



AGENDA ITEM 11.3

TOPIC: **Drugs**

History of Topic

General Information

The ability for veterinarians to prescribe, dispense, administer, and/or sell drugs is informed and regulated by a broad legislative framework, both federal and provincial. The inclusion of veterinary technicians as members of the College of Veterinary Professionals of Ontario (CVPO) under the *Veterinary Professionals Act, 2024 (VPA)* necessitates the updating of regulation language related to the use of drugs in the practice of veterinary medicine to represent the different responsibilities of the two professionals in this area and also offers the opportunity to provide greater guidance and direction related to public protection and choice.

Legislative Framework

Section 93 (1) 27 and 28 of the *VPA* allows for the development of regulation language related to the prescribing, compounding, dispensing and selling of drugs by members.

Development of Regulatory Concept by Transition Council

Transition Council reviewed and forwarded for public consultation a regulatory concept related to drugs in January 2025. This concept included:

1. Updated Language Related to Prescription Portability

Transition Council proposed the development of regulation language that contains an updated approach to prescription portability that removes the onus from the client to ask for a written prescription and instead places it on a veterinarian member to inform their clients of this option. This was proposed in recognition of the public interest in ensuring awareness of the ability to access the dispensing of drugs for animals by licensed pharmacists. Specifically, Transition Council proposed an update to the current language contained in Section 26 of Regulation 1093 made under the *Veterinarians Act (VA)*:

Current Language: If a member determines that a drug should be prescribed to treat an animal but the client requests that, instead of the member dispensing the drug, the member give a prescription for the drug,

the member shall give the client the prescription and shall do so in writing unless subsection (2) applies.¹

Proposed Language: If a veterinarian member determines that a drug should be prescribed to treat an animal, the veterinarian member shall inform the client of their right to receive a prescription for the drug rather than have the veterinarian member dispense the drug, and if the client wishes to have a prescription the veterinarian member shall give the client the prescription and shall do so in writing unless subsection (2) applies.

2. Inclusion of Language that Reflects the One Profession, Two Professionals Model

Transition Council proposed the development of regulation language that reflects the introduction of two types of members (veterinarians and veterinary technicians) under one regulatory framework and outlines what rules related to the prescribing, dispensing, compounding, administering, and/or selling of drugs apply to what types of members. In particular, Transition Council proposed the development of regulation language that reflects that only veterinarian members are permitted to prescribe drugs.

3. Maintain Consistent Approaches

Transition Council is proposing the development of regulation language that reflects that the majority of clauses currently contained in sections 22-33 of Regulation 1093 under the VA related to drugs remain transferable to the new regulatory framework to be established under the VPA. In particular, Transition Council is proposing the development of regulatory language that signals that veterinary teams (veterinarians, veterinary technicians, and auxiliaries) will still be able to utilize the different skillsets within their accredited veterinary facilities. This will allow for the delivery of safe and accountable care related to prescribing, dispensing, compounding, administering, and/or selling of drugs.

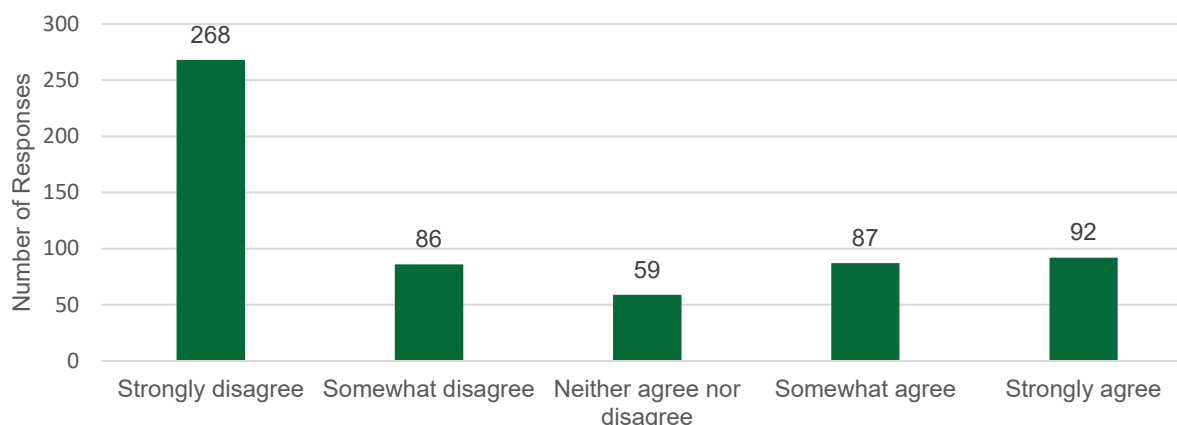
General Consultation Feedback

A regulatory concept related to drugs 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 drugs:

¹ Subsection (2) speaks to when a veterinarian is permitted to give an oral prescription to either another veterinarian or a pharmacist.

