



An Open Consultation on the Evolving Scope of Practice of Veterinary Medicine in Ontario

Veterinary medicine in Canada has historically been a profession with an exclusive scope of practice – meaning no one other than a veterinarian could perform health care activities on animals unless under the delegation and supervision of a veterinarian. While this model made good sense 20 years ago (and before), the public's expectations have changed.

The general discussion on what a profession should or should not protect within its scope of practice is increasingly focused on risk and harm – in this case risk and harm to animals and to public health. In the broader social context, the public realizes that high risk services (e.g. diagnosing illness, prescribing medications, surgery) should only be performed by licensed veterinarians. On the other hand, the public expects to have direct access to low risk services (e.g. massage therapy) without requiring a referral from a veterinarian. This, of course, is what individuals see and do in human medicine. These shifts in practice, based on the public demand, require careful consideration of real, and not perceived, risk and/or potential harm.

While Ontario is, and has been, regulating under the premise of exclusive scope of practice for veterinarians, the reality is that there is no definitive definition of the practice of veterinary medicine in the Veterinarians Act, merely a list of a few activities. Over the years, challenges to the current model have come from other professions and trades – chiropractic, homeopathy, ultra-sonographers, trainers, breeders, etc. This confusion about what is and is not the exclusive scope of practice of veterinarians is problematic for the public and the profession. Further, the current model has at times proved difficult to defend with respect to actual unauthorized and risky practice by lay persons.

In recent years, the profession has also observed the strengthening of qualifications for veterinary technicians, and in particular the recognition of the Registered Veterinary Technician (RVT) as having credentials that represent quality and safety in veterinary practice. The growth in numbers of RVT's¹ in the province is a testament to their established place as a qualified team member within the system of veterinary medicine in Ontario.

The aim of this scope of practice review and proposal is to acknowledge that the world is not the same as when the Veterinarians Act was introduced in 1989. A model focused on the system of veterinary medicine and on protecting activities that pose the greatest risk of harm to animals is being proposed. The aim is to acknowledge changing public expectation and to balance this with the need for the protection of animals. Strengthening compliance with the scope of practice of veterinary medicine by being clearer about where harm lies, and that both veterinarians and veterinary technicians are accountable in that delivery, is imperative for the future.

¹ There are currently 3200 RVT's in Ontario, an increase from 1200 in 2007



So, what is proposed and what will be different in a new piece of legislation?

Key Features

- Both veterinarians and veterinary technicians are covered under the new definition of veterinary medicine
- Titles will be protected for both veterinarians and veterinary technicians. Anyone using these titles in French or English or a derivative must be licensed by the College
- The title 'doctor (Dr.)' will be protected for veterinarians, with conditions for its use by chiropractors treating animals
- The title 'Registered Veterinary Technician' will also be protected for licensed veterinary technicians
- The list of authorized activities applies to both veterinarians and veterinary technicians
- Unless identified in the list of exemptions, no one other than a veterinarian can perform the authorized activity independently
- Veterinarians will continue to be able to delegate authorized activities where appropriate and with an appropriate level of supervision
- Veterinary technicians will now be able to initiate certain specific subsets of authorized activities (see Appendix A)
- Veterinary technicians are also identified as the most appropriate individual to perform certain activities under an order from a veterinarian. While this does not preclude delegation to an assistant, it does identify areas of competence of a veterinary technician on which a veterinarian can depend. (see Appendix A)

	Current Model	Proposed Model
Definition	The practice of veterinary medicine includes the practice of dentistry, obstetrics including ova and embryo transfer, and surgery, in relation to an animal other than a human being	The practice of veterinary medicine is the assessment of the physiological or behavioural status of an animal or group of animals and the diagnosis, treatment, prevention and/or control of any condition, disease, disorder or dysfunction.
Authorized Activities	Not applicable	<p>Making or communicating a diagnosis identifying a disease, disorder, dysfunction or condition as the cause of an animal's signs and presentation</p> <p>Performing an assessment to determine the fitness or soundness of an animal, or group of animals, on which it is reasonably foreseeable that a person will rely on the assessment.</p> <p>Ordering laboratory tests on an animal or on specimens taken from an animal.</p> <p>Prescribing, compounding, dispensing, or selling a drug</p> <p>Performing a procedure on tissue on or below the dermis</p> <p>Performing a procedure below the surface of a mucous membrane</p> <p>Performing a procedure on or below the surfaces of the teeth, including the scaling of teeth and occlusal equilibration</p> <p>Performing a procedure on or below the surface of the cornea</p> <p>Setting, immobilizing, or casting a fracture of a bone or a dislocation of a joint or a severed tendon</p> <p>Administering a substance by injection or inhalation, or monitoring of such</p> <p>Moving the joints of the spine beyond the animal's usual physiological range of motion using a fast, low amplitude thrust</p> <p>Putting an instrument, arm, hand, or finger,</p> <ol style="list-style-type: none"> i. beyond the external ear canal, ii. beyond the point in the nasal passages where they normally narrow, iii. beyond the larynx, iv. beyond the opening of the urethra, v. beyond the labia majora, vi. beyond the anus or cloaca, or vii. into any other natural or artificial opening into the body <p>Applying or ordering the application of a form of energy prescribed by the regulations under this Act</p> <p>Performing upon an animal any manual procedure for the diagnosis and/or treatment of pregnancy, sterility, or infertility</p> <p>Performing a post-mortem examination</p> <p>Performing euthanasia</p>

