



March 3, 2025

The Honorable Robert Craven, Chairman
House Judiciary Committee
House of Representatives
82 Smith St.
Providence, RI 02903

RE: LETTER OF OPPOSITION- H5926, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Chairman Craven,

The American Veterinary Medical Association (AVMA) writes in opposition to H5926, which would allow for noneconomic consortium type damages for the serious injury or death of a pet. We believe the bill would unintentionally result in harm to pets and hinder the delivery of veterinary care.

AVMA strives to advance the science and practice of veterinary medicine to improve animal and human health, as well as to support veterinarians in their stewardship of animal health and welfare and their role in promoting public health. We love our pets, acknowledge the importance of the human-animal bond, and fully understand the emotional impact that the loss of a pet can have on an animal's owners. However, allowing for emotion-based damages for the loss of pets does not redress that loss, and will instead increase the cost of veterinary care — resulting in decreased access to care. It is also out of step with how Rhode Island addresses awarding noneconomic damages for most human-human relationships.

Veterinary care can be expensive, and it is usually paid for out of a person's discretionary disposable income. For many people, there is a limit to what they can or will spend on pet care, often a few hundred dollars. Veterinarians continuously work in partnership with their clients to spend available dollars wisely to best care for their animals. If H5926 were to take effect, costs would inevitably rise as a result. First, veterinary professional liability insurance is a very small market. The most recent data from the US Bureau of Labor Statistics (May 2023) shows there were only 270 employed veterinarians in Rhode Island. Even if you assume they are all in companion animal practice, this is a very small group among whom to spread insurance risk. From a practical standpoint every case would be immediately valued to include the statutory maximum for consortium damages, which would also inevitably escalate over time. Veterinary providers would be forced to raise prices to cover additional costs that are passed on to the client.

Additionally, it will cause general veterinary practitioners to practice defensively and to refer more cases to veterinary specialists, which can add considerable cost. They may also simply decline to provide care to higher-risk animals. The result will be significantly increased costs for the pet owner and will result in an increase in economic euthanasia, where an animal is euthanized to prevent

suffering due to the animal's owner being unable or unwilling to spend the money necessary for care. Unfortunately, this financial impact will be most felt by those who can least afford it. AVMA opposes any provision that will result in an owner's inability to obtain care for their pets.

Like all other states, Rhode Island severely limits instances where noneconomic damages may be recovered for relational harm. Damages for loss of consortium are limited to spousal and parent-child relationships when a tortious injury or death occurs. See R.I. Gen. Laws § 9-1-41, and § 10-7-1.2. For negligent infliction of emotional distress, the only two groups of plaintiffs that may seek recovery are those within the "zone-of-danger" who are physically endangered by the acts of a negligent defendant, and bystanders who witness a close relative being injured. *Jalowy v. Friendly Home, Inc.*, 818 A.2d 698, 710 (R.I. 2003). The tort of reckless or intentional infliction of emotional distress requires extreme and outrageous conduct. The only other circumstances for which Rhode Island statute permits damages for mental and emotional distress, loss of service, society and companionship is for "childsnatching." R.I. Gen. Laws § 9-1-43(a). State law does not provide for loss of companionship for any other human relationships, including human best friends, fiancés, cousins, and grandparents. This does not mean that Rhode Island does not value these relationships. Rather, the unintended consequences are recognized and such recovery is significantly limited.

By changing state law to allow compensation for the loss of animal companionship, this legislation will place a greater value on human-animal relationships than almost all relationships that exist between humans, such as non-next of kin relatives, close friends, or unmarried partners. The latter relationships are not similarly compensated through loss of consortium damage awards. There are good reasons Rhode Island has declined to expand such damages to include litigation involving pets in the past.

The AVMA believes animal owners should be allowed to collect reasonable economic damages in litigation. Injecting noneconomic measures for damages will, unintentionally, but inevitably harm animals and their owners. The result will not be improved quality of animal care, but rather increased cost of veterinary, and other services for pets, the inability to address higher-risk cases without specialist referrals, and far fewer owners being able to afford to provide the care their pets need and deserve.

Sincerely,



Dr. Janet D. Donlin
Chief Executive Officer
American Veterinary Medical Association