

# ‘I’ve Had Enough!!!’ (Or, When and How to Fire a Client), Part Two

By Daniel Baxter, Esq.

In the July/August edition of *California Veterinarian*, we began a two-part presentation concerning an unpleasant reality in any service profession, including veterinary medicine: the occasional need to terminate a relationship with an existing client. In that article, we discussed principles attending to the creation of a veterinarian-client-patient relationship (“VCPR”), the basis on which a veterinarian may permissibly terminate a client relationship, and recommendations for when a veterinarian should in fact act on that prerogative and “fire” a client. As to the last item, we posed a question that we believe can be used by just about any clinician, and certainly all practice owners: Should a client be fired?

In this article, we tackle the next, and perhaps hardest, question: Once you decide to fire a client, how should you do it?

## How Should You Fire a Client?

There is a right way and a wrong way to fire a client. As we mentioned in our last article, client termination should always be memorialized in writing, and that writing may include items such as (1) a list of other practices for the client to contact about going-forward treatment, (2) an expressed willingness to forward medical records to the new clinic, or to provide the records directly to the client, and (3) a willingness to provide emergency services until the transition process is completed. However, those “nuts and bolts” items may actually be less important than tone, manner, and other “soft” considerations that go into discontinuing a relationship. Much like a romantic breakup, the best type of client termination is one in which the cord is firmly and conclusively cut, with as much personal goodwill preserved as possible. Especially in this day and age of social media, Yelp reviews, and the like, the goal is to definitively discontinue the relationship, not to burn bridges.

So, with the above considerations in mind, here are some “Dos” and “Don’ts” regarding firing a client:

- **DO Act swiftly and decisively.** Once you make the decision to fire a client, acting on that decision should be Job One. If possible, send a written letter (or email, depending on your clinic’s normal practice) the day you make the decision so as to avoid any lingering

clinical obligations or “relational uncertainty” that the client may have.

- **DO Express regret for the dissociation.** So long as you are not assuming any type of clinical blame, you can and should indicate disenchantment for having to end the relationship. For instance: “We are sorry to inform you that Acme Veterinary Hospital has decided to discontinue any further veterinary care for your pets. This decision has been made after no small amount of reflection and consideration, and we believe that the interests of our clinic and your animals are best served through the discontinuation of our relationship.”
- **DO Recommend alternative providers.** Admittedly, this is more of a “nuts and bolts” recommendation, but giving the client clinical alternatives is well-calculated to focusing them more on the path forward, and less on the “breakup.” Now, if the client is such a problem that you don’t feel comfortable recommending him/her to any other clinician, don’t. However, in many cases, all that is needed is a fresh start with a new provider, and you shouldn’t feel reluctant to make an appropriate recommendation.
- **DO Answer reasonable client follow-up questions.** If the client receives the termination letter, then calls your office with reasonable follow-up questions relating to a prior diagnosis, already-prescribed medications, or the like, you can and should answer them making clear that you are not assuming any further care or treatment of the pet that is the subject of the inquiry. If necessary, follow up the conversation with a written confirmation of your indications, coupled with a reiteration of the dissociation.
- **DON’T Equivocate or leave room for the imagination.** If you’ve made the decision to fire a client, you should not leave the possibility of a further relationship open, a la: “If your circumstances change in the future, we can discuss the prospect of our providing further veterinary services to your pets.” Avoid the use of any language that is not specifically in furtherance of discontinuing the relationship. Include an official date of discontinuance of service to avoid any misunderstandings.

- **DON'T Blame the client for the dissociation.** No matter how tempting it may be to "clarify" that the reason for the termination is the bad conduct of the client, rather than you or your staff, there is simply no advantage to employing such an approach. Remember that the audience is the client, so at best, your comments will fall on deaf ears, and at worst, they will serve to sharpen the blow in a way that may lead the client to post a negative social media review or engage in other adverse conduct that they might not otherwise have undertaken.
- **DON'T Get into the weeds of the reason for the termination.** In a similar vein to our admonition against blaming the client, the termination letter is not the time to "make a record." Keep things high level—get in and get out.
- **DON'T Engage in discussions concerning future care.** If the client has additional questions concerning new or different conditions, or conditions/diagnoses/medications going beyond the four corners of treatment you have already rendered, you should indicate that those items will need to be addressed by the new veterinarian. Doing otherwise invites the contention that the VCPR has been maintained or reignited.

Realize, of course, that these are merely recommendations, and that even the strictest observation of these "dos" and "don'ts" can't guarantee a smooth transition. After all, any breakup is dependent on the good behavior of both parties, and some clients will refuse to conduct themselves with decorum, no matter what you do. However, by following these guidelines, you place yourself in a better position to make an uncomfortable process more palatable.

If you are a CVMA member and you have questions regarding the subject of client termination, you may consult me or my colleagues through the CVMA Legal Services Program by calling (916) 441.2430. ■



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Mr. Baxter joined Wilke Fleury, Hoffelt, Gould & Birney, LLP in 1999 and has been a partner since 2007. His practice focuses on business litigation and trial work, as well as civil writs and appeals. He also provides general counsel to clients ranging from non-profit organizations and small business to publicly-traded corporations. Mr. Baxter has represented the CVMA in various matters over the years, and has assisted in the CVMA's efforts to prevent municipal interference with the practice of veterinary medicine. Mr. Baxter is part of the CVMA's Legal Services Program, a program designed to assist CVMA members with workplace safety, legal issues, and laws and regulations that affect the veterinary profession.