



THE COLLEGE OF
VETERINARIANS
OF ONTARIO

UPDATE

Vol. 24 No. 2
ISSN 0821-6320

visit the CVO website at
www.cvo.org

June 2008

Inside

Registrar's Message .2
Council Highlights . . .3
CVO News
Elections4
Student Soirée5

Notices

Policy Repealed . .16
Mandatory Reporting
of Animal Abuse . .18
CVO Directory19
Public Award20

Inbox Issues

Who is my client? . .6
Identification on
Dental Radiographs 7

Of Interest

Alberta VMA Student
Corner11

Quality Assurance

CE vs. CPD8
CE Requirements
in Canada9
Medical Records
Workshops / CE
Worksheet /
Thank You10

Case Studies for Professional Development

Complaints Case .12
Discipline Hearings
#114
#215

Register Updates . .17
In Memoriam19

President's Message



by *Michele Dutnall, DVM*
President

As I write this, we are enjoying the sudden onset of warm spring weather at the end of a very long, snowy winter in eastern Ontario. Spring is always a time of renewal and new beginnings on the farms and in the gardens, and also in the veterinary profession.

Every spring a new “crop” of veterinarians graduate from the Ontario Veterinary College. They are eager, new professionals ready to dive into their new professional lives, which often involves relocation to new communities and meeting new colleagues.

This time of year, the profession has the opportunity to welcome these new members, to mentor and encourage them to be active members in their communities and in their profession.

Mentoring relationships have proven over the years to be beneficial to both the new grad and the experienced veterinarian. The new grads have someone to bounce cases off of; learning from someone else's mistakes can help to lessen one's frustration during the first year in practice. The mentor is motivated to keep up with new information and doesn't feel “stuck in a rut.”

This is a perfect opportunity to “pay it forward.” This profession has a long history of good collegial relations and it behooves us to encourage our younger veterinarians to get involved in their profession, both socially and through various special interest organizations.

Socially, veterinarians have always been active golfers and curlers. Many local veterinary associations also organize ski days and bike tours. These are all great opportunities to meet and get to know other veterinarians in your home area and around the province. But as more Generation X and Y graduates join us, we need to be aware they may not be as enthusiastic about the social activities we “mature” veterinarians have always enjoyed. This new generation of veterinarians brings to our profession new interests and enthusiasm for different types of social activities.

continued on next page

REGISTRAR'S MESSAGE



by Susan J. Carlyle
Registrar

Summer is finally here, and the season calls for a certain amount of rest and relaxation. At the CVO, Council takes a much deserved break until September, but between now and then the College staff—working with Committees of Council—will be very busy moving a variety of projects forward.

College work is not only about investigation into complaints, and other reactive measures; the CVO spends most of its time developing communications tools, liaising with members about registration and accreditation issues, establishing pro-active quality assurance components, and drafting policy documents to guide the membership. This is a good

opportunity for me to share with you, our members, a brief sampling of what we will be working on in the months ahead:

- Development of a new registration database has begun; the new system will allow us to improve our data-mining and statistical analysis capacity, create administrative efficiencies, and implement on-line registration by the fall of 2009.

- Work with the Ministry of Community Safety and Correctional Services, the Ministry that administers the OSPCA Act, will focus on animal welfare and disaster planning.

- Ongoing meetings are scheduled with the Fairness Commissioner.

- Policy work will continue; documents under development and/or soon to be published include Alternative and Complementary Veterinary Medicine; Veterinary Dentistry; and Euthanasia Guidelines. Documents scheduled for development include Informed Consent and Advertising.

- Quality Assurance Committee projects include finalizing an on-line version of the Medical Records Workshop; developing a new Communications workshop; training workshop facilitators and peer reviewers of medical records; revising the Continuing Education Worksheet form; and drafting records guidelines for large animal, equine, and poultry practices.

These are some of the main initiatives currently underway at your College. In future issues of the “Registrar’s Message,” I will update you on these and other projects. It is important that our members know what proactive measures their College takes both to protect the public and enhance the veterinary profession in Ontario, and I promise to keep you informed every step of the way.

As always, comments and suggestions are appreciated.

President’s Message...

continued from front cover

Special interest organizations provide a very important function in our veterinary community. They provide us with continuing education opportunities but also many contacts with veterinarians that have similar interests. Veterinary associations and individual practices need to be flexible and willing to adapt so that they can still develop good collegial relations between veterinarians that are from different age groups and cultural backgrounds, with different perspectives.

The CVO is the regulatory organization for all veterinarians in the province. We welcome the OVC class of 2008 and encourage them to learn more about what the CVO does and how it protects the public. The CVO encourages input from all Ontario veterinarians, no matter what their geographic area, special interest or stage of career.

COUNCIL HIGHLIGHTS

In order to keep members and the public fully apprised of the business of the College, *Update* provides summaries of key items considered or heard by Council at its meetings. The following highlights are from the Council Meeting held on **March 19, 2008**.

