



AGENDA ITEM 9.2

TOPIC: Delegation

History of Topic

General Information

The *Veterinary Professionals Act, 2024 (VPA)* provides the legislative structure for the development of an authorized activity model for the practice of veterinary medicine in Ontario. This structure moves away from an exclusive scope of practice in favour of a more prescribed framework of practice for veterinarians, veterinary technicians, and auxiliaries that clearly outlines the types of activities that can be provided by members as well those working under their supervision and delegation where applicable.

This cover sheet outlines Transition Council's work related to one aspect of this authorized activity model – delegation.

Legislative Framework

Section 9 of the *VPA* allows for the development of regulation that outlines the ways in which both members and non-members are permitted to perform authorized activities.

Section 9 (2) states that a member (either veterinarian or veterinary technician) may only carry out an authorized activity while engaged in the practice of veterinary medicine and subject to any prescribed conditions or prohibitions and any terms, conditions or limitations imposed on their licence.

Section 9 (3) states that a person who is not a member may carry out an authorized activity if it is delegated to that person by a member.

Schedule One of the *VPA* contains a list of seventeen (17) authorized activities can only be performed by members or by non-members to whom the activity is delegated or who are otherwise specifically authorized by the *VPA*.

Development of Regulatory Concept by Transition Council

Transition Council reviewed and forwarded for public consultation a regulatory concept related to order in November 2024. This concept included:

1. Delegation of Authorized Activities by Veterinarian Members

Transition Council proposed the development of regulation that outlines how a veterinarian member is permitted to delegate authorized activities including:

- (a) That a veterinarian member is permitted to delegate authorized activities to either a veterinary technician member or another non-member under either immediate, direct, or indirect supervision;
- (b) That a veterinarian member remains professionally responsible for their decision to delegate and the level of supervision provided;
- (c) That a veterinarian member assures themselves that the veterinary technician member or non-member to whom they are delegating can perform the task competently and safely;
- (d) That a veterinarian member only delegates the performance of activities that they themselves are also able to perform competently and safely; and
- (e) That a veterinarian member remains professionally responsible for the conduct of the veterinary technician member or non-member to whom they have delegated and for the suitability and quality of the performance of said activities.

In addition to these overarching recommendations, a veterinarian member would also remain responsible for meeting any additional professional expectations related to delegation as outlined in College policy.

2. Veterinary Technician Members Working Under a Veterinarian Member's Delegation

Transition Council proposed the development of regulation language that permits a veterinary technician member to choose to accept the delegation of authorized activities from a veterinarian member if they are competent to perform the activity. The veterinary technician member will be held professionally responsible for their performance of these tasks in recognition of their status as a licensed member and their ongoing obligation to use their professional judgement in practice.

3. Sub-Delegation by Veterinary Technician Members Not Permitted

Transition Council proposed the development of regulation language that outlines that veterinary technician members are not permitted to sub-delegate the performance of authorized activities. For ease of reference, sub-delegation occurs when a person who accepts a delegation then delegates the act to another person. This is not allowed as the person who is sub-delegating does not have the legal authority to initiate activity.

4. Continuation of Three Levels of Supervision

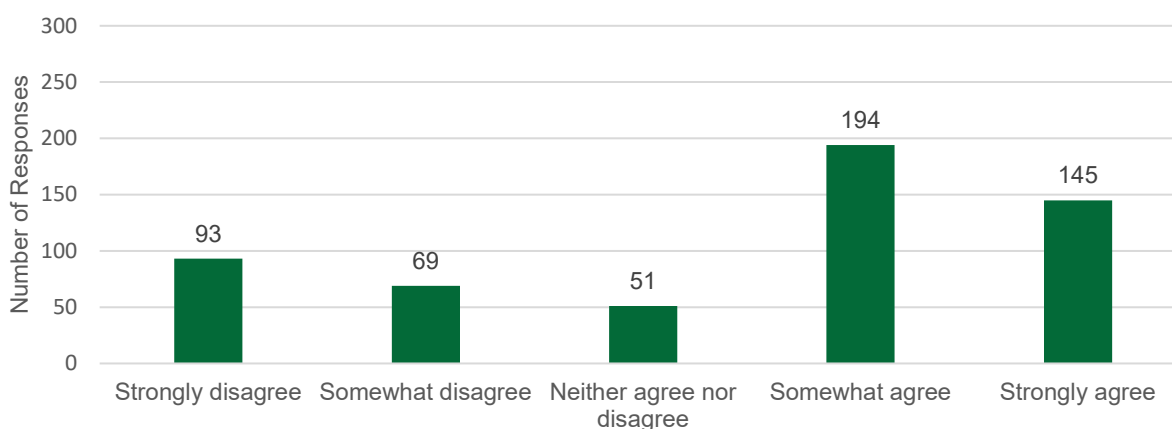
Transition Council proposed the development of regulation language that carried forward the three levels of supervision (immediate, direct, indirect) currently contained in Regulation 1093 under the *Veterinarians Act*.

