Council Meeting  
Wednesday, June 24, 2020  
9:00 a.m. to no later than 4:30 p.m.  
Go-To-Meeting (Video Conference)  

AGENDA  

1. Call to Order  (9:00 a.m.)  
2. Approval of Agenda  
   - additional agenda items  
3. Conflict of Interest  
4. Consent Agenda (pg 3)  
   4.1 Approval of Minutes (pg 4)  
      - March 24, 2020 (pg 5)  
   4.2 President’s Report (pg 17)  
   4.3 Registrar’s Report (pg 19)  
   4.4 Committee Reports (pg 37)  
      4.4.1 Accreditation (pg 38)  
      4.4.2 Registration (pg 40)  
      4.4.3 Complaints (pg 43)  
      4.4.4 Discipline (pg 45)  
      4.4.5 Executive (pg 47)  
      4.4.6 Quality Assurance (pg 49)  
      4.4.7 Governance, Audit and Risk (pg 55)  
   4.5 National Examining Board Report (pg 57)  
   4.6 Ratify Executive Committee Motions (pg 66)  

5. Strategic Alignment  
   5.1 Evaluation (pg 67)  
      - March 24, 2020 (pg 68)  
   5.2 Strategic Plan (pg 72)  
      5.2.1 Strategy 2023 – Year 1 Tactics (pg 73)  
   5.3 Policy Review and Project Priorities Tracking (pg 76)  
   5.4 Performance Measurement  
      5.4.1 Risk Framework Review (pg 79)  
      5.4.2 Key Performance Indicators (pg 90)  
   5.5 Outcomes Focused Regulation  
      5.5.1 Impact Strategy Unit Launch (pg 92)  
      5.5.2 Remedial Undertakings – Outcomes Report (pg 95)  

Lunch  
   5.6 Council Roundtable  
      5.6.1 Media Trends (pg 98)  
      5.6.2 Regulatory Trends (pg 100)  
      5.6.3 Legal Trends (pg 101)  
      5.6.4 Public Trends (pg 103)  

Vision  
Instilling public confidence in veterinary regulation  

Mission  
Governing the practice of veterinary medicine  

www.cvo.org
5.6.5 General Trends (pg 104)

6. Registrar’s 2021 Goals (in-camera session) (pg 105)

7. Finance (pg 106)
   7.1 Financial Statement ending April 30, 2020 (pg 107)
   7.2 Building Update (pg 115)

8. Public Policy
   8.1 Policy - Forms of Energy (pg 125)
       • Position Statement (pg 127)
       • Policy Statement (pg 130)
   8.2 Conflicts of Interest in the Practice of Veterinary Medicine (pg 134)
   8.3 Policy Statement - Wildlife (pg 143)
   8.4 Legislative Reform (pg 149)
       8.4.1 Advertising

9. Organizational Policy
   9.1 2021 Draft Meeting Schedule (pg 156)
   9.2 Governance Policy - Document Security (pg 158)
   9.3 Draft Governance Policy – Regulatory Sandbox (pg 161)

10. Other Business
11. Notice of Motion
12. Confidentiality
13. Evaluation Form
14. Date of Next Meetings
    • September 29 and 30, 2020
    • December 9 and 10, 2020

15. Adjourn
AGENDA ITEM 4.

**TOPIC:** Consent Agenda

The purpose of a consent agenda is to place items that are reports of business already completed and basically for information in one segment of the agenda.

Commonly found items include: minutes of previous meeting, ratification of motions, Registrar’s report, Committee reports, informational materials, updated organizational documents, etc. It calls for one motion to approve the consent agenda – all items at once. Should there be a question of a report on the consent agenda any Councillor can ask the Chair to remove that specific report from the consent agenda for separate discussion and a separate motion. Such a process assists Council to save its valuable time for policy work.
AGENDA ITEM 4.

TOPIC: Approval of Minutes

4.1 Minutes

- March 24, 2020
Council Meeting
Scheduled for March 24th and 25th, 2020
Meeting held only on March 24th
Teleconference Call

MINUTES

Presiding Officer: Dr. Susan Warren

Members present: Dr. Patricia Alderson
Dr. Peter Borgs
Dr. Tyrrel de Langley
Ms. Gayle Ecker
Mr. Andrew Glenny
Dr. Lorie Gold
Dr. Christine Hickman
Dr. Shannah Kavonic
Dr. Patricia Lechten
Ms. Joy Levison
Dr. Kerry Lissemore
Mr. Donald Mayne
Dr. Paula Menzies
Dr. Alana Parisi
Dr. Jessica Retterath
Ms. Rena Spevack
Dr. Wade Wright

Appointed Officer: Ms. Jan Robinson, Registrar and CEO

Staff attended the call: Ms. Kim Huson, Executive Partner, Communications
Ms. Sarah Kirby, Policy and Project Specialist
Dr. Kim Lambert, Associate Registrar, Quality Practice
Ms. Anita Lovrich, Executive Partner, Policy
Ms. Beth Ready, Executive Partner, Corporate Services
Ms. Shilo Tooze, Associate Registrar, Licensure

Guests attended the call: Ms. Brandi Deimling, OVMA Representative
Ms. Agnes Pawelek, OMAFRA Representative

Observers attended the call: Ms. Aneeta Bharij
Ms. Emily Ewles
Mr. Martin Fischer
Dr. Colette Larocque
Ms. Rose Robinson
Dr. Susan Sabatini
Ms. Lindsay Sproule
1. **Call to order**

Due to the COVID-19 pandemic the Council meeting was held via a teleconference call.

Dr. Warren called the meeting to order at 9:10 a.m. and welcomed Councillors, observers and guests who were attending via the teleconference call.

Dr. Warren welcomed Ms. Gayle Ecker, a newly appointed public member to the College.

Dr. Warren informed Councillors, and others joining the call, that the agenda has been modified and some items were deferred or cancelled.

2. **Adoption of Agenda**

**MOTION:** It was moved and seconded,

“That the agenda be adopted as modified and amended.”

CARRIED

3. **Conflict of Interest**

No conflicts were declared.

4. **Consent Agenda**

It was noted that an additional item was added to the consent agenda (4.5 Ratify Executive Committee Motion).

Councillors reviewed the consent agenda and it was requested that

- **4.3 Registrar's Report**

be removed from the consent agenda to be discussed separately.

All of the following consent agenda items were approved as presented:

- **4.1** Minutes from the December 5 and 6, 2019 meeting and December 5 (Annual Council Meeting)
- **4.2** President's Report
- **4.4** Committee Reports
  - **4.4.1** Accreditation
  - **4.4.2** Registration
  - **4.4.3** Complaints
  - **4.4.4** Discipline
  - **4.4.5** Executive
  - **4.4.6** Quality Assurance
  - **4.4.7** Governance, Audit and Risk
- **4.5** Ratify Executive Committee Motion
MOTION: It was moved and seconded,

“That the Consent Agenda be approved with item 4.3 to be discussed separately.”

CARRIED

4.3 Registrar’s Report

The Registrar informed Councillors that College staff have put into place its Pandemic Plan due to the COVID-19 pandemic. A response team meets daily to focus on any communication pieces to be circulated to staff, Council and members of the profession. Messages are sent out on a daily basis.

The Registrar provided an update relating to the future office space requirements.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario accept the Registrar’s Report as presented.”

CARRIED

5. Strategic Alignment

5.1 Evaluation

- December 5 and 6, 2019

Dr. Warren reported that the evaluation was provided for information.

5.2 Strategic Plan

5.2.1 Strategy 2020 – Year 3 Tactics

The document was provided to Council for information.

5.2.2 Strategy 2023

The Registrar introduced this agenda item.

Council was provided with a draft Strategic Plan - Strategy 2023. Five strategic objectives were developed based on Council and staff input from both the September and December strategic planning sessions. The proposed tactics reflect the ongoing strategic work of the Council and proposed opportunities to leverage new ideas that enhance and strengthen the College mandate.

