for a horse is a contract between the horse owner and the insurance company, and the policy dictates the specific terms and conditions concerning the payment of a claim. There are various types of insurance that owners can purchase for their horse, including accidental death, mortality, health, loss of use and fertility. Equine veterinarians become involved in the process when asked by the owner to perform an "insurance exam," which may be required by the insurance company before a policy is issued. Each insurance company has their own criteria that determines the need for an insurance examination, such as age of the horse, value of the horse, certain breeds and/or uses, and history of previous lameness or illness. Unlike with human life insurance, where the insurance company typically retains a physician to perform the examination on the person to be insured on the company's behalf and at their expense, with equine insurance it is usually the responsibility of the owner to request and pay for the examination that is actually being performed on behalf of the insurance company. This arrangement can lead to an ethical dilemma for the veterinarian.

Being honest with client, insurance company

The scope of this examination is usually dictated by having the veterinarian answer a series of questions on a "certificate of veterinary examination" form about the health of the horse that is to be insured. In cases of a new purchase of the animal, the company may accept a written copy of the pre-purchase exam, which is often in greater detail than the standard insurance exam form. It is important for the veterinarian to fully understand the type of policy/coverage that the owner is requesting as this will impact the type of examination performed, for example reproductive health versus basic mortality coverage. It is incumbent upon the veterinarian to answer each question to the best of their ability based on the results of a thorough physical examination that they perform on the horse to be insured; and, theoretically, if the veterinarian is the regular attending veterinarian for the horse to be



McKee-Powrall Equine Services

Insurance examination forms should never be filled out for a client without you having performed a thorough and objective examination answering all questions truthfully and to the best of your ability.

insured, they are ethically obliged to report to the insurance company any knowledge they have regarding the health history of the horse in question, even though reporting such information might adversely affect the insurability of the horse. Likewise, most applications for insurance require that the owner disclose any and all information they know of pertaining to the health history of the horse to be insured. Failure to disclose such information by either the owner or the examining veterinarian may negate the policy if and when a claim is made.

Therefore, prior to performing an insurance examination for a client, the client should be informed and forewarned of the consequences of what you, as an ethical veterinarian, must do to be forthright with the insurance company. Any attempt to withhold pertinent information from the insurance company concerning the health of a horse that might affect its insurability to protect the interests of your client may ultimately result in you being held liable if a claim is denied because of your failure to report a pre-existing condition that is discovered during the investigation of a claim by the insurance company. For the reasons mentioned previously, performing an insurance exam should not be taken lightly and insurance examination forms should never be filled out for a client without you having performed a

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thorough and objective examination answering all questions truthfully and to the best of your ability.

For a loss of use policy, veterinarians may be pressured by the owner to overestimate or overrepresent the severity of a condition or situation to the insurance company. Occasionally, a veterinarian is asked to underestimate how long a condition has been going on before contacting the insurance company. Obviously, either of these actions would be unethical and the veterinarian could be held liable if it were discovered these types of false assessments had been rendered.

Recommending euthanasia

Equine veterinarians are also asked to provide their opinion when an insured patient of theirs may require euthanasia. When this situation arises, and if at all possible, the insurance company must be notified immediately before any action is taken. Most insurance companies have adjusters on call around the clock to communicate with the owner and attending veterinarian when euthanasia of an insured horse is deemed necessary. After reporting all the facts of the case to the adjuster, the adjuster will need to grant permission for euthanasia based on the available options for the horse. The adjuster may ask for a second opinion from one of their own consulting veterinarians if the circumstances are not clear cut. In most cases, the adjuster will accept the recommendation of the attending veterinarian. The ultimate decision to euthanize the horse rests with the owner once the insurance adjuster gives permission. It is important to distinguish between mortality insurance and loss of use insurance in these decisions. Just because an insured horse is no longer able to perform or be used does not necessarily make that horse a candidate for euthanasia. The typical mortality insurance policy does not cover a horse that is merely disabled. Again, it is our ethical obligation to make a recommendation for euthanasia based solely on the horse's immediate condition and to prevent unnecessary pain and suffering from a problem that has a hopeless prognosis for life.

Although every effort should be made to adhere to the AAEP's Euthanasia Guidelines (see sidebar), it should not be assumed that every insurance company will accept those criteria as grounds for euthanasia of an insured horse. Therefore, it is very important to receive permission directly from the insurance company through their adjusters before euthanizing an insured horse to protect the owner's ability to collect on their insurance even though, in your opinion, the horse should be euthanized. A veterinarian should not make a recommendation for euthanasia solely to help a client make a claim and collect insurance; to do so is definitely unethical. In every case the owner is required to make provisions for a post-mortem examination to be performed if the owner intends to make a claim. The veterinarian does not have the responsibility to advise the owner of this, but it serves their clients well if they remind them of this requirement.

In summary, the veterinarian's role in equine insurance can provide a valuable service within the scope of a valid veterinary-client-patient relationship, but it requires both the veterinarian and the horse owner to be familiar with their respective responsibilities with regard to providing the insurance company with accurate and objective information about the current health and health history of the horse to be insured. When these steps are completed, and in the unfortunate case that a claim must be filed, the outcome for all concerned—most importantly the horse—will be resolved in an equitable and acceptable manner.

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Euthanasia Guidelines

Excerpted from the AAEP's 2017 Resource Guide and Membership Directory. Please note that these guidelines may not always represent those used by certain insurance companies and/or their underwriters.

The following are guidelines to assist in making humane decisions regarding euthanasia of horses.

- A horse should not have to endure continuous or unmanageable pain from a condition that is chronic and incurable.
- A horse should not have to endure a medical or surgical condition that has a hopeless chance of survival.
- A horse should not have to remain alive if it has an unmanageable medical condition that renders it a hazard to itself or its handlers.
- A horse should not have to receive continuous analgesic medication for the relief of pain for the rest of its life.
- A horse should not have to endure a lifetime of continuous individual box stall confinement for prevention or relief of unmanageable pain or suffering.

Complete Euthanasia Guidelines can be found on page 38 of the AAEP's 2017 Resource Guide and Membership Directory.