General Consultation Feedback

A regulatory concept related to delegation 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 delegation:

Survey respondents were asked to indicate their agreement with a statement about Delegation on Likert scale of responses from “Strongly disagree” to “Strongly agree”. The figure below presents the results of 552 responses to the statement “*The proposed approach to delegation is appropriate.*”.



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

- Requests for clarity on which activities can be delegated to veterinary technicians versus auxiliaries;
- Questions about the liability and accountability for individuals in the delegation model; and
- Requests for clarity on the definitions of: sub-delegation, auxiliaries, non-members.

For more information on this consultation feedback, please refer to pages 25-27 of the full consultation report.

Consultation Feedback from Key Partners

Ontario Veterinary Medical Association (OVMA)

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

- Continued endorsement for the delegation of tasks to both auxiliaries and veterinary technicians; and
- Support for the restriction on sub-delegation, but requests the College publishes specific examples to assist the profession in understanding what constitutes as sub-delegation.

Ontario Association of Veterinary Technicians (OAVT)

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

- Understanding for the position that sub-delegation will not be permitted; and
- Suggestion that the regulation be re-examined following the transition to ensure the continued evolution of the profession while maintaining appropriate regulatory oversight in the interest of public safety.

Other Submissions

- Requests for a list of delegable activities
 - o Ottawa Humane Society
- Questions about the level of accountability for each individual when delegating
 - o Alberta Veterinary Medical Association
- Agreements with the restriction on sub-delegation
 - o Ontario Association of Bovine Practitioners (OABP)
- Support for the continued ability to delegate to auxiliaries
 - o OABP; Ontario Association of Swine Veterinarians; Ontario Association of Poultry Veterinarians; Ontario Federation of Agriculture

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. Further Guidance to be Provided Through Policy

It is the intention of the College to facilitate the development of additional policy and guidance related to the entire authorized activity model, including delegation, for review and consideration by both the profession and the public. This will include information related to how delegation works, who is accountable for what when delegating, and what does and does not qualify as sub-delegation.

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 delegation 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 - Delegation

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.
Delegation	<p>General</p> <p>Transition Council proposes the development of regulation language related to delegation in accordance with Section 9 (2) and (3) of the <i>Veterinary Professionals Act, 2024 (VPA)</i>.</p> <p>Purpose</p> <p>While the <i>VPA</i> establishes the framework for an authorized activity model, the development of additional detail required for full implementation is assigned to regulation.</p> <p>Overview</p> <p>The CVPO will be responsible for ensuring the delivery of safe and quality veterinary care by its members including within the dynamics of veterinary teams where there may be different providers and methods of service delivery being utilized.</p> <p>Delegation by Veterinarian Members</p>	<p>The three levels of supervision (immediate, direct, indirect) are currently contained in Regulation 1093 under the <i>Veterinarians Act</i> and will be carried forward.</p> <p>Sub-delegation of authorized activities by veterinary technician members is not permitted to reflect the higher-risk nature of these activities.</p>	Transition Council confirmed the approach for delegation within authorized activity model in November 2024.

Section	Primary Concepts Confirmed by Transition Council	Additional Information	Date of Confirmation
	<p>Transition Council proposes the development of regulation language that outlines the circumstances in which veterinarian members would be permitted to delegate the practice of clinical veterinary medicine (including authorized activities) This includes:</p> <ul style="list-style-type: none"> • That a veterinarian member is permitted to delegate clinical veterinary medicine (including authorized activities) to either a veterinary technician member or another non-member (auxiliaries) under either immediate, direct, or indirect supervision; • That a veterinarian member remains professionally responsible for their decision to delegate and the level of supervision provided; • That a veterinarian member ensures that the veterinary technician member or non-member to whom they are delegating can perform the task competently and safely; • That a veterinarian member only delegates the performance of tasks that they themselves are also able to perform competently and safely; and • That a veterinarian member remains professionally responsible for the conduct of the veterinary technician member or non-member to whom they have delegated and for the suitability and quality of the performance of said activities. 		

Section	Primary Concepts Confirmed by Transition Council	Additional Information	Date of Confirmation
	<p>Veterinary Technician Members Working Under a Veterinarian Member's Delegation</p> <p>Transition Council proposes the development of regulation language that permits a veterinary technician member to accept the delegation of the performance of clinical veterinary medicine (including authorized activities) from a veterinarian member if they are competent to perform the activity. The veterinary technician member will be held professionally responsible for their performance of these tasks in recognition of their status as a licensed member and their ongoing obligation to use their professional judgement in practice.</p> <p>Sub-Delegation by Veterinary Technician Members Not Permitted</p> <p>Transition Council proposes the development of regulation language that states that sub-delegation of authorized activities by veterinary technician members is not permitted. Sub-delegation occurs when an individual who accepts the delegation of an activity then delegates the act to another individual. A veterinary technician member would be permitted to sub-delegate the performance of other aspects of clinical veterinary medicine that are not authorized activities.</p>		