March 19, 2008

Policy Reviews

The following documents/by-law amendments were reviewed, approved, or amended and approved by Council:

- The Policy “**Foreign-Trained Veterinarians—Supervised Experience**” will remain in place while alternatives are developed by the Registration Committee; issuance of a memo to all members requiring reporting of Foreign-Trained Veterinarian volunteer arrangements to the College to set up temporary appropriate undertakings was directed.
- The draft document Guidelines “**Euthanasia**” was reviewed and staff was directed to amend the document and return it to Council.
- The Position Statement “**Veterinary Dentistry**” was approved for circulation to stakeholders for comment.
- Discussion of the Policy “**Conducting Programs for the Implementation of Electronic Identification Devices (EID) in Companion Animals**” was deferred. Staff was directed to bring forward a single position statement on “**Exemptions to the Accredited Facility**” which would combine the existing “**Cardiac, Ophthalmic and Congenital Deafness Screening Programs for Companion Animals**.”
- Council directed staff to combine two policies—“**After-Hours Services**” and “**Supervision of Pets after Closing**”—into a single Position Statement “**After-Hours Care of Animals**” (posted on the website under the “Practice Guidance” tab).
- The Policy “**Veterinarians Employed by the Ontario Racing Commission**” was repealed (see page 16 for further information).
- The redundant Policy “**Rabies Clinics**” was repealed. The professional fee payment issue is covered in “**Guidelines for Rabies Vaccination Clinics**.”
- The redundant Policy “**Written Surgical Notes for all Companion Animal Surgery**” was repealed. This information is covered in “**Guidelines for Medical Records for Companion Animals**.”
- The proposed addition of Clause 41.(1)(k) to Part 8 of the By-laws (Fees and Collecting Information—Professional Development Activities) was considered and staff was directed to circulate it to the membership for comment, in compliance with subsection 9.(3) of the *Veterinarians Act*.

The following By-law amendments were passed and enacted:

- Subsection 4.(4) of the By-laws (Limitation of Extension of Term of Executive Committee Officer);
- Subsection 28.1 of the By-laws (Quality Assurance Committee);

A current copy of the By-laws can be found on the College website under “CVO Legislation.”

Presentation

Dr. Kerry Lissemore, Associate Dean of the Ontario Veterinary College, gave a presentation on the DVM Curriculum 2000 and an update on the admissions process and the new Primary Care Clinic.

Reports

- statistical reports were provided for information by all Statutory Committees
- oral reports were provided by the President and Registrar

It's Election Time!

On **October 7th**, the College of Veterinarians of Ontario will hold elections in three constituencies:

Constituency 5

(Counties of Bruce, Dufferin, Grey, Huron and Simcoe). Dr. **Alma Conn** is not eligible for re-election.

Constituency 9

(Members employed by the Crown in right of Canada or an agency of the Crown in right of Canada). Dr. **James Clark** is not eligible for re-election.

Constituency 10

(Municipality of Metropolitan Toronto and the regional municipality of York). Dr. **Al Thompson** is eligible for re-election.

An election will not be held in Constituency 12 as Dr. **David Kerr** has served on the Executive Committee for the year immediately preceding this election [By-law 4.(4)].

Election Timelines

Nomination forms and notice of election will be forwarded prior to **July 26, 2008**

Nominations are due no later than 4:00 p.m. on **September 2, 2008**

Ballots must be mailed no later than **September 23, 2008**

Election Date:
October 7, 2008

CVO councillors have interesting and wide-ranging responsibilities. Serving on Council is an opportunity and challenge that can offer an immense amount of personal satisfaction and fulfillment.

Some frequently asked questions about serving on Council are addressed below.

What is the Council of the College?

The Council is the governing body, or Board of Directors, of the CVO, and its composition and powers are established in the *Veterinarians Act*. The Council is composed of 13 veterinarians and three to five public (non-veterinarian) members. Veterinarian members of Council are elected by their peers and bring their understanding of the profession, from the perspective of the setting in which they practice, to the Council table. Public members are appointed by the Lieutenant Governor in Council and bring the public perspective to Council decisions.

How are Councillors compensated?

Councillors are paid a per diem, currently \$400/day, and reimbursed expenses for all meeting days.

What is the time commitment?

Councillors can expect to attend approximately five regular council meetings per year to make policy decisions affecting the practice of veterinary medicine, and to discuss other matters as they pertain to the regulation of the profession. They will also be appointed to at least one committee, with varying time commitments.

Can candidates send out campaign letters?

Yes. Those candidates wishing to send out a campaign letter should forward the correspondence for review by the CVO staff.

CVO Hosts 2008 Student Soirée



OVC Students and CVO Council Members Mingle at Soirée

Students of the Ontario Veterinary College 2008 were hosted by the CVO Councillors and staff at the annual Student Soirée held in the OVC cafeteria on March 19, 2008.

Those attending mixed and mingled as the students completed their “Soirée Passport” by identifying and meeting councillors and staff from the clues provided.

The evening was most enjoyable and allowed the graduating students and CVO Councillors time to become acquainted. The evening concluded with completed soirée passports being drawn for prizes.



Photographs:

(Top left): Prize winners pose for a picture with the president and registrar of the CVO. Pictured from left to right: Susan Carlyle, CVO registrar, Aine Pattison, Emily Inrig, Colette Larocque, Dr. Michele Dutnall, CVO president, and Jennifer Vanderstarren. (Absent: Michelle Oblak).

(Middle and Bottom photo): Students enjoyed talking with Councillors and staff while completing their “passport.”



INBOX ISSUES

“Inbox Issues” is a feature of *Update* that explains answers to questions the CVO receives from members or the public. The College welcomes suggestions for issues to explore in future editions of Inbox Issues, so please submit your ideas to bready@cvo.org for consideration.

Who is my client?

Occasionally, veterinarians are called upon by the authorities to provide advice in animal care cases. Most often, this advice pertains to cruelty investigations by humane societies, but it can also be sought with regards to racehorses, breed-specific legislation and pet bylaws.

The question that arises for the veterinarian in these cases is: **Who is my client?**

The simple answer is that the individual or organization that retained your services is your client, as long as the animals are owned by a third party that is not your regular client. Since you have a duty to protect the privacy of your client, you cannot communicate information about the services rendered to anyone else without the consent of that client.

Similarly, if you are providing services to a client’s animals and receive a request for information about that client or their animals from a third party, then your duty is to your client.

Exceptions to the rule of maintaining confidentiality are stipulated in the Regulation.

