

Editorial

Another bastion of secrecy falls; time to finish job

FOR AS LONG as we can remember, we've been told that the whole idea of open government just doesn't work when it comes to the professional disciplinary process. Let the public see the complaints, the protectors of secrecy warned, and reputations would be ruined by reckless charges.

Then we allowed a little sunlight to seep into the lawyer disciplinary process, and the legal profession did not self-destruct. To the contrary, the only disciplinary action that's received significant attention involved a prosecutor who winked as a deputy violated a defendant's constitutional rights — the type of case that even the most aggressive opponents of the public's right to know would have a hard time arguing should be secret.

Then we allowed a bit of sunlight into the disciplinary process for doctors, and the medical profession has not been inundated with scurrilous attacks. To the contrary, the public was able to see details that administrative law judges had tried to hide about two notorious doctors whom the medical profession itself alleged were posing an actual danger to patients.

Now the public will be able to learn about some complaints lodged against veterinarians. Under a new law that passed this year, complaints that are pursued by the Board of Veterinary Medical Examiners will be public, as will disciplinary hearings and final actions against vets accused of wrongdoing.

And there is no reason to believe that worthy veterinarians will be run out of business by baseless charges, either. The defenders of secrecy overlook a crucial fact: Someone who wants to smear a professional doesn't need to hijack the state's disciplinary system to do so — there are much easier ways, from filing a lawsuit to hanging posters around town or its modern equivalent, creating a Web site to spread false charges.

This small victory for openness comes thanks in large part to Mt. Pleasant's Marcia Rosenberg, who took up the cause five years ago after her kitten was nearly killed during botched surgery by a veterinarian who had left behind a string of dead or severely injured pets in two other states. Dr. Steven Shrum, immediate past president of the S.C. Veterinary Medical Association, recently told *DVM Newsmagazine* that "with veterinarians wanting to be considered medical doctor equivalents, we determined we had to follow the same rules" as physicians, whose disciplinary process is open.

The State

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OPINION

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The new rules for vets — like those for doctors and lawyers — are far from perfect. They still shield complaints the disciplinary boards consider too flimsy even to investigate.

The logic behind that is that most complaints are so baseless that it would be unfair to publicize them. But without complete disclosure, we can never know for sure whether that's truly the case, or whether the disciplinary boards are working overtime to protect the profession rather than the public. Protecting the public is, after all, the only justification for the state government to license and regulate professions.

This flaw means the rules for veterinarians, and doctors and lawyers, will eventually need further change. Even more urgent, though, is the need to bring all of South Carolina's three dozen professional disciplinary boards into the open. Because of the nature of their professions, doctors and lawyers are the most likely targets of unfounded allegations. If they can stand a little sunshine on their disciplinary process, then surely the others can as well.