	Current Model	Proposed Model
Title Protection	<p>Every person who is not a holder of a licence and who,</p> <p>(a) uses the title “veterinarian”, “vétérinaire”, or “veterinary surgeon”, “chirurgien vétérinaire” or an abbreviation or variation thereof as an occupational or business designation; or</p> <p>(b) uses a term, title or description that will lead to the belief that the person may engage in the practice of veterinary medicine,</p> <p>is guilty of an offence and on conviction is liable for a fine.</p>	<p>Every person who is not a holder of a licence and who uses the title “veterinarian”, “vétérinaire”, or “veterinary surgeon”, “chirurgien vétérinaire” a “veterinary technician”, a “technician vétérinaire” or an abbreviation or variation thereof as an occupational or business designation, uses a term, title or description that will lead to the belief that the person may engage in the practice of veterinary medicine, or violates the restriction on the use of the title “doctor” in veterinary medicine, would be guilty of an offence and on conviction would be liable for a fine.</p> <p>No person other than a holder of a licence who is licensed as a veterinarian shall use the title “doctor”, a variation or abbreviation or an equivalent in another language in the course of providing or offering to provide, in Ontario, health care to animals.</p> <p>No person other than a holder of a licence who is licensed as a veterinary technician shall use the title Registered Veterinary Technician, a variation or abbreviation or an equivalent in another language in the course of providing or offering to provide, in Ontario, health care to animals.</p> <p>A person who contravenes the above provisions is guilty of an offence and liable, on conviction, to a fine.</p> <p>An exemption to permit chiropractors to use the title “doctor” with specific conditions when providing or offering to provide, in Ontario, health care to animals.</p>

It is important to point out that the proposed model means that people will be able to take their animals directly to some individuals providing animal services without seeing a veterinarian.

For example:

- A) A dog owner involves his dog in an agility competition. The owner takes the dog to an animal rehabilitation physiotherapist for post competition manual therapy to ensure any minor physical stressors to its muscles are managed. This activity is in the public domain and does not require a veterinary referral.
- B) A dog owner whose dog is injured during an agility competition and wants an x-ray, a clear diagnosis and perhaps some pain medication must see a veterinarian.

The proposed model ensures that the key areas of risk in the practice of veterinary medicine are identified and protected so that no one other than a veterinarian or a veterinary technician can perform them in whole or in part except by exemption or delegation.

Exemptions

The current list of exemptions in the Veterinarians Act will remain with minor amendments.

	Current Model	Proposed Model
Exemptions	<p>No person shall engage in the practice of veterinary medicine or hold himself, herself, or itself out as engaging in the practice of veterinary medicine unless he or she is a holder of a licence, but this does not apply to prevent a person:</p> <p>(a) from rendering first aid or temporary assistance in an emergency without fee;</p> <p>(b) from treating an animal if the person is the owner of the animal, is a member of the household of the owner of the animal or is employed for general agricultural or domestic work by the owner of the animal;</p> <p>(c) from taking blood samples;</p> <p>(d) from preventing or treating fish and invertebrate diseases;</p> <p>(e) from collecting or using semen for the purposes of a business that engages in the artificial insemination of livestock;</p> <p>(f) from collecting or transporting ova and embryos of animals other than mammals</p> <p>In addition, the prohibition does not apply to a student of veterinary medicine to the extent that the student is engaging in the undergraduate curriculum of studies at the Ontario Veterinary College of the University of Guelph.</p>	<p>It is proposed that the current exemptions in the Act remain to fit within the proposed authorized activities model, with a change to expand the learner exemption to include students of an accredited veterinary medicine program and students of an accredited veterinary technician program.</p> <p>Additional proposed exemptions are:</p> <ul style="list-style-type: none"> • An exemption for chiropractors from the prohibition against moving the joints of the spine beyond the animal’s usual physiological range of motion using a fast, low amplitude thrust, in accordance with standards set by the College of Chiropractors of Ontario. • An exemption for pharmacists from the prohibition against compounding, dispensing, or selling a drug, pursuant to the Pharmacy Act • An exemption for a person performing an authorized activity under a delegation or order of a veterinarian