Paragraph 17.(1)6. of Ontario Regulation 1093 states:

17. (1) For the purposes of the Act, professional misconduct includes the following:

6. *Revealing information concerning a client, an animal or any professional service performed for an animal, to any person other than the client or another member treating the animal except,*
 - i. *with the consent of the client,*
 - ii. *when required to do so by law,*

- iii. *to prevent, or contribute information for the treatment of, a disease or physical injury of a person,*
- iv. *when it appears that the animal has been abused, or*
- v. *for the purpose of identifying, locating or notifying the apparent owner of the animal, protecting the rights of the apparent owner or enforcing applicable laws in respect of the animal, where it appears that the animal is not owned by the person presenting it for treatment.*

The first exception (“with the consent of the client”) is self-explanatory, as long as you have a clear understanding of who your client is (see above).

Under the second exception, there is often confusion as to the authority of police or humane societies to obtain private information about clients. Neither a police officer nor a cruelty inspector has the authority to obtain information from you about your clients, except where authorized by some legal means such as a search warrant, or some other direction of the courts. On the other hand, veterinarians are required by law to release information to provincial¹ or federal² health authorities in the case of communicable diseases. In some cases, the onus is on the veterinarian to contact the appropriate authorities where they become aware of information with respect to a communicable disease in a client’s animal.

¹ Ontario <http://www.e-laws.gov.on.ca/index.html>

² Canada <http://laws.justice.gc.ca/en>

An example of the third exception would be where you believe that a dog may pose a risk to the public; however, the clause could also apply if you have concerns that the client may actually be a threat to the public.

The fourth exception is self-explanatory. Members should be aware that a report of this nature to the OSPCA (or affiliated agency) is currently not mandatory, though Bill 50, an amendment to the OSPCA Act, will make it so if passed (the Bill has now passed a 2nd reading in the provincial legislature).

It is always prudent to carefully document the reasons for making such a report directly in the medical record.

Finally, in the fifth circumstance, it is permissible for veterinarians to release information to an animal control agency where an animal has been impounded, and the agency seeks client information with respect to a vaccination tag or microchip found on the animal, in order to return the animal to its owner as soon as possible.

Identification on Dental Radiographs

The CVO was asked by more than one participant at medical records workshops this year how they can capture the information required for dental radiographs on the film.

The information required in the *Minimum Standards for Veterinary Facilities in Ontario*, “Title 1. Companion Animal Hospital,” is as follows:

7.2.2. *radiographs [must be] permanently identified with,*

1. *the name of the veterinarian or the designation of the facility or both,*
2. *identification of the animal,*
3. *the date of the radiograph,*
4. *an indication of the left or right side of the animal,*
5. *an indication of time for sequential radiographic studies.*

Due to the small size of dental radiographs, it is sometimes difficult to clearly and permanently provide all required information. Here are some suggestions:

1. capture the information as required in the emulsion, even if it is not clear; and
2. if not clear, then
 - a) use film mounts and write out the information on the mount using permanent ink, or
 - b) attach a label with the information written on it to the film, or
 - c) write the information on the film with a fine-point sharpie marker, or
 - d) write the sequential number on the film.

QUALITY ASSURANCE

CONTINUING EDUCATION vs.

CONTINUING PROFESSIONAL DEVELOPMENT: FROM THEORY TO PRACTICE

Continuing Education or CE is one component of quality assurance (QA) programs for almost all self-regulated professions not only in Ontario, but across the country and internationally. In Canada, the majority of veterinary medical regulatory bodies have CE requirements for their members (see chart on the opposite page). But among international veterinary regulators and in the human medical profession, the CE approach has been replaced by one that captures the broad spectrum of activities involved in ongoing learning by practitioners: **Continuing Professional Development (CPD)**.

As reported previously in *Update*, Council last year approved a plan to make continuing education for Ontario veterinarians **mandatory by 2012**. Responses to the Quality Assurance Matters Survey conducted in the fall of 2007 overwhelmingly supported mandatory reporting of CE activities to the College as part of a Quality Assurance program. This is based on the knowledge that ongoing education assists practitioners to maintain and enhance the quality of services delivered to their clients and the clinical outcomes of their patients.

The College is aware that the majority of members already engage in substantial learning each year, and share that information with the College. Some veterinarians who express concern about CE becoming mandatory perceive it to mean only “attendance at formal lectures or conference seminars,” which does not necessarily translate into learning (or even listening). They are correct when they say that simply reporting hours or providing proof of attendance does not assure any benefit to either veterinarians or to their clients. That is why a useful Quality Assurance CPD program needs to measure professional development efforts appropriately. And it needs to “count” a wide variety of learning activities—such as reading, researching cases on VIN, and collegial consultation, as well as attendance at formal sessions—to be fair and meaningful.

Therefore, Council and the QA Committee are working on a staged approach to formalizing Continuing Professional Development (CPD) requirements for College members, and making its CPD program under the Quality Assurance umbrella meaningful, useful, and practical.

This approach will include:

- a) making the reporting of CE and professional development/reflection-on-learning activities mandatory;
- b) publishing guidelines regarding minimum CPD expectations of the College, including hours, reflection, and reporting tools; and, eventually,
- c) drafting regulations under the *Veterinarians Act* that will establish a formal CPD quality assurance program, of which CE requirements will be one component.

The Quality Assurance Committee welcomes input from the membership at each stage of its CPD program development.