Survey respondents were asked to indicate their agreement with a statement about Drugs on a Likert scale of responses from “Strongly disagree” to “Strongly agree”. The figure below presents the results of 592 responses to the statement “*The proposed regulatory concept related to drugs is appropriate.*”.



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

- Comments related to the burden associated with offering written prescriptions;
- Preference to remain with the upon request approach;
- Comments related to potential loss of revenue, appointment time, and potential delay of treatment;
- Comments related to reliability of online and human pharmacies; and
- Requests for clarity related to the use of drugs and development of orders.

For more information on this consultation feedback, please refer to pages 55-57 of the full consultation report.

Consultation Feedback from Key Partners

Ontario Veterinary Medical Association (OVMA)

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

- Request to remain with current approach to prescription portability;
- Comments related to potential increase of workload demand related to prescription portability;
- Comments related to the reliability of online pharmacies;
- Questions surrounding liability when prescribing but not dispensing;
- Questions surrounding the requirements for managing adverse reactions when prescribing but not dispensing; and
- Requests for public education.

Ontario Association of Veterinary Technicians

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

- General support for the updated approach to prescription portability; and
- Interest in ensuring that the public can obtain their prescriptions from their provider of choice.

Other Submissions

- Support for updated approach to prescription portability
 - o Ontario College of Pharmacists; PetsDrugMart; Ontario Pharmacists Association (OPA); Ontario Sheep Farmers; Ontario Federation of Agriculture
- Comments related to conflict of interest when veterinarian is both prescriber and dispenser
 - o PetsDrugsMart
- Suggestions and/or questions related to how prescription portability requirements will be met
 - o PetDrugsMart; Ottawa Humane Society (OHS); Alberta Veterinary Medical Association
- Comments related to potential increase of workload demand/effects on business structures related to prescription portability
 - o OHS; Ontario Association of Swine Practitioners Veterinarians
- Questions related to prescription portability and liability
 - o Ontario Association of Bovine Practitioners
- Requests for clarity around what information is required in a veterinary prescription in order for proper dispensing to occur
 - o OPA

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. Rationale Behind Updated Approach to Prescription Portability

The expectations of the public, as well as government and the Competition Bureau of Canada, with respect to the portability of prescriptions have changed since the VA came into force. The Competition Bureau has concerns about the restraints on consumer choice relating to drugs and is strongly urging government and regulators to make legislative amendments to allow for more competition in this area.

Prescription portability ensures that clients can access drugs necessary for the treatment of their animals regardless of their location and promotes convenience by allowing them to fill prescriptions at any pharmacy, including ones that may dispense the drug at a lower cost.

Given that the VA regulations already require a veterinarian to provide a written prescription if requested by a client, a requirement to inform clients of what is already an existing right will not unreasonably increase the workload for veterinarians. Many clients will still choose to obtain the drug from the veterinarian who prescribed it because that is more convenient for them, particularly in emergency situations. However, for those clients who wish to fill the prescription elsewhere (which is likely to occur more commonly for chronic conditions rather than for emergencies), they already have the right to do that. Proactively informing a client of their right is simply making that right transparent. Transparency in the veterinarian-client relationship is to be encouraged and the obligation to advise of the right to a written prescription will have the additional benefit of reducing concern about self-interest that may arise when clients hear that friends and family have obtained drugs or medication at a lower price elsewhere.

2. How Prescription Portability Requirements Could be Met

It is the intention of the College to facilitate the development of additional policy and guidance related to how prescription portability requirements can be met. This will include information related to different acceptable approaches (e.g., discussions during the establishment of the VCPR; brochures handed out to clients; signs in the waiting room or exam rooms; specific discussions based on the drugs prescribed, etc.). It will also include information related to the importance of interprofessional collaboration and working with other animal care providers, such as pharmacy professionals.

