Can Missouri Veterinarians Record Client Conversations?
A Practical Look at Missouri's Recording Laws

In exam rooms across Missouri, conversations between veterinarians and pet owners can quickly move from routine wellness advice to difficult discussions about treatment options, cost, risk, and quality of life. As practices seek better ways to document those conversations, a common question arises: may a veterinarian record a client conversation? In many circumstances, the short answer is yes.

Missouri follows what is commonly known as a "one-party consent" rule. Under Mo. Rev. Stat. § 542.402.2, a person who is a party to a communication may generally record that communication without first obtaining permission from the other participants, so long as the recording is not made for the purpose of committing a criminal or tortious act.[1] Missouri's approach is consistent with federal wiretapping law, which likewise permits a participant in a wire, oral, or electronic communication to record that communication as long as they are an active participant or receive consent from one of the parties.[2] By contrast, some states are "two-party consent," including California and Florida, which generally require consent from all parties before a conversation may be recorded.[3]

Missouri courts have upheld this "one-party consent" rule even in professional contexts, such as when a chiropractor recorded a phone call to confirm instructions a patient claimed to have received from his employer about stopping treatment.[4] For veterinarians, the practical takeaway is straightforward: conversations about diagnoses, treatment plans, costs, risks, or ongoing care may generally be recorded when the veterinarian is actively participating in the discussion and the recording is made for a lawful purpose.

However, an important limitation applies: the protection generally extends only to recordings made by, or with the consent of, a participant in the conversation.[5] In other words, a person may lawfully record a conversation if they are directly involved in it, or if at least one participant has given prior consent. As a result, practice owners should not covertly record conversations they are not part of. This includes, for example, exchanges between reception staff and clients, discussions between veterinary technicians and pet owners, or conversations among staff members, unless the appropriate consent has been obtained.

When a practice wants to record conversations involving people who are not themselves making the recording, consent should be obtained from at least one party to the conversation. Consent may be either express or implied.

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[1] RSMo. § 542.402.2(3); Balke v. Ream, 983 S.W.2d 579 (Mo. Ct. App. 1998).
[2] 18 U.S.C. § 2511(2)(d).
[3] See Cal. Penal Code §§ 632(a)-(e); Fla. Stat. Ann. § 934.03.
[4] Phillips v. Am. Motorist Ins. Co., 996 S.W.2d 584 (Mo. Ct. App. 1999)(holding the trial court erred by excluding the recording because the chiropractor was an active participant and did not record it for an improper purpose).
[5] RSMo. § 542.402.2(3).

Express consent is the clearest option. A practice may obtain consent by adopting a written recording policy that explains when recording may occur, where it may occur, and why the practice uses recording. For employees, this may include an onboarding acknowledgment or agreement identifying settings such as the front desk, phone calls, or other client-facing interactions. The policy should also explain the intended purposes of recording, such as improving communication, supporting client service, documenting important discussions, or maintaining professionalism.

Clients may also be informed during intake or upon arrival that certain conversations may be recorded. While client consent may not always be required if a veterinarian or employee who is part of the conversation has consented, notifying clients can reduce confusion, promote transparency, and help preserve trust.

Implied consent is "consent in fact" inferred from the surrounding circumstances.[6] It may be shown through signs, conduct, facts, or even silence or inaction where those circumstances support an inference that the person knowingly agreed to the recording.[7] In a veterinary setting, implied consent might arise where a clear sign is posted in the office, a client is told that recording may occur, and the client proceeds with the appointment.

For most Missouri veterinarians, recording a client conversation is generally within the bounds of the law when the veterinarian is an active participant and the recording is made for a lawful purpose.[8] Practices should be more cautious, however, when recording conversations involving staff or clients where the person making the recording is not part of the discussion. In those situations, a clear consent process—preferably written and consistently applied—can help the practice document communications while respecting legal boundaries and client expectations.

[6] State v. Martinelli, 972 S.W.2d 424, 430 (Mo. Ct. App. 1998).
[7] Maples v. United Sav. & Loan Asso., 686 S.W.2d 525, 527 (Mo. Ct. App. 1985).
[8] RSMo. § 542.402.2(3).