Quality Assurance Committee Created

At its March 19th, 2008, meeting, after a 60-day consultation period during which members were invited to comment, Council passed a motion to establish the Quality Assurance Committee under the CVO By-Laws. The QA Committee is mandated to research, develop, review, and make recommendations to the Council respecting matters of quality assurance programs for members, including:

- continuing education
- professional development
- practice review, and
- peer review

QUALITY ASSURANCE

Summary of Continuing Education Requirements for Veterinarians in Canada

| Province | Required Hours | Restrictions on Content | Reported With | Audits Done | Authority and Consequence |
|------------|------------------------|---|----------------|--------------------|--|
| AB | 30 hours every 2 years | 20 hrs must be scientific Journals must have test components Hours must be approved by Committee | Annual renewal | No | Mandatory in Council Guidelines Given 6 months to make up for deficiencies |
| BC | 30 hours every 2 years | 20 hours must be scientific. 10 hrs may be self-study through any medium (including journals) Courses must be offered by a suitably qualified speaker and by a recognized veterinary organization or academic institution | Annual renewal | No | Mandatory in By-laws |
| MB | 21 hours every 2 years | 5 hours non-scientific maximum No credit for distance ed Credits must be approved by MVA. 21 hrs provided at annual MVA | Annual renewal | Yes | Mandatory in By-laws. Members fined \$100 for non-compliance with 6-mths' grace |
| NB | 20 hours every 2 years | 10 hours must be technical. No other content restrictions 10 hours must be face-to-face (physical attendance) | Annual renewal | No | Voluntary until/unless <75% members do not meet requirement |
| NF | None | n/a | n/a | n/a | Act does allow for mandatory CE |
| NS | 20 hours every 2 years | 12 hours must be scientific ("Hard") CE Hours must be taken from "approved" providers | Annual renewal | On request by NSVA | Mandatory in By-laws; part of licence renewal process. |
| ON | None | No restrictions | Annual renewal | No | Voluntary Currently CE hours collected for statistical purposes |
| PEI | 20 hours every 2 years | CE approved if it is RACE approved or if given by a veterinarian/veterinary organization | Annual renewal | 10% spot checks | Mandatory in By-laws License suspensions for non-compliance |
| QU | 20 hours every 2 years | Should be in the appropriate area of practice (ie, if in Mixed Animal practice, should have 10 hrs in SA, 10 in LA) Distance Ed must include formal study/evaluation with 60% mark to count Practice Management: 3 hrs max/2 yrs. Alternative Med: 6 hr max/2 yrs | Annual renewal | No | Recommended via Council Policy Practice inspection triggered if deficient without having a good reason, or if not reported |
| SK | 30 hours every 2 years | 10 hours may be non-scientific | Annual renewal | Yes | Mandatory in By-laws Member contacted if hours fall below minimum. If hours are not made up, member sent to Professional Conduct Committee Penalty is often to submit double hours the next year |

NOTE: The Ontario Association of Veterinary Technicians also requires its members to complete a minimum number of CE credits every 2 years in order to renew their licenses. See www.oavt.org.

Report on Medical Records Workshops

Between October 2007 and April 2008, the CVO presented 15 Companion Animal Medical Records Workshops across Ontario. A total of 369 people attended these sessions, which were delivered by Drs. Susan Sabatini, Susan Kilborn, Jim Christian, and Marc Marin. Registrar Susan Carlyle and QA Program Manager Karen Smythe were pleased to meet so many members, and to answer regulatory questions that arose during the workshops. Feedback from participants from the previous year helped CVO staff and facilitators shape the workshop content, and further revisions will be made this summer. More emphasis on computerized records will be built into the 2008-2009 sessions.

Haven't attended one yet? Close to 90% of this year's participants would recommend the workshop to colleagues! Session dates will be announced on the CVO website in August and in September's *Update*. Also, an on-line version is in development and will be launched in the fall.

In the meantime, take a look at the [Medical Records Self-Assessment](#) form, available at:

<http://www.cvo.org/uploadattachments/SelfAssessmentform.pdf>

which will help you to identify your areas of strength and to focus on those areas of medical record-keeping in your practice that might benefit from adjustments or changes.

The CVO **CE Worksheet** tool is now available as a Word document at:

<http://www.cvo.org/uploadattachments/CEworksheet.doc>

Please feel free to download this form and use it for the remainder of the 2008 Licensing Cycle (which ends October 31, 2008).

Thank You!

Recently, the Quality Assurance Committee contacted those who indicated (on their annual renewal forms) an interest in helping with QA program development. Several people responded to the Committee's query to confirm that they would like to assist in the coming months. The QA Committee is currently making plans for a variety of projects and would like to thank all members who are willing to volunteer their valuable time in order to contribute to QA Program initiatives.

Student Corner

Alberta Veterinary Medical Association (AVMA)

by Robert Campbell
WCVM Class of 2009

The following article is reprinted with permission from the AVMA. The original article was printed in the AVMA Members' Magazine March-April 2008.

"The opinions expressed in this article are not necessarily those of the CVO."

A Markup on Compassion?

The cost of veterinary services is devalued in Canadian culture.

The CBC's Marketplace program aired a piece on pricing of veterinary pharmaceuticals in November, 2007. I watched (as did most veterinarians in Canada) in disbelief as Erica Johnson paraded her cat from veterinarian to veterinarian in an attempt to infiltrate the 'conspiracy of pricing' in veterinary clinics across the country. One would hope that Canadians would see this piece of journalism as a transparent, unilateral attack on veterinarians across the country; painting us as sub-professional, profit-driven ogres. Unfortunately, Ms. Johnson's malicious and biased attack not only fraudulently depicted pricing in veterinary clinics, but also destabilized many pet owners' trust in their veterinarian's professional opinion—thereby doing our clients, and their pets, a disservice.

For many students, it was our first true taste of how fickle the public can be—one moment people are in dire straits as they seek a diagnosis for their pet's ailment; minutes later attacking us for our apparent lucrative self-indulgence on national television. CBC Marketplace's story was a cruel reminder of the potential fall-out created by ineffective client communication and solidified the

need to ensure that new graduates are diligent in developing and improving their communication skills.