Council reviewed each strategic objective and provided its feedback.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the draft Strategy 2023 Strategic Plan as presented and clarified.”

CARRIED
5.3 Policy Priorities

The Project Priorities Chart was provided for information.

5.4 Performance Measurement

5.4.1 Risk Framework Review

This agenda item was deferred to Council’s meeting to be held in June.

5.4.2 Key Performance Indicators

The Key Performance Indicators Dashboard was provided as information.

5.4.3 Strategic Risks

This agenda item was provided as information.

5.5 Veterinary Practice Advisory Panel

Dr. Warren reported that this agenda item was cancelled.

5.6 Council Roundtable

Dr. Warren reported that Council will not be reviewing the trends. It was noted that Councillors can submit any new trends they might have to the Registrar.

6. Registrar’s Performance Review

It was noted that the Registrar’s Performance Review will be held at the end of the Council meeting.

7. Finance

7.1 Financial Statements ending January 31, 2020

These documents are presented as information only.

8. Public Policy

8.1 Animal Welfare Agenda

The Registrar introduced this agenda item.

In 2017 Council decided to adopt its first ever animal welfare agenda. As Council approaches approval of its next strategic plan, a refreshed animal welfare agenda is in order.

The Executive Committee, at its last meeting, reviewed the proposed agenda.

Council reviewed and provided its feedback on a draft Animal Welfare Agenda for 2020-2023.
MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario adopt the draft Animal Welfare Agenda for 2020-2023 as presented.”

CARRIED

8.2 Forms of Energy – Risk Report

The Registrar and Ms. Sarah Kirby, Policy and Project Specialist, introduced this agenda item.

In September 2019, Council reviewed the first risk analysis from staff related to forms of energy. The report contained a brief overview of a variety of different modalities and their associated benefits and risks. The report also contained a jurisdictional scan that outlined the level of oversight that each identified form had in the different provinces. Following review of this report, Council directed that staff continue to gather research and information related to the use of forms of energy in the treatment of animals.

Council considered and discussed the Forms of Energy – A Summary Report.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct staff to proceed with the development of proposed policy and regulatory wording, with a focus on delegation, that would allow for the classification of the use of forms of energy on animals as presented.”

CARRIED

8.3 Policy Statement and Guide – Non-Drug Veterinary Products

The Registrar introduced this agenda item.

In December 2019, Council reviewed the feedback from the consultation process. The feedback received during the consultation included a number of helpful suggestions, comments, and questions.

Following this review, Council directed that the draft Policy Statement on the Sale of Non-Drug Veterinary Products be returned to staff for revisions based on consultation feedback and to allow for the development of an associated guide to aid in overall reader comprehension.

Council reviewed and provided its feedback on a revised draft Policy Statement and Guide to the Policy Statement on Sale of Non-Drug Veterinary Products.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the draft policy statement, as amended, be circulated for public consultation.”

CARRIED
8.4  **Own Use Accounts Revisited**

The Registrar introduced this agenda item.

Since the release of the Council position on own use accounts, College staff have been in contact with and have had discussions with a number of veterinarians working in non-traditional capacities. There is an apparent lack of knowledge of the law relating to the purchase of drugs for veterinarians’ use outside of an accredited facility.

A group of veterinarians approached the College to consider an alternative solution to purchase pharmaceuticals to treat their own animals.

The Executive Committee was provided with this concept and then suggested that Council have an opportunity to consider its current interpretation of section 33.(2) (e) of Ontario Regulation 1093 and the public purpose of existing accredited facilities.

Council robustly discussed and referred to its public policy decision tree to assist in its decision making.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario confirm its existing position relating to own use accounts.”

[CARRIED]

The Registrar reported that she will inform the group of veterinarians of Council’s decision.

8.5  **Remote Dispensing**

The Registrar introduced this agenda item.

In 2018, prompted by Health Canada’s direction on antimicrobial stewardship and veterinary oversight of the prescribing of any antimicrobial drug, Council released a policy permitting dispensing from a satellite location connected to an existing accredited facility for farmed or large animal veterinary medicine. Over 2019 the College received requests seeking an opportunity to expand the remote dispensing model.

Council reviewed and provided its feedback on expanding access to all pharmaceuticals and all species through a remote dispensing model.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct staff to revise and expand the Policy Statement on Satellite Location – Remote Dispensing Options for Farmed and Large Animal Anti-Microbial Drugs and return to Council for its review.”

[CARRIED]

8.6  **Legislative Reform**

The Registrar introduced this agenda item.
As a result of the recommended amendments to the *Veterinarians Act* which were sent to the Ministry of Agriculture, Food and Rural Affairs, it became clear that new regulations would have to be drafted. College staff were tasked to help shape the proposed regulations and draft suggested regulation language for various sections of Ontario Regulation 1093.

It was noted that Council will receive, over the next several meetings, proposed language on a number of different areas of Regulation 1093 to assist College staff with research and crafting language and to provide direction.

Five topics were presented for Council’s attention.

### 8.6.1 Overarching Framework & Terminology

Ms. Anita Lovrich, Executive Partner, Policy and Ms. Sarah Kirby, Policy & Project Specialist, introduced this agenda item.

In 2018, the College submitted a concept paper to the Ministry of Agriculture, Food and Rural Affairs which outlined its proposed recommendations for a modernized *Veterinarians Act*. Council has previously discussed the proposed model which would intend to register both veterinarians and veterinary technicians to practice veterinary medicine under one piece of legislation, with clear terms, conditions, and limitations set out as to which professional may practice which aspects of the profession.

This would create a regulatory body that is tasked with overseeing the practice of one profession with two professionals.

In January 2020, the Legislative Reform Implementation Advisory Group met to discuss and consider what the potential name of the Act could be and also the potential name of the College. Following discussion, the Advisory Group suggested the following names be presented to Council: the proposed new Act be called the Regulated Veterinary Professional Act and the proposed new regulatory body be called the College of Veterinary Professionals of Ontario.

The Advisory Group also suggested that the terms “member” and “licence” be replaced instead with “registrant” and “certificate of registration.”

Council considered the suggestions posed by the Advisory Group and provided its feedback.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the College include the proposed names and terms in its recommendations to the Ministry as presented.”

**CARRIED**

### 8.6.2 Registration

Ms. Sarah Kirby, Policy & Project Specialist introduced this agenda item.
Council was provided with suggested language to ensure alignment with legislative amendments already proposed for the Act regarding the inclusion of veterinary technicians within the College’s regulatory oversight framework.

Council considered the proposed regulation language and provided its feedback.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the College proceed with the proposed regulation language for registration, as much as can be completed at this time.”

CARRIED

8.6.3 Accreditation

Ms. Anita Lovrich, Executive Partner, Policy introduced this agenda item.

Council considered proposed annotated accreditation language and provided its feedback.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the College proceed with the proposed regulation language for accreditation.”

CARRIED

8.6.4 Professional Misconduct

The Registrar and Ms. Anita Lovrich, Executive Partner, Policy, introduced this agenda item.

Council considered proposed annotated professional misconduct language and provided its feedback.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the College proceed with the proposed regulation language for professional misconduct with consideration of its comments.”

CARRIED

8.6.5 Delegation

Ms. Anita Lovrich, Executive Partner, Policy, introduced this agenda item.

Council considered proposed annotated delegation language and provided its feedback.

**MOTION:** It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the College proceed with the proposed regulation language for delegation.”

CARRIED
8.7 Registration – Two Part Register

Dr. Paula Menzies, Chair of the Registration Committee, and Ms. Shilo Tooze, Associate Registrar, Licensure, introduced this agenda item.

