



## AGENDA ITEM 10.3

### **TOPIC: Proposed Regulatory Exemption for Persons Trained in Animal Rehabilitation**

#### **History of Topic**

##### *General Information*

The *Veterinarians Act* (VA) and Regulation 1093 currently outline an exclusive scope of practice model for veterinary medicine. This means that unless otherwise specifically excepted, all aspects of veterinary medicine may only be performed by a veterinarian or an auxiliary working under their supervision and delegation; the breach of this rule is a provincial offence under section 40 of the VA.

There are no specific exceptions or exemptions related to animal rehabilitation within the VA or Regulation 1093. However, in recent years, the College has been researching and promoting the importance of interprofessional collaboration between veterinary and non-veterinary animal care providers, including through Legacy Council's work on forms of energy, non-conventional therapies, and shared care in animal rehabilitation. This work has also included in-depth research on the training and qualifications possessed by other individuals operating in the animal care sphere.

The *Veterinary Professionals Act, 2024* (VPA) creates a new approach to the regulation of the practice of veterinary medicine that sets out a scope of practice (definition of veterinary medicine) and a list of authorized activities that can only be performed by members (or others specifically authorized under the VPA). This allows for the development of regulatory exemptions for persons who meet the guidelines, processes, terms, conditions, limitations, and/or prohibitions outlined in regulation to perform certain authorized activities related to animals.

Given this, a regulatory concept related to the performance of certain authorized activities carried out in the course of animal rehabilitation by non-members was developed.

##### *Legislative Framework*

Section 9 of the VPA establishes the legislative authority for the development of an authorized activity model for the practice of veterinary medicine in Ontario.

Section 9 (5) of the *VPA* permits persons (who are not members) to perform certain authorized activities subject to any prescribed guidelines, processes, terms, conditions, limitations, or prohibitions outlined in Regulation.

Section 93 (1) 7 of the *VPA* further allows for the development of regulation language permitting persons who are not members to carry out specified authorized activities and limiting and governing the carrying out of such activities.

## Development of Regulatory Concept by Transition Council

Transition Council reviewed and forwarded for public consultation a concept related to a regulatory exemption for animal rehabilitation in December 2024. This concept included:

### 1. Regulatory Exemption for Providers of Animal Rehabilitation

Transition Council proposed the development of regulation language related to persons offering animal rehabilitation for the following reasons:

- (a) Section 9 (5) 3 of the *VPA* clearly states that regulation language may be developed to allow for “A person who belongs to or practises a prescribed profession or such other persons as may be prescribed” to carry out any such authorized activities as may be prescribed in accordance with any prescribed guidelines, processes, terms, conditions, limitations, or prohibitions; and
- (b) The College’s risk-based research and analysis in the area has indicated that certain providers possess the skills, knowledge, and judgement to safely perform specific authorized activities.

### 2. Additional Recommendations for Qualification under the Regulatory Exemption

Transition Council proposed that the development of regulation language related to animal rehabilitation be further restricted to also require a person to adhere with the following guidelines, processes, terms, conditions, and/or prohibitions:

| Recommendation   | Reasoning  |
|--|--|
| Has formal, recognized education in either animal or human anatomy that garners entry into a profession in animal or human medicine. | A foundational education in either human or animal anatomy is required to facilitate the development of additional skillsets related to animal rehabilitation.   |
| Has completed at least 125 hours of training in animal rehabilitation which must have included practical experience.                 | Specific and formal training in animal rehabilitation is required for a person to upskill their foundational education. As part of this training, it is essential that a person receive hands-on practical experience in the provision of animal rehabilitation. |

|   |  |
|---|--|
| <p>Has the knowledge, skill, and judgement to:</p> <ol style="list-style-type: none"> <li>1. Perform the authorized activity safely, effectively, and ethically; and</li> <li>2. Determine the animal's condition warrants performance of the authorized activity based on the known risks and benefits.</li> </ol> | <p>Recognition of the need for a person to reflect on their own knowledge, skills, and judgement when determining whether to proceed with offering an authorized activity is fundamental to ensuring public safety and reflects the core principles of professional regulation.</p>  |
| <p>Ensures appropriate coordination and consultation with a veterinarian member in the delivery of animal rehabilitation including making referrals when required.</p>  | <p>Requiring a person to coordinate with and/or refer when an animal(s) or group of animals' needs are best addressed in collaboration with a veterinarian member reflects the public interest and ensures that any signs and symptoms best addressed through medical diagnosis are offered appropriate pathways for care.</p> |