The silver lining is difficult to look for when the veterinary profession is subjected to such scrutiny, but bringing national attention to issues such as these provides an opportunity for change to an imperfect system. It's impossible to ignore the conflict of interest surrounding pharmaceuticals when we sell the drugs we prescribe. Short of establishing veterinary pharmacies that are exclusively responsible for dispensing all of our medications, it may be time to consider standardizing uniform pharmaceuticals markups. After all, aren't we supposed to be selling diagnostics and medical care, rather than drugs? Ideally we would be able to charge more for our diagnostics and procedures rather than having to subsidize disproportionately low procedural costs with inflated prices on less expensive items, such as drugs. However, this is difficult to achieve when veterinarians are continuously faced with devaluing their services (e.g., surgery, dentistry, laboratory diagnostics) to fall in line with the public's perception of reasonable pricing for medical care. Veterinarians unfortunately have to deal with the fact that universal healthcare is entrenched in Canadian culture, and much of the

public is unable to conceptualize the actual costs of delivering medical care to people or to animals.

As a soon to be graduate veterinarian, I wish I could offer some new insight or solution to this problem. Veterinary education is focused on equipping us with the ability to generate diagnoses and implement treatments—but it is not equipping us with the human resource tools or the business management skills that make veterinarians successful (and yes... Erica Johnson forbid... profitable). As education continues to diversify and specialize, I hope that business courses will become a core component of undergraduate veterinary education. News programs like Marketplace highlight the importance of training veterinarians to market their services to the public as necessities rather than luxuries. "Selling" our profession to the consumer can only improve our market environment, thus creating a higher value for what we have to offer.

Collectively, veterinarians provide Canadians with the best quality veterinary medical care in the world. Nevertheless, as a profession we cannot ignore that we need to improve and evolve our professional image, and ensure that our services are valued by the public well into the future.

CASE STUDIES

In “Case Studies,” we summarize complaints outcomes, Mutual Acknowledgement and Undertakings, and reported matters investigated by the College that are now considered public knowledge. A new regular feature in *Update*, “Case Studies” is an educational tool that members should find of interest regarding both (a) their responsibility to uphold professional standards, and (b) the College’s responsibility to respond to issues that come to its attention.

Complaints Case

Terminating relationships with clients, resolving disagreements and contacting animal welfare agencies...

Ms. X boarded her cat for twelve days at the ABC Animal Hospital. The cat returned home and Ms. X observed persistent sneezing, coughing and soiling on her carpets.

Ms. X returned to the ABC Animal Hospital and Dr. A examined the cat and provided an intranasal vaccine for an upper respiratory tract infection. Ms. X suggested that due to the cat’s continuing health problems she was considering an alternate home, possibly a farm.

Ms. X telephoned the ABC Animal Hospital approximately a month later requesting euthanasia for her cat due to continuing house soiling, particularly bloody diarrhea. An offer was made to treat the cat and secure a new home, which Ms. X declined. On the same day, a branch of an animal welfare agency was contacted by Dr. B, a veterinarian at the ABC Animal Hospital, alleging that the cat was not receiving appropriate veterinary care since Ms. X had requested euthanasia.

An animal welfare agency investigator visited Ms. X’s

residence and observed the cat in excellent body condition with no signs of the upper respiratory condition. Ms. X informed the investigator that the cat was receiving care at the XYZ Animal Hospital which had also provided boarding services during the holiday season. Four months later, the XYZ Animal Hospital provided euthanasia when the cat experienced further intestinal problems and Ms. X elected not to proceed with treatment.

In the letter of complaint received by the College, Ms. X alleged that:

- (a) Her cat became ill (i.e., sneezing, coughing and soiling on the carpets) after being boarded at Dr. B’s clinic and having her anal glands cleaned on Dr. B’s recommendation.
- (b) Dr. B behaved inappropriately when she accused Ms. X of not being a responsible pet owner because she had requested euthanasia of her cat due to health issues (i.e., both her and her cat).

- (c) Dr. B told Ms. X to “get out of her office and never come back” when she refused to have surgery performed on her cat. Dr. B then contacted a local animal welfare agency to attend Ms. X’s home to investigate the care of her cat.

Reasons for Decision

The Committee reviewed the medical records of the ABC Animal Hospital and the XYZ Animal Hospital. In addition, the Committee reviewed written submissions from Ms. X, Dr. B, Dr. A and staff at the ABC Animal Hospital. A report from the animal welfare agency was also considered.

Ms. X and Dr. B agreed that the cat became ill while boarding at the ABC Animal Hospital. Dr. B noted, in correspondence submitted, that Ms. X had refused vaccinations when the cat arrived.

A significant component of this complaint relates to Ms. X’s right to select euthanasia for her cat and the response of Dr. B to the request. The Committee reviewed a series of

policy statements from the Canadian Veterinary Medical Association, Canadian Federation of Humane Societies and the American Veterinary Medical Association—none of which necessarily reflected the position of the College or the Complaints Committee—relating to euthanasia and unwanted pets.

Ms. X alleged that Dr. B inappropriately accused her of irresponsible pet ownership when she requested that her cat be euthanized. The Committee agreed that while a client cannot force a veterinarian to perform any procedure to which he/she may be opposed, and while it is appropriate for a veterinarian to refuse to perform unwarranted procedures, an offer should be extended to the client to seek the services of another veterinarian. The animal welfare agency report did not support the animal abuse concerns of Dr. B, as the visit to Ms. X's residence indicated no mistreatment of the cat.

Ms. X also alleged that Dr. B inappropriately terminated their veterinarian-client-patient relationship when Dr. B asked Ms. X to leave the ABC Animal Hospital and never come back. The recommended protocol for this action is generally a written notice of termination to the client, an offer to transfer records to a new practitioner, and ensuring that emergency services remain available during the transition period. Written communication of

the intent to terminate a relationship reduces the prospect of emotional interaction between the parties compared to a verbal exchange.