Since June 2019, the Registration Committee has continued with oversight of conducting a formal review of the College’s licence categories including a study of licensure pathways. The Registration Committee decided to support the addition of a two-part register structure into the proposed licensure category model.

Council considered, and robustly discussed a Briefing Note on Two-Part Register.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario support the addition of a two-part register structure into the proposed licensure category.”

16 Yea
1 Nay
CARRIED

8.8 Peer Advisory Conversation

Dr. Kim Lambert, Associate Registrar, Quality Practice, introduced this agenda item.

Council previously approved the development of the Peer Advisory Conversation to become the core of the Quality Assurance Program. The Peer Advisory Conversation reviews a veterinarian’s practice through conversation with a trained Peer Advisor and provides support in their efforts to deliver quality care and service. The conversation includes tips for managing risk areas; insight into practice standards and regulatory requirements; and gives suggestions for continuing professional development.

An evaluation report on Pilot Phase 4 and final recommendations were presented to the Quality Assurance Committee in August 2019. Recommendations on improvements to the process were suggested prior to a full-scale launch of the Peer Advisory Conversation as a voluntary Quality Assurance Program.

Council reviewed the revised Peer Advisory Conversation Discussion Tools and considered the Quality Assurance Committee’s recommendation to launch the Peer Advisory Conversation as a quality assurance measure in 2020.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the revised Peer Advisory Conversation Discussion Tools as presented and approve the launch of the Peer Advisory Conversation.”

CARRIED
9. Organizational Policy

9.1 Draft Governance Principles

Mr. Don Mayne, Chair of the Governance, Audit and Risk Committee, introduced this agenda item.

The Governance, Audit and Risk Committee reviewed proposed revisions to the Governance Principles policy and recommended adoption by Council.

Council reviewed the revised Governance Principles and provided its feedback.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario adopt the draft revised Governance Principles as amended.”

CARRIED

9.2 Terms of Reference – Diversity Task Force

The Registrar introduced this agenda item.

College staff have been discussing the need to step back and reflect on its administrative processes in relation to assuring equitable and fair access for diverse groups of customers. A significant trigger to this conversation is the College’s need to advance its approach to respectful gender representation and related communication.

The Executive Committee was asked to consider forming a Customer Diversity Task Force and suggested forwarding this item to Council for its consideration.

Council considered a draft Terms of Reference for striking a short-term Customer Diversity Task Force.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario adopt the draft Terms of Reference for a Customer Diversity Task Force.”

CARRIED

10. Other Business

No other business was brought forward.

11. Notice of Motion

No notice of motion was brought forward.

12. Confidentiality

Councillors were reminded that Council meetings are public meetings.
Information discussed in in-camera sessions must be kept confidential by all in attendance. All budget/financial/strategic alignment documents are not to be shared outside of the meeting as these documents are working documents of Council and not public material. Any inquiries regarding the package can be directed to the website where the public package is posted.

Minutes of the Council meeting are not approved until its next meeting.

13. Evaluation Form

The Council meeting evaluation form will be forwarded for completion electronically via Survey Monkey. Councillors are encouraged to complete the evaluation which is helpful in continually improving future Council meetings.

At this time, Dr. Warren acknowledged Mr. Andrew Glenny, Public Member of Council, as this was his last Council meeting. Mr. Glenny’s term expires on April 16th. Mr. Glenny thanked Council and staff and stated that he has enjoyed his time as a public member at the College.

14. Date of Next Meeting

The next regular meeting of Council will be held on June 24, 2020.

15. Adjourn

MOTION: It was moved, “That the meeting of Council be adjourned.” CARRIED

The meeting adjourned at 4:10 a.m.

At this time all Councillors, staff, guests and observers exited the teleconference call.

6. Registrar's Performance Review (in camera session)

Councillors were asked to call in after they exited the Council teleconference meeting to discuss agenda item 6. Registrar’s Performance Review. This was an in camera session and only Councillors were in attendance.

MOTION: It was moved and seconded, “That the Council of the College of Veterinarians of Ontario receive the Registrar’s Performance Review report as presented.” CARRIED

Dr. Susan Warren
President
Jan Robinson
Registrar and CEO

Beth Ready
Recording Secretary
AGENDA ITEM 4.2

**TOPIC:** President’s Report

Written report is attached.
President’s Report to Council
June 2020

1. Had several calls with the Registrar and Associate Registrar, Licensure
2. Chaired Executive Committee phone calls regarding the public health emergency
3. Chaired Executive Committee phone calls to address urgent member matters
4. Participated in Legislative Reform Advisory Group meetings by phone
5. Chaired the March Council meeting by teleconference call
6. After Council received the Registrar’s Performance Review Panel report at March Council meeting, along with the 1st Vice President, presented the results to the Registrar
7. Directed a thank-you message from Council to CVO staff
8. Held an exit interview to sadly say good-bye and thank you to Public Member Andrew Glenny as his term ended
9. Chaired Executive Committee meetings
10. Attended the Governance, Audit and Risk Committee meeting as an ex-officio member
11. Listened to the webinar on Diversity Principles that was circulated after the presentation to the Customer Diversity Task Force
12. Studied a series of modules on improving meetings prepared by Scott Ferguson of Progress Consulting
13. Prepared President’s messages for circulation
14. Chaired the OVMA/CVO Liaison meeting in June
15. Participated in Council Orientation Session 1 for new Councillor
16. Attended the Leaders’ Table meeting on June 18th
AGENDA ITEM 4.4

TOPIC: Committee Reports

4.4.1 Accreditation
4.4.2 Registration
4.4.3 Complaints
4.4.4 Discipline
4.4.5 Executive
4.4.6 Quality Assurance
4.4.7 Governance, Audit and Risk
Committee Meetings
There were 2 meetings held:
- April 29 and May 26

Relevant Data
The Committee reviewed 13 applications for exemptions from the Minimum Standards for Veterinary Facilities in Ontario, for which
- 8 had all exemption requests granted.
- 2 had exemption requests denied and granted.
- 3 were deferred.

The Registrar referred 6 facilities to the Accreditation Committee for ongoing non-compliance with the weekly controlled drug audit.

Policy Issues Considered

Annual Fees for New Facility Accreditation Model
One aspect of the new facility accreditation model is the development of an annual facility accreditation fee model. A fee will be paid per practice on an annual (yearly) basis. There will no longer be a per inspection fee. Fee changes will require a By-law change, member consultation and Council approval.

The Accreditation Committee reviewed the proposed draft annual fee model and provided College staff with feedback.

Trends

Temporary Use of Video Inspections During Public Health Emergency
The College of Veterinarians of Ontario places the health and safety of its staff and members at the highest level of importance. In response to the COVID-19 pandemic and our responsibility to take measures to reduce spread, College programs and services are affected. This includes the Facility Accreditation and Inspection Program. In-person inspections were suspended as of March 18, 2020.

To assist our members who are applying for new facility accreditation applications, the Registrar is determining on a case-by-case basis the appropriateness of conducting the facility accreditation inspection via video conferencing. If approved, the facility director is required to sign an Undertaking with the College, with the understanding that an in-person inspection will take place once it is deemed to be safe to do so.

Restricted Scope of Practice
The Committee continues to see exemption requests related to restricted scope of practice. Examples include:
- Companion animal office – limited to veterinary telehealth
• Companion animal mobile and food-producing animal mobile – restricted to aquatic veterinary services, limited to fish, excluding turtles, amphibians
• Companion animal mobile – limited to physiotherapy modalities (LASER, therapeutic ultrasound, electrical stimulation), manual therapy and therapeutic exercises and not permitted to do acupuncture
• Equine mobile – limited to providing veterinary services to owned horses only
• Remote area companion animal mobile – limited to native wildlife
• Companion animal mobile – limited to in-home euthanasia
Committee Meetings

4 Registration Committee meetings occurred during this reporting period:

- March 18, 2020
- March 30, 2020
- April 22, 2020
- May 12, 2020

Relevant Data

Applications Considered

On March 18, 2020, the Committee reviewed a request asking that all licensure applicants be temporarily exempted from having to successfully complete the CVO Jurisprudence Exam. The exam is in an online format and can be taken at approved proctoring centres. The majority of these proctoring centres are located at universities and colleges across Canada and CVO staff also proctor the exam at the College’s office on an as needed basis. These proctoring centres have closed due to measures taken to control the spread of COVID-19 and the Registrar’s direction has been to stop proctoring the exam at the College office as a step to control the spread of the virus and to protect staff.