A person would not be required to provide proof of their eligibility related to these qualifications to the College of Veterinary Professionals of Ontario (CVPO). Instead, a person would be expected to review the regulatory exemption and determine whether they meet the requirements.

Should the CVPO become aware of a person who is offering animal rehabilitation services to the public who may not meet these requirements, the CVPO would have the ability to investigate these concerns including requesting proof of eligibility and adherence, and to pursue further action including the ability to investigate under either unauthorized practice and/or the risk of harm clause if warranted.

### 3. Authorized Activities Permitted to be Performed by Persons Offering Animal Rehabilitation Under Regulatory Exemption

Transition Council proposed the development of regulation language to permit a person offering animal rehabilitation services to perform the following authorized activities (or components of):

| Authorized Activity  | Reasoning  |
|--|--|
| <p>Applying and ordering the following forms of energy for therapeutic purposes:</p> <ol style="list-style-type: none"> <li>a. Class IV lasers; and</li> <li>b. Radial shockwave when sedation is not required.</li> </ol> | <p>Part of the training for animal rehabilitation includes education in the use of certain forms of energy on animals, in particular Class IV lasers and radial shockwave when sedation is not required.</p> <p>The ability for a person to safely apply these forms of energy has previously been</p> |

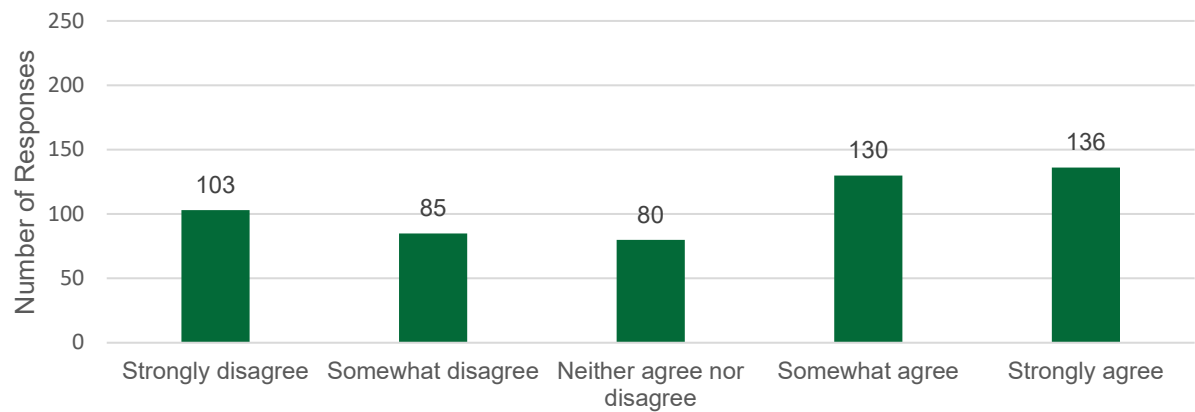
|  |   |
|--|---|
|  | <p>reviewed and approved by Legacy Council through its work related to the use of forms of energy in the treatment and/or care of animals published in 2021 (at that time allowing non-veterinary animal care providers to apply these modalities upon veterinarian referral). This proposed allowance recognizes this previous work while adapting it to the new proposed model.</p> |
|--|---|

### General Consultation Feedback

The regulatory exemption for persons trained in animal rehabilitation was included in the list of regulatory concepts that were circulated for public consultation from February 11 to April 16, 2025.

The following quantitative responses were received related to the proposed regulatory exemption:

Survey respondents were asked to indicate their agreement with a statement about Animal Rehabilitation on a Likert scale of responses from “Strongly disagree” to “Strongly agree”. The figure below presents the results of 534 responses to the statement “*The proposed conditions and permitted authorized activities for providers of animal rehabilitation are appropriate to protect the public.*”.