The Committee had concerns with Dr. B's decision to immediately notify the local animal welfare agency office following her verbal exchange with Ms. X. The Committee questioned the speed and severity of such a response to any client who has merely declined treatment and the surrender of an animal. While Dr. B's commitment to the rescue of unwanted animals should be commended, the Committee suggested that, given the circumstances, a "cooling down" period would have been appropriate prior to initiating such actions.

It was proposed that, in the future, Dr. B consider any alleged animal cruelty cases carefully prior to contacting an animal welfare agency and that more professional methods of terminating the veterinarian-client-patient relationship be implemented. Also, Dr. B should manage differences in opinion between herself and clients in a less confrontational manner.

Decision

The Committee weighed all of the information before it and the options available to it.

Dr. B was advised by the Committee of the Committee's concerns regarding her conduct as it relates to terminating relationships with clients, resolving disagreements on

procedures, and contacting animal welfare agencies on suspected cases of animal abuse. Dr. B must exercise discretion and a higher level of professional judgment prior to acting on these matters. Dr. B was cautioned to consider this advice carefully and take any necessary action related to the advice to ensure that such a situation does not recur.

It was the decision of the Committee that the actions and conduct of Dr. B did not warrant a referral to the Discipline Committee or the taking of any further action.

Further, the CVO refers all members to the Position Statement "Terminating the Veterinarian-Client-Patient Relationship" posted on the College website under the "Practice Guidance" tab and Ontario Regulation 1093 section 17.(1)6, which states:

For the purposes of the Act, professional misconduct includes the following:

6. Revealing information concerning a client, an animal or any professional service performed for an animal, to any person other than the client or another member treating the animal except,

iv. when it appears that the animal has been abused

CASE STUDIES

Discipline Hearings

The *Veterinarians Act*, section 31.-(1) “Where the Discipline Committee finds a member or former member of the College guilty of professional misconduct or serious neglect, the registrar shall publish the finding...” The name of the member who is subject of the hearing may, or may not, be included depending on the decision of the Discipline Committee panel. Information revealing the names of the witnesses and clients has been removed.

Decisions may be obtained, in full, by contacting Ms. Rose Robinson, Manager, Complaints and Discipline, at extension 2227 or email robinson@cvo.org.

Discipline Hearing #1

Dr. John Flanigan (Guelph, Ontario)

On January 16, 2008 the Discipline Committee met to hear and consider allegations of professional misconduct against Dr. John Flanigan.

Dr. Flanigan pleaded guilty to the following allegations. Dr. Flanigan engaged in professional misconduct when he violated sub-section 17.(1) of Ontario Regulation 1093 paragraphs 1 (*an act or omission inconsistent with the Act or the Regulation - section 28 and 33 of Ontario Regulation 1093*); 2 (*failing to maintain the standard of practice of the profession*); 27 (*failing to make or retain the records required by the Regulation*); 32 (*permitting, advising or assisting any person, other than a member, to perform any act or function which should properly be performed by a member*); and section 30 (3)(b) of the *Veterinarians Act* (*the member's or former member's rights or privileges related to the practice of veterinary medicine under an Act of the Parliament of Canada or of the Legislature of Ontario, other than the Act, or the regulations thereunder, have been restricted or withdrawn, unless by the request of the member or former member, upon proof thereof*). The particulars of the allegations involved the following:

- Procuring drugs from an unlicensed and unreliable source
- Procuring drugs in unlabelled or inappropriately labelled containers

- Permitting the use of his name and licence to obtain drugs for a non-veterinarian
- Failure to keep records
- Improper storage of controlled substances

Decision

The Discipline Committee accepted Dr. Flanigan's guilty plea and the following joint submission as to penalty.

1. (a) Dr. Flanigan be reprimanded by the Discipline Committee.
- (b) Dr. Flanigan's licence to practice veterinary medicine will be suspended for a period of eight months, such suspension to commence on a date to be fixed by the Registrar but in any event to commence no later than March 1, 2008, subject to the following provisions.
- (c) Five (5) months of the suspension will itself be suspended if Dr. Flanigan complies with paragraph 1(d) by the end of the initial three (3) month suspension of his licence.
- (d) Dr. Flanigan's licence to practice veterinary medicine has a term and condition that he,
 - (a) successfully complete a course in ethics and/or jurisprudence at Dr. Flanigan's expense, which course shall be approved in advance by the Registrar;

- (b) successfully complete a paper with a minimum of 3,000 words, providing at least ten separate references, addressing the issues raised by the allegations in these matters with particular emphasis on the dangers and impropriety of purchasing drug products, including unlabelled or inappropriately labelled drugs, from sources other than licensed pharmaceutical companies, and the improper use of professional credentials.
- (c) the paper must be acceptable to the Registrar or her designate and Dr. Flanigan will bear all costs associated with the term and condition, including the costs of an independent expert reviewing the paper to assist the Registrar to determine whether the paper has been completed successfully; and
- (d) Dr. Flanigan will pay costs to the College in the amount of \$3,000.00.
- (e) If Dr. Flanigan fails to comply with the provisions of paragraph 1(d) by the end of the initial three (3) month suspension of his licence, the balance of the suspension shall commence immediately after the initial three (3) month suspension is completed.
- (f) Dr. Flanigan's licence to practice veterinary medicine has a term and condition that, following his return to practice, the College will conduct five unannounced inspections of Dr. Flanigan's practice at his expense, such inspections to take place at any time within the first three (3) years of the member returning to practice following the completion of his suspension. Dr. Flanigan will be provided with a copy of each inspection report and Dr. Flanigan will respond to each such report within thirty (30) days of receiving each report.
2. Dr. Flanigan acknowledges that any information obtained as a result of the Order may be reported to the Executive Committee which may take any action it considers appropriate, including the referral of further allegations of professional misconduct and/or serious neglect to the Discipline Committee for a hearing.
 3. Dr. Flanigan acknowledges that this matter will be publicized in the usual manner through, among other things, *CVO Update* which publication will include, among other things, Dr. Flanigan's name.