The Registration Committee considered the request and decided to direct the Registrar to issue licences to applicants with a temporary exemption from having to successfully complete the CVO Jurisprudence Exam until such time that public health restrictions related to COVID-19 are lifted. Applicants must meet all other licensing requirements. Prior to the licence being issued, the applicant must provide a declaration confirming that they have read and reviewed the CVO Jurisprudence Exam workbook (version 03/2020) and all links contained within the workbook. A condition is placed on each licence issued that requires the licensee to successfully complete the CVO Jurisprudence Exam in accordance with the College’s policies on exam completion within a reasonable time frame set by the Registrar after the public health restrictions are lifted. If a licensee does not successfully complete the CVO Jurisprudence Exam within the time frame set out by the Registrar then their licence would expire.

The Committee reviewed 21 applications as follows:

- 6 Restricted licences were approved for issuance with supervision conditions;
- 4 Restricted licence applications requesting changes in conditions were approved;
- 1 Restricted licence was approved for issuance limited to a particular scope;
- 1 Restricted licence application was denied;
- 1 General licence was approved for issuance with an exemption from having to complete the CVO Jurisprudence Exam;
• 1 General licence was approved for issuance for a holder of a Program for the Assessment of Veterinary Education Equivalence (PAVE) certificate; and
• 1 Short Term licence was approved for issuance with a supervision condition.

The Committee reviewed 6 Dean’s list/letters submitted on behalf of numerous 2020 graduands who have not yet received their undergraduate veterinary program diplomas due to a convocation ceremony taking place in May and June. The Committee decided to accept these submissions as proof of these applicants completing their DVM degree and directed the issuance of Restricted Licences to those who have submitted complete applications to the College and meet all other licensure requirements. The Committee placed a condition on the licence that requires these applicants to supply the College with their original degree within 6 months of the licence dates.

Mobility Data

5 licences were issued by the Registrar to applicants under the Ontario Labour Mobility Act from February 21, 2020 to May 26, 2020.

Policy Issues Considered

Licensure Categories Project
The Registration Committee continues to oversee the Licensure Categories Project. The project includes: studying two-part registers, reconsideration of the proposed licensure categories, development of a risk assessment tool and work related to competency assessment tools.

Two-part register
Council provided feedback and supported the addition of a two-part register structure into the proposed licensure category model in March 2020. Council directed that continued development of the concept occur. Staff will develop next steps pertaining to this project and review it with the Committee.

Risk Assessment Tool
Staff introduced a draft risk-based assessment tool to assist Committee decision-making when considering exempting a licensure requirement or determining if an applicant meets all licensure requirements. The Committee provided feedback and the draft tool will be revised and returned to a future meeting.

Criminal Record Screening
The College’s strategy pertaining to the legislative reform initiative has shifted to focus on regulation only changes. Legal advice to the College has been that adding a criminal record screening licensure requirement can proceed without regulation revisions. Staff will provide a workplan update in July 2020.

Other Information

COVID-19 Matters
The International Council for Veterinary Assessment (ICVA) decided to extend the Spring 2020 North American Veterinary Licensing Exam (NAVLE) window to run until June 30, 2020 due to Prometric Testing Centre closures. NAVLE candidates can choose to keep their Spring session date or they can defer their attempt to the November-December testing window.

The College has provided information about Emergency Licensure to the Ontario Ministry of Agriculture, Food and Rural Affairs. OMAFRA wishes to understand the number of veterinarians available to support a safe and continued food supply during the COVID-19 outbreak.

The Canadian Food Inspection Agency requested that a call up of the Canadian Veterinary Reserve occur. This has taken place to respond to the COVID-19 Pandemic. This call up notice was sent out on April 8th.
**CVMA-NEB Alternate Pathways Update**
The CVMA-NEB has updated its website and has posted information about the new alternate pathways, including PAVE, that can be completed to obtain a Certificate of Qualification.

**CVO Jurisprudence Exam**
The College is committed to keeping the exam up to date and continuous analysis of the performance of the examination questions. A revised version of the exam and a new exam portal was launched in early April 2020.
Complaints Committee
REPORT TO COUNCIL
June 2020

Committee Meetings

- February 5 & 12, 2020, April 1 & 8, 2020 and May 13 & 20, 2020

Relevant Data

Total # of new cases reviewed: 78   Total # of decisions made: 99*

(*Decisions reflect cases that involve more than one member at the November, December and February meetings as well as decisions made on cases that were deferred from previous meetings)

Current # of open cases: 212 (at various stages of process – average number)

<table>
<thead>
<tr>
<th>Decisions in quarter</th>
<th>Case Classifications (New cases)</th>
</tr>
</thead>
<tbody>
<tr>
<td>No action 52</td>
<td>Companion Animal 54</td>
</tr>
<tr>
<td>Advice written 38</td>
<td>Food Producing 1</td>
</tr>
<tr>
<td>Advice oral 3</td>
<td>Equine 3</td>
</tr>
<tr>
<td>Undertaking 5</td>
<td>Exotic 2</td>
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<tr>
<td>F &amp; V 0</td>
<td>Other Professional Conduct 18</td>
</tr>
<tr>
<td>Defer for Information, F &amp; V, Undertaking, allegations or expert opinion 14</td>
<td>Intra Professional Conduct 1</td>
</tr>
<tr>
<td>Withdrawn 0</td>
<td></td>
</tr>
<tr>
<td>Referral to Discipline 1</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mediations 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td># of cases selected for mediation 3</td>
</tr>
<tr>
<td>Successful 0</td>
</tr>
<tr>
<td>Unsuccessful 1</td>
</tr>
<tr>
<td>Pending 2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>HPARB Appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Appeals 5</td>
</tr>
<tr>
<td>Withdrawn prior to review 0</td>
</tr>
<tr>
<td>Cases confirmed (no concerns) 5</td>
</tr>
<tr>
<td>Cases returned to Committee for reconsideration 1</td>
</tr>
<tr>
<td>Dismissed (F &amp; V)</td>
</tr>
</tbody>
</table>
Policy Issues Considered

- None

Trends

- Instances where, in response to the complaint, the member attempted to deflect the blame/responsibility onto someone else (e.g. auxiliary staff member) instead of acknowledging their own responsibility.
- Complainants failing to provide further comments/response after filing the initial complaint, even though they were provided with the opportunity to do so.
- Complainants/clients attempting to dictate the medical management of the pet.
- An overuse of antibiotics on the part of the member
- Disagreements between the client and the member with regard to the content of the medical record
- Owner/client appearing to have been coached by another veterinary professional when filing their complaint as the information the owner provided was something that the average owner would not normally be aware of.
- Rare number of large and exotic animal complaint cases
- Medical records lacking in a significant number of cases reviewed
- Concerns with the use of the sedative, Dexdomitor

Advice delivered to members

- Failure to perform diagnostics appropriately or at all (2)
- Failure to obtain informed consent (8)
- Concerns related to prescribing and dispensing (4)
- Failure to make or keep medical records (25)
- Communication concerns (13)
- Failure to provide appropriate treatment/medical/case management (13)
- Failure to properly supervise students/auxiliaries (1)
- Failure to establish a VCPR (2)
- Concerns regarding professionalism (3)
- Concerns with confidentiality (1)
- Concerns with advertising (1)

