

# Summary of Discipline Committee Hearing

## DR. JOHN D. ALLEN

Hearing Date: November 27, 2012



### APPLICATION FOR REINSTATEMENT OF LICENCE TO PRACTICE

#### BRIEF SUMMARY

A panel of the Discipline Committee met to consider the application for reinstatement of the member's licence to practice which had been revoked effective as of November 8, 2008.

#### JOINT SUBMISSION

The College and the member agree and jointly submit that the Discipline Committee make an order directing the Registrar to issue a licence to practise veterinary medicine to the member subject to the following conditions:

The member's practice shall be restricted to food producing animals until the Registrar is satisfied that the practice may be expanded to other areas;

The member shall be prohibited from purchasing, possessing, prescribing, dispensing or administering any controlled substance, narcotic or targeted drugs until the Registrar is satisfied the practice may be expanded to other areas of veterinary medicine;

The member shall enter into the Professionals Health Program for purposes of monitoring drug or alcohol use (including blood and urine testing) for one year;

The member shall attend and meet with a mentor for one three-hour session each month for a period of one year to discuss food-producing and large animal practice. The mentor shall provide a written report to the Registrar following each session.

The member shall be subject to no more than eight unannounced records reviews for two years;

The member shall complete 15 hours of continuing education related to food producing and large animal practice within the first year of issuance of a licence.

#### PANEL'S REASONING

The Discipline Committee has never been called upon to determine the tests that ought to be applied when considering an Application for Reinstatement. With assistance from legal counsel, the Committee adopted a six-fold test.

1. Applicants must show by a long course of conduct that they are persons to be trusted, who are in every way fit to be veterinarians.

The member provided character references from local farmers, a veterinarian and his Parole Officer. The Parole Officer said the member had successfully completed all parts of his sentence and had no doubt he would abide by all the terms of his sentence. The member has been employed since his release and is described as a dependable and hard-working employee and an asset to the workforce.

2. Applicants must show that their conduct is unimpeached and unimpeachable, and this can only be established by the evidence of trustworthy persons, especially members of the profession and persons with whom the applicants have been associated since revocation.

The member provided numerous letters, mainly from farmers, providing positive evaluations.

3. Applicants must show that a sufficient period of time has elapsed before an

application for reinstatement will be granted.

The member has fulfilled all parts of his sentence and has had his driver's licence reinstated. The Act states the application shall be made no sooner than two years after the revocation.

4. Applications must show they have entirely purged their guilt.

The panel is persuaded that it is not necessary for the member to admit his guilt in respect to the criminal charges brought against him. The panel feels the member has been nothing but remorseful over the eight years since the accident and no restitution could be made to repair the damage he did to another family.

5. Applicants must show by substantial and satisfactory evidence that it is extremely unlikely that they will misconduct themselves if permitted to resume practice.

The panel is satisfied the conditions it has attached to the member's licence upon reinstatement will ensure the public is fully protected.

6. Applicants must show they have remained current in professional knowledge.

The member recently attended a conference on bovine medicine. The member will be mentored by bovine practitioners monthly for the next year. As well, the member is required to complete 15 hours of continuing education in addition to the requirements for continuing education that are imposed on every veterinarian as a part of licensing.