



Maryland Veterinary Medical Association

Maryland State Senate
Judicial Proceedings Committee
2 East – Miller Senate Office Building
Annapolis, MD 21401

SB 815 – OPPOSE

Dear Chairman Smith and Members of the Judicial Proceedings Committee,

The Maryland Veterinary Medical Association was established in 1886 and is the state association for veterinary professionals. Our mission is to support the advancement of the veterinary community and veterinary medicine throughout Maryland. Our members are passionate about veterinary medicine and improving the lives of those it touches. We respectfully oppose SB 815 which would provide for noneconomic damages in litigation involving injuries to pets.

Similar bills to address the very real costs of the traumatic deaths of pets by increasing the compensatory damages cap from \$10,000 to \$25,000 have been introduced in prior sessions. MDVMA would be supportive of such a change. With the support of The American Veterinary Medical Association (AVMA), MDVMA believes the interests of animals and their owners are best protected by the current legal framework that allows for potential recovery of economic damages in negligence litigation involving animals.

Veterinarians in Maryland work in partnership with their clients to provide the best possible care for the animals we have sworn to protect and understand the emotional attachment people have with their pets. Permitting noneconomic damages as an award will drive up the cost of care. It will hinder our ability to extend flexibility to our clients and may decrease access to life saving care.

Noneconomic damages are compensation for subjective, non-monetary losses such as pain, suffering, inconvenience, emotional distress, loss of companionship, and loss of enjoyment of life. The addition of this provision vastly changes the scale of what damages could be recovered. The award of these damages – such as the \$750,000 jury award for noneconomic damages in the recent *Reeves* case that was later overturned on appeal – would fundamentally and detrimentally impact the delivery of veterinary medicine to pets in Maryland.

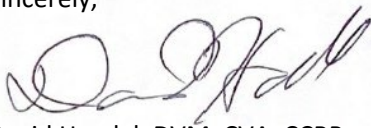
This legislation would create some strange circumstances and put Maryland on an island out of the legal mainstream. It would mean that someone in Maryland could collect damages for the loss of a pet but would not be able to for the loss of their friend, sibling, fiancé, grandparent, or many other close relatives. The inability to recover for these relationships does not mean Maryland doesn't value them. Rather, the legislature has drawn appropriate lines. With pets, the legislature has allowed for the recovery of economic measures of subsequent care for injuries. We support this latter approach as the appropriate policy choice. **For good reason, no other state has enacted such emotion-based liability legislation for pets.**

Veterinary care in Maryland is affordable, orders of magnitude less expensive than human health care, and tailored to each client's unique situation. We are very concerned that upending the stable legal framework in this area will ultimately lead to the inability for many people to afford veterinary care as these costs will be passed down to pet owners. Unlike human health care, veterinary medicine is almost entirely covered by a pet owner's

discretionary, out-of-pocket dollars. Every additional dollar of added cost means it is more likely that someone will no longer be able to afford it.

MDVMA understands that it was the tragic death of a beloved Maryland pet which has served as the inspiration for the legislation introduced in 2020 and 2022 to increase the compensatory cap which is an appropriate change we would support. Noneconomic damages are a nonstarter and would vastly drive up the cost of veterinary care in Maryland. For these reasons, MDVMA asks for an **unfavorable report on SB 815**.

Sincerely,



David Handel, DVM, CVA, CCRP
MDVMA President

On behalf of the Board of Directors and membership of the MDVMA:

Matthew Keats, DVM, DACVS-SA
President-Elect

Carolyn Cornett, DVM
Region 1 Delegate

Elizabeth Hepner, DVM, MPH
Vice President

Carvel G. Tiekert, DVM
Region 2 Delegate

Elizabeth Cottrell, DVM
Secretary/Treasurer

John V. Moffa, DVM
Region 2 Delegate

Shadawn Salmond-Jimenez, DVM
Immediate Past President

Ashley Nichols, DVM
Region 3 Delegate

Jennifer Krueger, DVM
AVMA Alternate Delegate

Disha Pant, DVM, BVSc, MS, PhD
Region 3 Delegate

Robert D. Silcox, DVM
Director at Large

Megan Noyes, DVM
Region 4 Delegate

Richard (Rich) Streett, III, DVM
Director at Large

Marianne O'Malley, DVM
Region 5 Delegate

Tanya Tag, DVM, DACVECC
Board Certified Practice Specialist Representative

Laura Hungerford, DVM, MPH, PhD, CPH
Academic Practice Representative

James Casey, DVM, MS
Equine Practice Representative

Nathaniel L. Tablante, DVM, MPVM, MD, DACPV
Poultry/Avian Practice Representative

Matthew Weeman, DVM, MD
Food Animal Practice Representative

Santiago Jimenez Gonzalez, DMV, PhD
Small Animal Practice Representative