Other Information

- None
Relevant Data

<table>
<thead>
<tr>
<th>Current Active Discipline Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing #</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>1, 2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>5, 6</td>
</tr>
<tr>
<td>7, 9</td>
</tr>
<tr>
<td>8, 12</td>
</tr>
<tr>
<td>10, 11, 13, 14</td>
</tr>
</tbody>
</table>

Hearing # 2 involved two members
Hearing # 3 and # 12 were adjourned sine die as the members resigned
Hearing #4 - decision on finding pending
Hearing # 5 and # 6 – Motion hearings have taken place only
Hearing # 8 involves the same member but there are three separate cases

Policy Issues Considered

None

Other Information

Discipline Appeals – There are five cases, involving 3 members, currently under appeal. All cases were appealed by the members involved. In one case, the appeal was dismissed by the Divisional, Appeal and Supreme Courts but the member is requesting that the court reconsider the matter claiming that the member has “fresh evidence”. This same member is also asking the court to stay the Discipline Committee’s Order until the “fresh evidence” matter is heard. This matter is scheduled to be heard in December, 2020. Of the other four cases, three of them have been appealed to the Divisional Court. Two of these three cases are scheduled to be heard in October, 2020 and one is scheduled for March, 2021. The fourth case was recently dismissed by the Divisional court and the member is now seeking leave to appeal of the Divisional court decision.
Recruitment of New Discipline Committee members (non-council) – Due to the pandemic, the orientation for the new members was cancelled and will be rescheduled as soon as it is safe to do so.

Virtual hearings – As a result of the pandemic, all pre-hearings and hearings have been conducted virtually; either by teleconference or by video conference. To assist, the College prepared guidelines for virtual hearings with the assistance of legal counsel.
Executive Committee
REPORT TO COUNCIL
June 2020

Committee Meetings
There were 5 meetings held:
• February 26, 2020
• March 18, 2020 (teleconference call)
• March 20, 2020 (teleconference call)
• April 20, 2020 (teleconference call)
• May 7, 2020 (teleconference call)

Relevant Data
The Committee reviewed and acted on the following investigation related issues:
• 1 Registrar’s Investigation was approved
• 1 Prosecutorial Viability Assessment to be sought
• 5 educative/advice/caution/no further action letters were forwarded to licensees
• appointed replacement members to serve on two separate Board of Inquiry panels
• provided instruction on penalty and costs relating to three complaints case matters which were referred to Discipline
• preparation of allegations and suggested penalty concerning a licensee with a view to referral of the matter to the Discipline Committee
• 2 Mutual Acknowledgement and Undertakings forwarded to two separate licensees

Policy Issues Considered
Own Use Accounts Review
• to be forwarded to Council in March
Remote Dispensing
• to be forwarded to Council in March
Non-Drug Veterinary Products
• to be forwarded to Council in March
• (May 7th) staff was directed to proceed with posting the Policy Statement – Sale of Non-Drug Veterinary Products and Guide to the Policy Statement without further consultation – to be ratified by Council in June
Regulatory Sandbox
• a draft governance policy will be brought forward to the Committee for its review
Integrative and Alternative Medicine
• a Position Statement will be drafted for members of the public and a Professional Practice Standard drafted for the profession

Committee Membership
Dr. Susan Warren, Chair
Dr. Tyrrel de Langley
Dr. Lorie Gold
Dr. Patricia Lechten
Mr. Don Mayne

Staff
Ms. Jan Robinson
Ms. Shilo Tooze
Ms. Beth Ready

Committee Responsibilities
The Executive Committee shall perform such functions of Council as are delegated to it by the Council, By-Laws or the Act. The Executive Committee, between meetings of Council, may perform any other function of the Council that, in the opinion of the Executive Committee, must be performed immediately.

The committee:
• provides leadership to Council, promotes governance excellence and facilitate the effective functioning of the College.
• has the authority to conduct an investigation at the request of the Registrar, refer cases to the Discipline Committee and act on cases involving impairment of a licensee.
• makes recommendations to prosecuting counsel on penalties for all matters referred to the Discipline process.
• considers policy issues presented by Council or the Registrar to determine if the information is complete and clear and,
• reviews operational issues of
**Trends**

Discussion of trending items included:

- Global News article – veterinarians not trained to recognize signs of sexual abuse
- a BC dentist who practiced incompetently and committed professional misconduct more than 70 times over a three-year period has now lost his licence to practice – investigation was held by the College of Dental Surgeons of BC
- possible amendment to Canadian Free Trade Agreement relating to emergency services
- hearing and listening how other regulators are coping with the COVID-19 pandemic – some organizations had to close down for a period of time due to lack of equipment/platforms that were not in place

**Other Information**

Annual General Meeting Round Tables

- summaries from the three round table conversations held at the Annual General Meeting were reviewed – the information will assist staff in integrating the feedback into College policy work

Draft Strategy 2023

- to be forwarded to Council in March

Customer Diversity Task Force

- draft Terms of Reference to be forwarded to Council in March
- the Committee approved the proposed composition of the Task Force

Regulations on Prescribing and Dispensing

- the Committee supported the College’s decision to temporarily relax certain regulations on prescribing and dispensing during the public health emergency

COVID-19

- a fulsome verbal report was provided on the College’s activities relating to COVID-19

Document Security

- the current governance policy on document security will be reviewed

Complaints Committee Appointment

- due to a conflict with the Complaints Committee’s public member on one complaints case, an alternate public member had to be appointed for one day
- Dr. Kristin Baird was removed from the Complaints Committee and Mr. Don Mayne, public member, was appointed for one day, May 13, 2020
Quality Assurance Committee
REPORT TO COUNCIL
June 2020

Committee Meetings

There was one meeting held this reporting period:
- May 11, 2020

Relevant Data

Peer Review of Medical Records (PRMR)
- The Committee received an update on the Peer Review of Medical Records program which resumed in April 2019. 63 PRMRs have had the full process completed with the following results: 52% Successful, 38% Partially Successful, 10% Not Successful.

Learning Modules and Videos
- In this quarter, the learning modules series, Foundations for Medical Record Keeping: Companion Animal, has been accessed and started 177 times. This is 7 times more views over the last quarter.
- In this quarter, there were 312 requests from 60 individuals for the College’s communication learning modules adapted from the Institute for Healthcare Communication (IHC) Veterinary Communication Project:

<table>
<thead>
<tr>
<th>Communication Learning Module</th>
<th>Number of Requests for Access Approved</th>
<th>New Requests for Access Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Trust with Clients</td>
<td>164</td>
<td>50</td>
</tr>
<tr>
<td>Breaking the Silence: Discussing Medical Errors with Clients</td>
<td>89</td>
<td>49</td>
</tr>
<tr>
<td>Compassion Fatigue in Veterinary Practice</td>
<td>92</td>
<td>51</td>
</tr>
<tr>
<td>Euthanasia: Guiding Clients Through Difficult Decisions</td>
<td>76</td>
<td>38</td>
</tr>
<tr>
<td>Eye of the Beholder: Addressing Difficult Client Interactions</td>
<td>101</td>
<td>44</td>
</tr>
<tr>
<td>Strangers in Crisis: Skills for Sharing Bad News</td>
<td>71</td>
<td>40</td>
</tr>
<tr>
<td>Elephant in the Room: Money Talk with Clients</td>
<td>73</td>
<td>40</td>
</tr>
</tbody>
</table>

Policy Issues Considered

Code of Ethics
The Committee received an update on the Code of Ethics. The Code of Ethics, a guide to the Code of Ethics, and a short animated video to help guide veterinarians through ethical decision-making using the Code of Ethics were published on the College website on March 24, 2020.
Conflicts of Interest in the Practice of Veterinary Medicine
The Committee reviewed a draft Professional Practice Standard on Conflicts of Interest in the Practice of Veterinary Medicine. A robust discussion took place and the Committee agreed that the draft PPS is clear and understandable. The draft PPS will be presented to Council for consideration.