Risk of Harm Clause

As this model, and compliance with the model, relate to the authorized acts and the risk related to animal outcomes, any individual not licensed by the College who treats or advises about an animal’s health where it is reasonably foreseeable that serious bodily harm to an animal or human may result from the treatment or advice or from an omission from them could be prosecuted for the unlawful practice of veterinary medicine.

Looking forward, the profession, as a whole, needs to champion a model that addresses risk to animals appropriately, ensures the delivery of safe, quality veterinary medicine, and fosters appropriate access of the public to veterinary services.

See Appendix B for questions and answers on anticipated areas for further understanding.

APPENDIX A

Delegation and Additional Authority Provisions

Definitions:

Delegation: Delegation is a process through which a regulated professional (delegator), who has the authority and competence to independently perform a procedure under one of the authorized activities, delegates the performance of that procedure to another individual (delegatee). Any authorized activity can be delegated by a regulated professional with the authority to do so to someone (regulated or unregulated) who is not authorized but is deemed competent to perform them, as long as the delegation is not prohibited by legislation or organizational policy.

These additional authorities only apply to veterinary technicians:

Order: An order is an instruction for the performance of a procedure, treatment, drug or intervention.

Initiate: To initiate an authorized activity means to independently decide that a specified procedure is required and initiate that procedure in the absence of a specific order or medical directive, in accordance to certain conditions, which can be identified in regulation

	Activities Authorized to Veterinarians	Restrictions on Delegation	Subset of Activities Authorized to Veterinary Technicians	Authority	Exemptions
1	Making or communicating a diagnosis identifying a disease, disorder, dysfunction or condition as the cause of an animal's signs and presentation	May not delegate the act of making a diagnosis identifying a disease, disorder, dysfunction or condition as the cause of an animal's signs and presentation May delegate the act of communicating a diagnosis identifying a disease, disorder, dysfunction or condition as the cause of an animal's signs and presentation	Triaging emergency patients	Initiate	
2	Performing an assessment to determine the fitness or soundness of an animal, or group of animals, on which it is reasonably foreseeable that a person will rely on the assessment	May delegate this act			
3	Ordering laboratory tests on an animal or on specimens taken from an animal.	May not delegate this act.			
4	Prescribing, compounding, dispensing, or selling a drug	May not delegate the act of prescribing a drug May delegate the acts of compounding, dispensing, or selling a drug	Preparing a drug for the purpose of dispensing a drug	Order	Pharmacists are exempted from the prohibition against compounding, dispensing, or selling a drug, pursuant to the <i>Pharmacy Act</i>

	Activities Authorized to Veterinarians	Restrictions on Delegation	Subset of Activities Authorized to Veterinary Technicians	Authority	Exemptions
5	Performing a procedure on tissue on or below the dermis	May delegate this act	Collecting specimens for diagnostic tests Placing IV catheter for emergency purpose Placing IV catheter for therapeutic purpose	Order Initiate Order	
6	Performing a procedure below the surface of a mucous membrane	May delegate this act			
7	Performing a procedure on or below the surfaces of the teeth, including the scaling of teeth and occlusal equilibration	May delegate this act	Performing dental prophylaxis, inclusive of scaling and occlusal equilibration	Order	
8	Performing a procedure on or below the surface of the cornea	May delegate this act	Collecting specimens Performing tests on the surface of the cornea	Order Order	
9	Setting, immobilizing, or casting a fracture of a bone or a dislocation of a joint or a severed tendon	May not delegate the act of setting a fracture of a bone or dislocation of a joint or setting, immobilizing, or casting a severed tendon May delegate the act of immobilizing or casting a fracture of a bone or dislocation of a joint	Applying splints and/or bandages for the purpose of immobilizing a fracture of a bone or a dislocation of a joint	Order	