Discipline Hearing #2

Dr. Narottam Patel (Bancroft, Ontario)

On December 13, 2007 the Discipline Committee met to hear and consider allegations of professional misconduct against Dr. Narottam Patel.

Dr. Patel pleaded guilty to the following allegations. Dr. Patel engaged in professional misconduct when he violated sub-section 17.(1) of Ontario Regulation 1093 paragraphs 2 (*failing to maintain the standard of practice of the profession*); 4 (*failing to continue to provide professional services to an animal unless his services are no longer required or until the client has had a reasonable opportunity to arrange for the services of another member*); and 27 (*failing to make or retain the records required by this regulation*). The particulars of the allegations involved the following:

- Failure to accurately judge a patient's condition, both at the time of an office visit and later after obtaining blood test results
- Failure to continue to provide care to his patient
- Failure to maintain the required medical records

Decision

The Discipline Committee accepted Dr. Patel's guilty plea and the following joint submission as to penalty.

1. (a) Dr. Patel be reprimanded by the Discipline Committee.
- (b) Dr. Patel's licence to practice veterinary medicine will be suspended for a period of two months, the first month to begin on February 1, 2008.

CASE STUDIES

Discipline Hearing #2 con't

- (c) One month of the suspension will itself be suspended if Dr. Patel complies with paragraph 1(d).
 - (d) Dr. Patel's license to practice veterinary medicine has a term and condition that he,
 - (a) successfully complete a paper with a minimum of 1,500 words, providing at least five separate references, addressing the proper management of diabetes mellitus in companion animals.
 - (b) the paper must be acceptable to the Registrar or her designate by the end of February 2008 and Dr. Patel will bear all costs associated with this term and condition, including the costs of an independent expert reviewing the paper to assist the Registrar.
 - (e) If Dr. Patel fails to comply with paragraph 1(d), the second month of the suspension will commence on March 1, 2008.
 - (f) Dr. Patel will pay to the College \$2,000.00 in costs within thirty days of the date of the Order.
2. Dr. Patel acknowledges that this matter will be publicized in the usual manner through, among other things, *CVO Update*, which publication will include, among other things, Dr. Patel's name.

POLICY REPEALED

At its meeting of March 19, 2008, Council of the CVO repealed the policy titled "**Veterinarians Employed by the Ontario Racing Commission.**" This policy, which had been in place since 1983, exempted veterinarians employed exclusively by the ORC from the requirement to hold a certificate of accreditation.

The ORC and the CVO both have regulatory responsibilities to ensure the protection of the public. CVO's Council decided, after consultation with the ORC and legal counsel, that it is in the best interests of the public and the profession to grant as few exemptions to the accreditation requirement as possible. Therefore, from this point forward all members practicing veterinary medicine in the horse-racing industry in Ontario, including those employed as "Official Veterinarians" on behalf of the ORC and/or racing tracks, must do so from accredited mobile facilities. This will ensure uniform standards of equipment and medical record-keeping are met.

For information on the accreditation process, contact:

Ms. Louise Hamilton, Accreditation Coordinator
1-800-424-2856 ext. 2230
email: lhamilto@cvo.org

For application forms, go to <http://www.cvo.org/regulat-acc-services-opening.cfm>

REGISTER UPDATES

The College welcomed the following new registrants between February 2, 2008 and April 30, 2008. The list also indicates licence type as follows:

*G = General GNR = General Non-Resident E = Educational R = Restricted A = Academic
PGR = Postgraduate and Resident Licence PS = Public Service*

| | | | | | |
|-----------------------|----|---------------------|---|-------------------------|---|
| Dr. Hooman M. Afshari | G | Dr. Deborah Hoffele | G | Dr. Brigitte Rudolph | G |
| Dr. Luisa Alvarez | G | Dr. Aleem Kothawala | G | Dr. Rajesh Sangwan | G |
| Dr. Charles Bradley | G | Dr. Melanie Legacy | G | Dr. Daver Shahiri-Bonab | R |
| Dr. Pramod Darji | G | Dr. Lena Levison | G | Dr. Mary J. Thomson | G |
| Dr. Meidrym Hebda | PS | Dr. Ahmad Raza | G | Dr. Geoffrey Wood | G |

The following is a list of new and closed corporations:

New Corporations

Barrie Veterinary Hospital Professional Corporation
 Centretown Veterinary Professional Corporation
 Courtice Pet Clinic Professional Corporation
 Davidson Veterinary Professional Corporation
 Doncaster Steeles Veterinary Professional Corporation
 Dr. Aziz Professional Corporation
 Dr. David Powell Professional Corporation
 Dr. J.P. Dadson Professional Corporation
 John Reeve-Newson Veterinary Professional Corporation
 Kahlon-Puri Veterinary Professional Corporation
 Lake Country Animal Hospital Professional Corporation
 Linwood Bovine Veterinary Professional Corporation
 Linwood Equine Veterinary Professional Corporation

Linwood Swine Veterinary Professional Corporation
 MacLeod-Rideout Veterinary Professional Corporation
 Misener-Kendrew Veterinary Professional Corporation
 Morningside Animal Clinic Professional Corporation
 Robin Lane Professional Corporation
 Runstedler Veterinary Professional Corporation
 Sekhon Veterinary Professional Corporation
 Sohi Veterinary Professional Corporation
 Sostar Veterinary Professional Corporation