Trends

Quality Assurance and Improvement
The following trends were identified and discussed:

- A potential conflict of interest in an appointment to the Ontario Human Rights Commission was ruled on and determined that the appointee would recuse themselves from matters that would pose a conflict.
  - Tarshis, Debbie. “Lessons From the Conflict of Interest Decision of the Integrity Commissioner” WeirFoulds LLP, March 9, 2020
- Top 5 question topics asked of the Practice Advisory Service by members of the public, and veterinarians and clinic staff for the period of November 16, 2019 to May 1, 2020.

Other Information

Quality Assurance Program
Peer Advisory Conversation (PAC) – The Committee received an update on the Peer Advisory Conversation, which was approved by Council to launch as a voluntary quality assurance measure in March 2020. The launch has been delayed due to the COVID-19 pandemic, however staff have continued to work on recruitment and communication strategies.

Peer Review of Medical Records (PRMR) – The Committee received an update on Peer Review of Medical Records (PRMR). The PRMR process resumed in April 2019 as a mandatory program and will be evaluated after two years. The PRMR program is on hold due to the COVID-19 pandemic, however staff continue to work on updates to the program, including the new annual risk issue, and annual Peer Reviewer training, which was also postponed.

Quality Improvement Program
Communication & Learning Module Feedback – An update was provided on the feedback surveys for the communication and learning modules. The responses were positive with both module series scoring high in educational value.

Learning Module – Communication Strategy - As part of the three-year strategy for the introduction of new resources and supports related to professionalism, a communication strategy was developed and implemented to promote the communication learning modules to veterinarians and their teams. Staff presented a report to Committee for input and discussion. A robust discussion took place and recommendations were noted. The report is attached for Council’s information.
1.0 Introduction

Throughout 2017 to 2019, staff have worked on the development of learning modules on the topics of communications and medical record keeping. Adapted from the Institute for Healthcare Communication (IHC) Veterinary Communication Project, 7 learning modules are available as an educational resource for veterinarians and veterinary teams for improving communication skills on a variety of topics in veterinary medicine.

As part of a three-year strategy for the introduction of new resources and supports related to professionalism, one of the key priorities to focus this strategy is veterinary communication supporting the VCPR. A communication strategy was developed and implemented to promote the communication learning modules to veterinarians and their teams. This report provides an evaluation of the effectiveness of this strategy.

2.0 Methods

The communication methods used to promote the learning modules included articles in College Connection and E-Update, an e-mail blast to members, postcards sent through Vet Purchasing, and a podcast on learning modules made available on the College website.

Staff has been tracking communications released to the profession on the topic of learning modules, as well as the open and click rate from any electronic communications. Access to the communication learning modules is available by request and all requests are tracked and approved by staff.

3.0 Results

The communication modules were made available in April 2018. The College has approved 654 requests for access from 216 individuals:
216 individuals accessed one or more learning modules

- 156 licensed veterinarians in Ontario
- 55 veterinary team members in Ontario
- 5 licensed veterinary professionals in another province

Communication to promote the learning modules began in the fall of 2018 (see Appendix). After this initial promotion, requests for access to the learning modules increased by more than 4 times compared to the previous quarter.

A multi-pronged promotion campaign was used throughout summer and fall of 2019. During this campaign, there was a drastic increase in the number of requests when compared with the previous two quarters. There were more than 5 times the number of requests in summer 2019 and more than 3 times as many requests in fall 2019. These two quarters accounted for 62% of all requests up until that point.

In March of 2020, as a result of the COVID-19 pandemic, the provincial government imposed restrictions on the provision of services by Ontario businesses, including veterinary services. The College received an increased number of learning module requests. These were in large part due to a shelter veterinarian encouraging all staff to complete the modules, and not specifically due to promotion on the College’s part. The current and previous quarter should not be included in this analysis for this reason.

4.0 Summary

The communications modules are an important facet of the Quality Improvement program. The learning modules support veterinarians in understanding the requirements and expectations of the profession.

Overall, the communications push from July to September 2019 including articles in E-Update and College Connection, an email blast, and postcards sent through Vet Purchasing, appears to have had the greatest uptake by members. There was a strong click rate for the individual modules from the e-mail to members, and this type of promotion should be considered on a yearly basis. Data for 2020 is skewed due to the COVID-19 pandemic so cannot be included in this analysis on communication strategies. It does demonstrate the impact that one influencer can have on promoting the communication modules at a grass-roots level (in this case a veterinarian promoting it to their veterinary team).

The College will continue to track data on the effectiveness of different communication methods to promote the learning modules and alter where necessary and implement new tools.
### Appendix

<table>
<thead>
<tr>
<th>Quarter</th>
<th>Communication</th>
<th>Number of requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q1 – Winter 2018</td>
<td>No communication</td>
<td>0</td>
</tr>
<tr>
<td>Q2 – Spring 2018</td>
<td>No communication</td>
<td>6</td>
</tr>
<tr>
<td>Q3 – Summer 2018</td>
<td>No communication</td>
<td>16</td>
</tr>
<tr>
<td>Q4 – Fall 2018</td>
<td>College Connection – article on building trust – 725 views, front page viewed 715 times, pages 2/3 viewed 708 times</td>
<td>69</td>
</tr>
<tr>
<td>Q1 – Winter 2019</td>
<td>No communication</td>
<td>24</td>
</tr>
<tr>
<td>Q2 – Spring 2019</td>
<td>E-Update, May 2019 – Bottom mention – 1 click</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>College Connection, Spring 2019 – Back page paragraph – 384 total views, back page viewed 124 times</td>
<td></td>
</tr>
<tr>
<td>Q3 – Summer 2019</td>
<td>E-Update, July 2019 – Bottom mention Clicks:</td>
<td>137</td>
</tr>
<tr>
<td></td>
<td>General – 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Elephant – 21</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Beholder – 14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>General comms modules – 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>College Connection, Summer 2019 – Page 5 article on conflict/difficult conversations – 330 total views, page 4-5 viewed 237 times</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Learning Modules e-mail promotion – September 2019 – 55% open rate, 656 unique forwards to other e-mails Clicks:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Building Trust – 97</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Beholder – 39</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Silence – 38</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Compassion – 42</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Elephant – 34</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Euthanasia – 28</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Strangers – 14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>General link to learning mods – 44</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Postcards sent out via Vet Purchasing – September 2019</td>
<td></td>
</tr>
<tr>
<td>Q4 – Fall 2019</td>
<td>College Connection, Fall 2019 – Back page paragraph on communication learning modules – 1401 total views, back page viewed 435 times</td>
<td>88</td>
</tr>
<tr>
<td></td>
<td>Learning modules podcast – released October 2019 - 30 downloads</td>
<td></td>
</tr>
<tr>
<td>Q2 – Spring 2020 (first 28 days of April)</td>
<td>E-Update, April 2020 – bottom mention Clicks: Building Trust – 4 Compassion – 1 Strangers - 3</td>
<td>115</td>
</tr>
</tbody>
</table>
Website:

Since March 1, 2018, 5,766 visits (3,890 unique) to learning modules content on the website

Strongest performance – March 2020
Committee Meetings

There was 1 meeting:
- May 8, 2020

Relevant Data

Not applicable.