	Activities Authorized to Veterinarians	Restrictions on Delegation	Subset of Activities Authorized to Veterinary Technicians	Authority	Exemptions
10	Administering a substance ² by injection or inhalation, or monitoring of such	May delegate this act	Administering a substance by injection or inhalation in keeping with Schedule X ³ (please note that this is inclusive of induction, gases, nerve blocks, chemotherapy, epidurals, and fluid therapy) Monitoring patients under anesthesia	Order Order	
11	Moving the joints of the spine beyond the animal's usual physiological range of motion using a fast, low amplitude thrust	May not delegate this act			Chiropractors are exempted from the prohibition against moving the joints of the spine beyond the animal's usual physiological range of motion using a fast, low amplitude thrust, in accordance with standards set by the College of Chiropractors of Ontario

² Substance is inclusive of a drug

³ It is anticipated that this schedule will be drafted at a later date

	Activities Authorized to Veterinarians	Restrictions on Delegation	Subset of Activities Authorized to Veterinary Technicians	Authority	Exemptions
12	Putting an instrument, arm, hand, or finger,	May delegate these acts			
	i. beyond the external ear canal,				
	ii. beyond the point in the nasal passages where they normally narrow,		Placing nasogastric tubing	Order	
	iii. beyond the larynx,		Placing esophageal or endotracheal tubing	Order	
	iv. beyond the opening of the urethra,		Placing urinary catheters	Order	
	v. beyond the labia majora,		Vaginal swabbing	Order	
	vi. beyond the anus or cloaca, or		Placing irrigation tubing beyond the anus or cloaca Expressing anal sacs internally	Order	
	vii. into any other natural or artificial opening into the body		Inserting intra-mammary cannula	Order	

	Activities Authorized to Veterinarians	Restrictions on Delegation	Subset of Activities Authorized to Veterinary Technicians	Authority	Exemptions
13	Applying or ordering the application of a form of energy prescribed by the regulations under this Act	<p>May not delegate the act of ordering the application of a form of energy prescribed by the regulations under this Act</p> <p>May delegate the act of applying the application of a form of energy prescribed by the regulations under this Act</p>			
14	Performing upon an animal any manual procedure for the diagnosis and/or treatment of pregnancy, sterility, or infertility	<p>May not delegate the act of performing upon an animal any manual procedure for the diagnosis of pregnancy, sterility, or infertility</p> <p>May delegate the act of performing upon an animal any manual procedure for the treatment of pregnancy, sterility, or infertility</p>			
15	Performing a post-mortem examination	May not delegate this act			
16	Performing euthanasia	May only delegate this act to veterinary technicians			

Please note that, veterinary technicians may not delegate authorized activities that are authorized to them. In addition, sub-delegation, where a veterinary technician delegates an act that was delegated to him or her, is not permitted.



Questions and Answers

Question: So how will this actually work, will veterinarians and veterinary technicians be legislated by one piece of legislation?

Answer: If, after consultation, the model is finally approved by both the College and the OAVT, one piece of legislation will be proposed.

Question: If it is one piece of legislation, how will this be administered?

Answer: While very early discussions have been had between the College and the OAVT, there have been no proposals on how a new legislative model might be administered. The focus currently is on the scope of practice model and its appropriateness for the public, animals and the safety of the practice of veterinary medicine in Ontario.

Question: The language in this model is not how I would talk in practice. Can't more commonly used medical terms be used?

Answer: It is true that not all of the language that describes the authorized activities would be commonly used day to day. The language chosen is intentional, however, to provide a legal framework that is broad and defensible. For example, the term surgery is not used, but all procedures on tissue that are on or below the dermis would include surgery (authorized activity #5)

Question: I am an RVT and I am confused when I read "veterinary technician" throughout this document. Why are both terms used?

Answer: This new model protects the term "veterinary technician" along with preserving use of the title "RVT". It means that they would become interchangeable. It also means anyone using either term would have to have met similar qualifications.

Question: What about veterinary technicians that have graduated from an accredited training program but have not chosen to join OAVT?

Answer: It is acknowledged that this group of individuals exists in practice. It is unclear as to how many graduate, non RVT's there are practicing in Ontario. The process for these individuals to be grandparented into a new piece of legislation has not yet been determined. It will be considered.

Question: What does an accredited program mean?

Answer: Accredited programs refer to schools teaching either veterinary medicine or veterinary technology. The accreditation process which is accepted for either will be made at a later date in policy. It is not a matter for legislation.

Question: How is the feedback being tabulated?

Answer: The review of a professions scope of practice is an enormous undertaking and hugely important. As a result an independent consultant has been hired to assist with the development of the feedback survey and the analysis of the responses. The final report will be shared with the two organizations for decision making. The report will also be made public.

Question: So what happens after the consultation?

Answer: The consultation period ends May 12, 2017. At that time both the College and the OAVT will meet and discuss the feedback received. Both organizations will, however, have independent discussions on whether to proceed with the model as proposed.