



Does NYS have a whistleblower or anti-retaliation policy that covers veterinarians? Does the policy that covers employees working for a human medical hospital also apply to veterinarians?

Whistleblower protections are specific to the places of employment described in the statute that created them. There is a federal whistleblower protection law, but it only provides protection to employees of the federal government, and is designed to protect any employee reporting any type of wrongdoing or misconduct occurring in the federal agency where they work.

The state legislature has enacted specific prohibitions against penalizing employees in human health care facilities who disclose activity that they believe amounts to "improper quality of patient care" or "health care fraud," and provide remedies to any such employee who has had some type of retaliatory action taken against them (Sections 740, 741, NY Labor Law). It applies only to those employees employed in human health care facilities, and is not transferrable to veterinary medicine. The system of regulation of the human health care field is so different from the way that veterinary medicine is regulated that there isn't very much in the law that applies in both settings.

The Education Law Section 6714.2, part of the veterinary practice act, permits the disclosure of veterinary records to specific law enforcement agents when that disclosure is necessary to "protect the health and welfare of a companion animal, a person or the public." The Office of Professional Discipline in the Education Department is the appropriate place to file a complaint that involves a violation of the laws or the standards of practice that are designed to protect animals when they are being treated by veterinarians.