Policy Issues Considered

- Code of Conduct – draft revised policy was reviewed – the Committee agreed the document was excellent – examples of code of conduct scenarios will be available at the time of a new Councillor’s orientation – revisions will be made to the current governance policy on Code of Conduct Sanctions Process – the Committee will review the revisions at its next meeting

Trends

- Price Waterhouse Cooper – policy trend on Artificial Intelligence – regulators are progressing on producing policies relating to consequences of artificial intelligence
- exit interview was completed with exiting public member
- several educational sessions/webinars being offered during this challenging time – several College staff members are attending
- staff and Council will reflect on COVID-19 – the Registrar will provide a report - share learnings, elements of success and consideration
- news article – 25% of Ontario doctors say they will be forced to close their offices – declaring bankruptcy – calling for government funding

Other Information

- Risk Management – due to the primary risks related to COVID-19 – risk management agenda items were deferred to the next GAR meeting
- March Council Evaluation
  - challenges relating to technology
  - having some form of etiquette relating to conducting teleconference calls
  - staff will develop a cheat sheet which will include “helpful tips for making the most of your virtual meeting”
- Best Practice Ideas for Evaluation
  - it was suggested that the Registrar be included in the Council evaluation – it would be kept separate to assist with a different reflection – the Registrar will trial this idea with the Committee at its next meeting
  - it was suggested to remove the column in the Council evaluation that leads to an average rating as well as the date/time column
• All in One Accountability – the Committee considered a draft combined declaration form (confidentiality, conflicts of interest and code of conduct) – the Committee supported combining the form – Councillors and committee members will complete the new declaration annually in December

• Capacity Building – some ideas for the future include:
  o 101 Session on Good Governance in Practice
  o Veterinary Care in Indigenous Communities
  o Role of a Veterinarian in Shelter Medicine
  o Violence and Animal Welfare
  o Artificial Intelligence and Veterinary Practice and Regulation
  o The Future of Farms
  o The Impact of Corporatization of Practice
AGENDA ITEM 4.5

TOPIC: National Examining Board Report

Please see the attached report from Dr. Suminder Sawhney.
The NEB met by video conferencing on March 21, 2020 for its annual meeting as in-person meeting scheduled in Ottawa, was cancelled due to Covid-19 pandemic. This was my first meeting after being appointed as a representative from Ontario. Unfortunately, due to all the unexpected last minute changes it was not possible to have a formal brief before the meeting. Although the NEB Chair, Dr. Jack Wilson shared a presentation to provide an orientation on the activities of the NEB.

The following are highlights from the agenda:

1. The NEB has been considering skin models as a simulator for the Pre-Surgical Assessment (PSA) component of the Clinical Proficiency Examination (CPE) for the last 2 years. The NEB is piloting a study with the Western College of Veterinary Medicine (WCVM) on the use of skin models for the PSA. Results of skin models from WCVM are good and the plan is to get further feedback and agree on one model. The NEB has decided to create a sub-committee chaired by Dr. Nicole Gallant to create a Manual of Administration (MOA) for PSA and plan a pilot session.

2. NEB Policy Change: Addition of Alternative Pathways to the Certificate of Qualification (C of Q) for graduates from non-CVMA/AVMA accredited program. After evaluating the variable needs of NEB candidates who have graduated from non CVMA/AVMA accredited veterinary schools, provincial licensing bodies and the NEB have agreed to establish alternative pathways to the C of Q that have come into effect on April 1st, 2020.

**NEB + Clinical Year option**

- Registration with NEB
- NEB Credential assessment
- BCSE
- successful completion of the final (clinical year) in a CVMA/AVMA accredited program

NAVLE (if not passed within two attempts the PSA/CPE must also be completed)

*only applicants that have successfully passed the BCSE are eligible for the final (clinical year) in a CVMA/AVMA accredited program

For the NEB + Clinical year option, potential candidates must make their own arrangements for the clinical year with one of the CVMA/AVMA-accredited veterinary schools.
3. ECFVG Report to NEB - Beverly Baxter

BCSE Pass Rate 2013-2019 and BCSE First-Time Takers 2016-2019 - The BCSE pass rate has been increasing in the last few years for NEB candidates, especially in the last 2 years. This trend is also noticeable in the ECFVG first-time test takers. The ECFVG is concerned that this trend could represent a test security question but Prometric has advised that this is not the case. No other reason has been identified for the increase and it is assumed that the knowledge level of the candidates may be improving. ECFVG desires to get data from CVMA on first time test takers, but a decision on this has not been made yet.

Exam Development – Background and Schedule. Three forms for 2020 have been developed and tested for 2020 and will be placed into rotation in June 2020. However, it appears that not all three current forms (2019) meet the range for min/max re: species or ideal/ model, with respect to their content breakdown by species and type of question (recall, assessment vs. analysis). It seems to be a question of coding error due to a new platform at Prometric and that organization maintains that the current forms are valid and reliable.

Case rotation and selection between CPE administration – a site evaluator observed that the same animal/case was presented as one of the clinical cases in both an April and September 2019 CPE. A discussion ensued about if there should be a policy about length of time between use of cases (6 months? 12 months?) to avoid candidates seeing the same case if there was a retake at the same location scenario. No decision was made. This may appear on the next NEB-ECFVG joint meeting agenda.

4. Report on the Psychometric Analysis of the Preliminary Surgical Assessment for the Clinical Proficiency Examination Submitted to the NEB - Malathi Raghavan, DVM, PhD

The NEB has, for years, observed a low pass rate in the surgical section of the CPE which in turn lowers the pass rate of the full CPE. Between years 2010 to 2014, out of 276 full CPEs that were taken only 36% resulted in a pass of the surgery section and only 16.3% resulted in a pass of all seven sections.

Overall, the report concluded that PSA has positively impacted candidate performance in the surgery section of the CPE and has allowed the NEB an opportunity to conduct surgery examinations on live dogs more efficiently and humanely. Full CPE pass rate and pass rates in the surgery section of the CPE are higher in the post-PSA implementation years and transition year than in the pre-PSA implementation years (pass rates for full and surgery section were 29.1 and 57.0 respectively, in post-PSA and transitional years vs. 16.3 and 36.0, respectively, in pre-PSA years).

First-time full CPE pass rate and first-time surgery section pass rate was 34.8% and 63.8%, respectively, in the PSA-required cohort compared with the historic cohort (19.3% and 42.7%, respectively) that was not required to successfully complete a PSA to attempt the CPE. PSA-required candidates, compared with historic cohort candidates, appear to do better on the skills defined in the scoring rubric for the surgery section of the CPE. Also, it appears that historic candidates are more likely to need more than one CPE surgery experience compared with PSA-required candidates. Collectively, these findings suggest an overall positive impact of the PSA on candidates CPE performance. The report will be presented to provinces during the summer meeting.
AGENDA ITEM 4.6

TOPIC: Ratify Executive Committee Motions

Executive Committee Meeting (teleconference call) – May 7, 2020

Policy Statement – Sale of Non-Drug Veterinary Products

In June 2019 Council approved a first draft policy statement for consultation. A significant amount of feedback was received, and Council considered this in December 2019. Staff took the direction received from Council and produced a next draft, inclusive of a guide. At Council’s meeting in March, the materials were approved, and Council felt that a next round of consultation would be helpful to assure clarity within the profession.

Staff’s work on moving forward with the consultation phase was stopped by the onset of COVID-19. The public health emergency was the main focus for veterinarians. The next thinking was to defer the consultation until the fall of 2020.

In March, the College relaxed its prescribing rules to facilitate telemedicine along with curbside pickup and webstore purchasing of pharmaceuticals. It did not seem logical to tighten rules that the Council had already indicated support for loosening in the Non-Drug Veterinary Products policy statement.

The Executive Committee was asked to consider approval of the posting of the Non-Drug Veterinary Products Policy Statement and Guide as approved by Council without further consultation. Staff consulted with legal counsel and it was determined that the Executive Committee has the authority to release the document for the profession’s use during this time.

MOTION: It was moved and seconded,

“That the Executive Committee direct staff to proceed with posting the Policy Statement – Sale of Non-Drug Veterinary Products and Guide to the Policy Statement without further consultation.”