3. Veterinarian Member Liability When Providing a Written Prescription

Under the VA, a veterinarian is responsible for the following components when providing a written prescription:

- the name, strength and quantity of the drug;
- the name and address of the member;
- the identity of the animal or group of animals for which the drug is prescribed.
- the name of the client;
- the prescribed directions for use;
- the date the prescription is issued, including the day, month and year;
- the withholding times if the prescription is for a food-producing animal;
- the number of refills permitted, if any;
- The member's name, in print or legible form; and
- The member's licence number issued by the College.

A veterinarian is also responsible for being readily available in person in case of adverse reactions to drug that they have prescribed.

A veterinarian is not professionally responsible for the dispensing and/or administering of a drug if they are solely prescribing. They are only responsible for providing a written prescription in

accordance with the criteria listed above and being readily available in person (including after-hours) to handle any adverse reactions to the drug that they have prescribed.

These requirements are expected to carry forward under the *VPA*.

If a veterinarian becomes aware that an animal may have been given a drug that was improperly dispensed by a pharmacy professional than the veterinarian can bring this concern to the attention of the Ontario College of Pharmacists who have oversight of their members practise in this area.

4. Ability to Charge a Prescription Fee

Under the *VA*, a veterinarian is permitted to charge a prescription fee if said fee is not unreasonable. A veterinarian is permitted to use their professional judgement in determining the reasonability of the fee that they charge.

This allowance is expected to carry forward under the *VPA*.

5. College's Role in Providing Public Education Related to Dispensing Options

The College, as a professional regulator, can provide education and guidance to the public related to risks of harm or potential harm that may exist within both the veterinary profession and the larger animal care sphere. In providing this information, the College cannot be seen to be promoting one option over another (especially when said promotion could be seen as professional self-interest) and instead must remain as neutral as possible in the information that it shares.

The Council of the CVPO will have the ability to determine where it may wish to provide education and guidance including any potential messaging it may have related to this area.

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 drugs 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 - Drugs

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.
Drugs	<p>General</p> <p>Transition Council proposes the development of regulation language related to drugs as permitted by Section 91 (1) 27 and 28 of the <i>Veterinary Professionals Act, 2024 (VPA)</i>.</p> <p>Purpose</p> <p>The ability for veterinary professionals to prescribe, dispense, administer and/or sell drugs is informed and regulated by a broad legislative framework both federally and provincially. The inclusion of both veterinarian and veterinary technician members of the College of Veterinary Professionals of Ontario (CVPO) requires the development of regulation language that reflects the different allowances and permissions for each type of member.</p> <p>Updated Language Related to Prescription Portability</p>	<p>Regulation 1093 under the <i>Veterinarians Act</i> currently contains a provision related to prescription portability. However, this provision requires a client to ask a veterinarian directly for a written prescription. Transition Council's proposal amends this approach by shifting the onus from the client having to ask to the veterinarian member having to inform the client of their options for fulfilling a prescription. Veterinarian members will not be required to also provide a written prescription if a client</p>	<p>Transition Council confirmed the regulatory concept related to drugs in January 2025.</p>

Section	Primary Concepts Confirmed by Transition Council	Additional Information	Date of Confirmation
	<p>Transition Council proposes the development of regulation language that requires a veterinarian member to inform a client of their right to receive a written prescription to help increase public awareness of this option.</p> <p>Language Reflecting the One Profession, Two Professionals Model</p> <p>Transition Council proposes the development of regulation language that reflects which allowances related to the prescribing, dispensing, compounding, administering, and/or selling of drugs apply to what types of members. In particular, Transition Council proposes that regulation language be developed that reflects that only veterinarian members are permitted to prescribe drugs.</p> <p>Maintain Consistent Approaches</p> <p>Transition Council proposes the development of regulation language that reflects that the majority of clauses currently contained in sections 22-23 of Regulation 1093 under the <i>Veterinarians Act</i> related to drugs as these clauses remain largely transferable under the regulatory framework established by the <i>VPA</i> and are important for ensuring a consistent and legally defensible approach to the prescribing, dispensing, compounding, and selling of drugs by veterinary professionals.</p>	<p>chooses to have their prescription dispensed directly by the veterinarian member.</p>	