

Uniform law would protect vets who lend helping hand

By Marie Rosenthal, MS
Executive Editor

State legislators are preparing to consider a new act that would make it easier for veterinarians and other health care professionals to respond to a disaster or emergency in another state.

The Uniform Law Commission (ULC) has been working on the act since the 2005 Gulf Coast hurricanes demonstrated a need, said **Raymond Pepe, JD**, a member of the Pennsylvania delegation to the commission and chair of the drafting committee for the Uniform Emergency Health Practitioners Act.

The ULC, which has delegates from all US states and territories, recommends uniform laws when it benefits states to have similar rules, he said, such as recognizing professional licenses for people who respond to emergencies around the country.

"After the Gulf Coast Hurricanes in 2005 — Katrina, Rita and Ivan — there were stories in the media indicating that a lot of health care practitioners who wanted to go to Louisiana, Mississippi, Alabama, Texas or Arkansas experienced difficulty getting there," he explained.

All five states allowed out-of-state practitioners to come into their state, but the guidelines were not communicated very well.

"One of the most interesting stories we heard was that the governor of Louisiana, before the storm hit land, issued an executive order that anyone who was licensed anywhere could come and help, but people didn't know it because there was no uniform system for communicating or verifying

that information," he explained.

The new act, which must be approved by each state, will address that problem. The act recognizes that individual states can't go it alone in responding to major disasters and emergencies. They need to generate the surge capacity among health care professionals.

Uniform Emergency Health Practitioners Act



Volunteers would have to:

Be registered in their home state with a registration system that can verify their qualifications and provide that information to the host state if requested

Provide services through a health entity, such as a hospital or organization in the host state that is cooperating with local emergency management officials

Work under the supervision and control of that entity

Conform the scope of their practice to the temporary jurisdiction of the disaster state

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"To draw on surge capacity from other states when you are dealing with health care professionals, you have some special problems," Pepe said.

The problems include recognizing and confirming professional credentials; clarifying what activities are permissible; and providing clear guidance to out-of-state professionals about the scope of their exposure to or immunity from civil liability.

All 50 states thought they addressed these issues in the Emergency Management Assistance Compact, but that law only governs public employees and does not apply to the private sector organizations that are active during disasters.

"The benefits are that your license will be recognized, so you will be practicing legally. The uniform act will also confirm the extent to which you are immune to liability, and as long as you are complying with the act, it will provide you with some limitations on civil liability," Pepe said. In addition, volunteers may be eligible for workers' comp from the host state if they are injured or killed.

The act also benefits the host state in surge capacity, the power to regulate and control the actions of volunteers, and the ability to provide the resources that are needed.

Colorado, Kentucky and Tennessee have enacted a uniform law. **VF**

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