Closed

Bracebridge Animal Hospital Professional Corporation
 Dr. Sylvie Dansereau Professional Corporation
 R. Paul Hedley DVM Professional Corporation

REGISTER UPDATES

The following is a list of new, closed and relocated veterinary facilities:

New Facilities

Ambassador Animal Hospital, Windsor
Baden Veterinary Hospital, Baden
Big Creek Veterinary Hospital, Delhi
Chahal Veterinary Services, Mississauga
Crown Pointe Animal Hospital, Ottawa
Greenwich Veterinary Services, Brantford
Presqu'île Animal Hospital, Brighton
Trim Pet Hospital, Orleans
Vellore Village Pet Hospital, Vaughan
Woodcock Veterinary Services, Puslinch

Relocated Facilities

Animal Emergency Clinic of Durham Region, Whitby
Lincoln Veterinary Services, Smithville
Sharbot Lake Veterinary Services, Sharbot lake

Closed Facilities

Ontario St. Veterinary Hospital, Collingwood
Relessey Equine Services, Orangeville

NOTICE

Mandatory Reporting of Animal Abuse to Become Law in Ontario

The Ministry of Community Safety and Correctional Services (MCSCS), in conjunction with other provincial ministries, the Ontario SPCA and the College of Veterinarians of Ontario, has proposed changes to animal welfare legislation in Ontario.

The CVO was asked to identify issues for our members and the public and suggest wording for a comprehensive piece of legislation. Explicit in the discussion was “whistle-blower” protection for veterinarians who report abuse.

On April 3, 2008, Susan Carlyle, Registrar, and Karen Smythe, QA Manager, attended a media event celebrating the Bill being introduced in the Ontario Legislature. Changes to the *Veterinarians Act* are anticipated if the Bill is passed into law.

Currently, Sec. 17.(1) 6.iv of Ontario Regulation 1093 contains an exception to the duty of confidentiality that veterinarians owe their clients which, while it

permits veterinarians to report apparent abuse, does not either mandate that report or offer the veterinarian protection from liability. That is what the new protection for the animals and our members will carry.

Another issue the bill will address is giving the OSPCA authority to inspect places where animals are kept for exhibit, entertainment, boarding, sale or hire. Exemptions to this authority are proposed for veterinary clinics and their ancillary services, which are already regulated under the *Veterinarians Act*.

CVO staff will continue to work with the MCSCS to ensure that veterinarians remain at the forefront of animal welfare in Ontario, while ensuring adequate protection is in place for veterinarians who report animal abuse.

REGISTER UPDATES

The following veterinarians are no longer licensed in Ontario:

Dr. Jag Bhasin
Dr. James Clare
Dr. Randy Dingwell
Dr. Joshua Fender
Dr. Michael Geist
Dr. Devendra Godara
Dr. Jessica Grandish
Dr. Albert Guirguis

Dr. Jesse Harvey
Dr. Pamela Kaakee
Dr. Branko Kiric
Dr. Alan Kuzma
Dr. Kelly MacLellan
Dr. Merren Meijer
Dr. Ravi Nallandigal
Dr. Nevena Nikolajevic

Dr. Heather Putnam
Dr. Jennifer Schengili
Dr. Siva Sivapiragasm
Dr. Kristin St. John
Dr. Simrat Tak
Dr. Sartaj Wazir
Dr. Kathryn Welsman
Dr. Thursa Wilson-Zebic

*If you note any errors in the preceding lists or believe someone may be practising without a licence, please contact Ms. **Karen Gamble** at extension 2228 or e-mail kgamble@cvo.org.*

In Memoriam

The council and staff of the CVO were saddened to learn of the following deaths and extend sincere sympathy to their families and friends. In memory of deceased members, the CVO contributes an annual grant to the Ontario Veterinary College Alumni Trust.

Holmberg, David (Minnesota 1973)
Middleton, Ronald Basil (OVC 1950)

Walker, Wilbert (OVC 1947)

2008 CVO Directory

A 2008 CVO Directory on paper will be produced during the summer in limited quantity (1500). A copy of this directory will be mailed to all practice facilities and copies will be mailed to other veterinarians upon request by fax or email.

Fax: 519-824-6497 or 1-888-662-9479
Email: djvandongen@cvo.org

Call for Nominations for CVO Public Award

Do you know someone who deserves the CVO Public Award?

This award may be given annually to recognize a citizen for his or her contribution to the veterinary profession and/or animal care or service.

Submit Your Nomination

If you would like to nominate someone for this award, please contact Ms. Christine Simpson for a nomination form or download the form off the CVO website at www.cvo.org.

College of Veterinarians of Ontario
2106 Gordon Street
Guelph, ON N1L 1G6

Phone: 519-824-5600 / 1-800-424-2856

Fax: 519-824-6497 / 1-888-662-9479

email: csimpson@cvo.org

Nominations are due by **July 31, 2008**.

CVO e-news

Have you signed up for the CVO electronic newsletter? To sign up go to the CVO website

www.cvo.org.

Professionals Health Program

Confidential toll-free line:

1-800-851-6606

www.phpoma.org

Update, the official publication of the College of Veterinarians of Ontario, is the principle means of communication between the College and its members. It is the primary means of informing the membership on regulatory issues, with the expectation that members will govern themselves accordingly. *Update* is charged with the responsibility of providing comprehensive, accurate and defensible information.

Phone: 519-824-5600

Ontario toll free: 1-800-424-2856

Fax: 519-824-6497

Ontario toll free: 1-888-662-9479

email: inquiries@cvo.org

website: www.cvo.org

Editor: Ms. Susan J. Carlyle

Assistant to the Editor: Ms. Beth Ready

Publication mail agreement Number: 40583010