In addition to the quantitative data, the following qualitative trends were noted:

- Requests for persons to be required to submit proof of eligibility;
- Desire for CVPO to formally oversee these providers;
- Comments on level of training required;
- Questions around allowances for acupuncture;

- Varying opinions on forms of energy allowances; and
- Comments related to public access to desired services from non-veterinary animal care providers.

For more information related to these submissions, please refer to pages 42-44 of the full consultation report.

## Consultation Feedback from Key Partners

### *Ontario Veterinary Medical Association (OVMA)*

In its April 15, 2025, submission the OVMA shared:

- Desire for forms of energy to only be used by a veterinarian member, a veterinary technician member, an auxiliary working under a veterinarian member's supervision and delegation, or by a non-veterinary professional on referral from a veterinarian after a veterinary diagnosis has been made and that the treatment compliments the care plan.

### *Ontario Association of Veterinary Technicians (OAVT)*

In its April 16, 2025, submission the OAVT shared:

- Desire for Class IV lasers to only be used by members of the CVPO.

### *Other Submissions*

- Questions on how veterinary technician members with training in this area will be able to practice
  - o Alberta Veterinary Medical Association
- Animal rehabilitation should be provided under the direction and supervision of a veterinarian
  - o College of Physiotherapists of Ontario (suggestion); Ontario Association of Bovine Practitioners (assertion).
- Questions around the definition of animal rehabilitation
  - o London College of Animal Osteopathy; Ontario Sheep Farmers
- Support for concept as presented
  - o ProVet Alliance

For more information related to these submissions, please refer to the beginning of page 131 of the full consultation report.

## Further Information Gathered Based on Consultation Feedback

### 1. Oversight of Other Regulatory Colleges in Ontario

The proposed regulatory exemption for animal rehabilitation has been developed based on the College's in-depth review and confirmation of other regulators' oversight of their members practice on animals – in particular the College of Physiotherapists of Ontario and the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario. Both regulators have confirmed that they do not professionally regulate their members practise on animals and that their members are not permitted to use protected titles (physiotherapist; acupuncturist; etc.) while offering services to animals. Given this, the regulatory exemption for animal rehabilitation relates to 'persons' not "members".

### 2. College's Previous Work Related to Forms of Energy

The College's previous work related to forms of energy was developed based on the regulation of veterinary medicine under the VA. This means that policy was developed based on the approach of an activity either being part of the practice of veterinary medicine or not. The introduction of the new authorized activity model and the ability to create regulatory exemptions under the VPA creates an opportunity to allow certain lower risk authorized activities to be performed by non-members with appropriate training. The regulatory exemption for animal rehabilitation was developed based on this new approach.

### 3. College's Oversight of Credentials of Non-Members

The regulatory exemption as presented and consulted on does not require a person to submit proof of their training and qualifications prior to beginning to offer the specific authorized activities listed above in animal rehabilitation services to animals. This is the same approach taken across all proposed regulatory exemptions. This approach is designed in recognition of the regulatory structure established under the VPA and the fact that the CVPO can only create and confirm licensing requirements for its own members. When it comes to non-members practising certain authorized activities (or components of) under a regulatory exemption, the CVPO has the ability to create specific guidelines, processes, terms, conditions, and/or prohibitions for these persons to practise in these areas and then also has the ability to investigate their practise (including a direct review of their training and qualifications) should a concern be brought to its attention. If it is determined that the person poses a risk of harm or potential harm to the public (including not possessing the necessary components to work under the regulatory exemption) then the CVPO can pursue legal action against that person under the risk of harm clause.

## Additional Context to Assist with Decision-Making

Based on the consultation feedback received and the additional information gathered, no additional changes or amendments to the regulatory concept related to animal rehabilitation are suggested at this time.

## Transition Council Discussion

The information contained in this cover sheet is being presented to Transition Council for its review and discussion related to next steps. To aid in this discussion, Transition Council is encouraged to consider if any further clarification or additional information is necessary prior to providing its direction.

## Potential Direction

Based on this review and discussion, Transition Council may direct:

1. That the regulatory concept be approved for submission to OMAFA as presented or amended;
2. That the regulatory concept be returned to College staff for further work and consideration; or
3. Any other direction as determined by Transition Council.

## Attachments

1. Appendix A – Regulatory Concept (as presented in the public consultation)

Concept Chart – Animal Rehabilitation

| Section  | Primary Concepts Confirmed by Transition Council  | Additional Information  | Date of Confirmation   |
|--|---|---|--|
| This column outlines the specific section of regulation. | This column provides a description of the objectives sought and the associated reasoning.   | This column provides any additional specific information required to ensure clarity.  | This column outlines when Transition Council confirmed the concept as well as any additional questions raised.   |
| <b>Animal Rehabilitation</b>                             | <p><b>General</b></p> <p>Section 9 (5) 3 of the <i>Veterinary Professionals Act, 2024</i> (VPA) states that regulation language may be developed to allow for “a person who belongs to or practises a prescribed profession or such other persons as may be prescribed” to carry out any such authorized activities as may be prescribed in accordance with any prescribed guidelines, processes, terms, conditions, limitations, or prohibitions.</p> <p><b>Overview</b></p> <p>Certain persons who have received instruction in animal rehabilitation possess a specific set of skills, knowledge, and training that allow them to safely perform some authorized activities.</p> <p><b>Regulatory Exemption for Animal Rehabilitation</b></p> <p>Transition Council proposes a regulatory exemption for persons trained in animal rehabilitation who adhere to the</p> | <p>Persons under this regulatory exemption will not be required to provide proof of their eligibility under the regulatory exemption to the College of Veterinary Professionals of Ontario (CVPO). Instead, these persons will be expected to review the regulatory exemption and determine whether they meet the requirements. Should the CVPO become aware of a person who is offering authorized activities to the public who may not meet requirements, the CVPO will have the ability to</p> | <p>Transition Council considered whether persons with animal rehabilitation training should also be permitted to perform therapeutic acupuncture on animals. Upon review, Transition Council determined that this was not in the public interest since acupuncture is a high-risk activity and there are no other regulators or legal bodies outside of the CVPO that would be responsible for</p> |



| Section | Primary Concepts Confirmed by Transition Council  | Additional Information   | Date of Confirmation  |
|---------|---|--|---|
|         | <p>following guidelines, processes, terms, conditions, limitations, and/or prohibitions:</p> <ul style="list-style-type: none"> <li>• The person has formal, recognized education in either animal or human anatomy that garners entry into a profession in animal or human medicine.</li> <li>• The person must have at least 125 hours of training in animal rehabilitation which includes practical experience;</li> <li>• The person must have the knowledge, skill, and judgement to: <ul style="list-style-type: none"> <li>○ Perform the authorized activity safely, effectively, and ethically; and</li> <li>○ Determine the animal's condition warrants performance of the authorized activity based on the known risks and benefits.</li> </ul> </li> <li>• The person ensures appropriate coordination and consultation with a veterinarian member in the delivery of animal rehabilitation including making referrals when required.</li> </ul> <p><b>Authorized Activities Permitted to be Performed by Persons Providing Animal Rehabilitation</b></p> <p>Transition Council proposes that any person who meets the above-mentioned criteria be permitted to perform the following authorized activities:</p> | <p>investigate these concerns including requirement proof of eligibility and adherence. and will be able to pursue its own investigation under either unauthorized practice and/or the risk of harm clause if warranted.</p> | <p>overseeing a person's practice in this area.</p> <p>Transition Council confirmed the proposed regulatory exemption for animal rehabilitation in December 2024.</p> |

| Section | Primary Concepts Confirmed by Transition Council  | Additional Information | Date of Confirmation |
|---------|---|------------------------|----------------------|
|         | <ul style="list-style-type: none"><li>• Applying and ordering the following forms of energy for therapeutic purposes:<ul style="list-style-type: none"><li>○ Class IV lasers; and</li><li>○ radial shockwave when sedation is not required.</li></ul></li></ul> |                        |                      |