CARRIED

Complaints Committee Appointment

Due to a conflict with the Complaints Committee’s present public member on one complaints case, an alternate public member had to be appointed for one day. The Committee considered information provided by the Principal, Investigations and Resolutions requesting the appointment.

MOTION: It was moved and seconded,

“That the Executive Committee remove Dr. Kristin Baird from the Complaints Committee and appoint Mr. Don Mayne as a member of the Complaints Committee for one day, Wednesday, May 13th, 2020.”

CARRIED
This document is intended to provide Council with a quarterly update on tactics progress related to Strategy 2023. Councillors are encouraged to ask questions in relation to these initiatives.

Attachment
- Strategy 2023
  - Quarterly Tactics Report
<table>
<thead>
<tr>
<th>Objective</th>
<th>Tactics</th>
<th>Accomplishments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Promoting professionalism to assure quality care</strong></td>
<td>• plan and promote a pilot of a new model of facility accreditation&lt;br&gt;• launch the Peer Advisory Conversation as a voluntary veterinary quality assurance tool&lt;br&gt;• create a resource hub for veterinary discussion on ethical issues&lt;br&gt;• publish resources on conflict of interest and professional practice&lt;br&gt;• develop discussion on the concept of “standard of care”&lt;br&gt;• partner with North American leaders to develop an essential competency profile for veterinary medicine</td>
<td>• pilot workplan has shifted due to COVID-19&lt;br&gt;• to begin veterinary inspector recruitment in the fall&lt;br&gt;• pilot timeline has shifted due to COVID-19&lt;br&gt;• productive discussions on partnership with corporate practices are occurring&lt;br&gt;• workplan in development&lt;br&gt;• conflict of interest standard to be considered at Council in June&lt;br&gt;• discussion to be held at the Ontario Veterinary Leaders’ Table&lt;br&gt;• contracts in signatory stage&lt;br&gt;• consultant selected&lt;br&gt;• workplan developed</td>
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<tr>
<td><strong>Modernizing the oversight of the veterinary profession</strong></td>
<td>• identify key areas achievable with regulation changes as a primary target&lt;br&gt;• consider opportunities to test telemedicine delivery models of the future under safeguarded conditions&lt;br&gt;• seek multi stakeholder discussions to continue the aim to achieve commitment to full legislative reform</td>
<td>• key areas for regulation change have been identified; the majority have already had Council review&lt;br&gt;• regulatory sandbox policy to Council for approval in June&lt;br&gt;• regulatory sandbox on veterinary medicine and the beef sector in development&lt;br&gt;• communications and outreach strategies in development</td>
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<tr>
<td>Objective</td>
<td>Tactics</td>
<td>Accomplishments</td>
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<tr>
<td><strong>Championing One Health</strong></td>
<td>set a next animal welfare agenda</td>
<td>agenda approved by Council in March 2020</td>
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<td></td>
<td>establish a stakeholder relationship with public health in Ontario</td>
<td>delayed, but fostered, by COVID-19</td>
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<td></td>
<td>implement a communication and education strategy highlighting veterinarians as public health practitioners</td>
<td>MPH student hired and workplan is in place</td>
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<td></td>
<td>explore the definition of one welfare and its relevance to this objective</td>
<td>research is underway</td>
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<td><strong>Assuring impact through outcomes</strong></td>
<td>educate Council and staff on the new outcomes focused regulation framework</td>
<td>staff education held in Spring 2020</td>
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<td></td>
<td>establish an impact strategy unit</td>
<td>Council education planned for June</td>
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<td></td>
<td>coordinate the work on impact with the Risk Analysis and Mitigation Unit</td>
<td>Impact Strategy Unit and terms of reference established</td>
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<td></td>
<td>implement the use of the framework with all new policy direction</td>
<td>work with Risk Unit is coordinated</td>
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<td>2 policy and risk projects are on the current Impact Strategy Unit agenda</td>
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<tr>
<td>Objective</td>
<td>Tactics</td>
<td>Accomplishments</td>
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<tr>
<td>Regulating proactively to mitigate risk</td>
<td>• collaborate internationally on the future of technology, veterinary medicine and competence&lt;br&gt;• consider options to safely broaden remote dispensing beyond antimicrobial drugs&lt;br&gt;• set work plan for establishing competence assessment that supports limited licensure&lt;br&gt;• analyze past decisions and make recommendations on how to best mitigate practice management concerns separate from veterinary medicine&lt;br&gt;• identify strategies to improve veterinary drug management competency profile for veterinary medicine</td>
<td>• Innovation and Technology Advisory Group continues to meet&lt;br&gt;• advancing mission to a broader international network&lt;br&gt;• an expansion of the remote dispensing policy is on the Council agenda&lt;br&gt;• workplan in development&lt;br&gt;• analysis in process&lt;br&gt;• this issue is at the Impact Strategy Unit</td>
</tr>
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</table>
5.4 Performance Measurement

5.4.1 Risk Framework Review

Background

In 2016 Council established its first policy on risk (see attached). This policy was developed through conversation with Council on key organizational risks — risks that we have now come to define as leading risks.

The conversation of risk has been further enhanced by our evolving thinking on right touch regulation (see public interest decision making tool), which has the College focused on risk as our primary business. In 2017, our risk management framework was established and staff formed a Risk Analysis and Mitigation team. The purpose of the team was to diligently consider both leading and strategic risks and to either mitigate concerns and/or raise them for Governance, Audit and Risk Committee (GAR) and Council attention and prioritization.

Risk activity is reported quarterly as a Key Performance Indicator. Further, the GAR report provides Council an update on its activity in this area. Lastly, strategic risks are reported to Council semi-annually for debate and consideration.

Discussion

As many new Councillors have joined Council in the last year, it seems appropriate to provide a fulsome review of our risk management approach at the June Council meeting. A presentation will be provided.

Attachments

- Governance Policy – Risk Management
- Public Policy Decision Tree
- Power Point Presentation Slides
SECTION 4: RISK MANAGEMENT AND MONITORING

Policy
4.1 Risk Management

Date Approved
September 29, 2016

Date Revised
June 13, 2018

Introduction

The College of Veterinarians of Ontario is committed to regulatory effectiveness\(^1\). The College, as a body corporate vested by the Veterinarians Act, and in keeping with its mandate, recognizes it is in the business of risk management. These risks include those inherent to business generally, but also extend to public facing risks related to the regulation of the practice of veterinary medicine. The College is deliberate in its systematic identification, analysis and management of both existing and emerging risks.

Policy

The College divides its areas of risk into leading and strategic risk categories. A list of current leading risks is maintained, and measured and monitored regularly. A portion of the leading risks are annually identified as key performance measures for Council. Further, the College is vigilant in its surveillance of emerging areas of risk, these are inclusive of general trends in data, regulatory policy, practice evolution, etc. Identified emerging risks assist with setting priorities for policy action by College Council. The College risk management program is supported by a staff based Risk Analysis and Mitigation team accountable to the Registrar, and reporting to the Governance, Audit and Risk standing Committee of Council.

Definitions

**Leading Risks:** are risks that are known to the College and quantifiable. These include enterprise risk, (finance, operations, governance and hazards), regulatory process risk, and risks related to the practice of veterinary medicine.

**Strategic Risks:** are unforeseen or new risks, which include issues that could impact the College’s strategic plan, the regulatory environment, or an emerging challenge in veterinary practice.

Procedure

1. Annually each June Council identifies those leading risks which will serve as key performance indicators (KPI’s) for its coming fiscal year.

2. The Governance, Audit and Risk Committee meets quarterly to review reports from the Risk Analysis and Mitigation team on both leading and strategic risks.

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\(^1\) Council Position Statement – Regulatory Effectiveness
3. Reports to Council include the identified KPI’s on a quarterly basis, any risk incidents identified for escalation by the Registrar; and strategic risk considerations on a semi-annual basis (see Appendix 1).

4. Risk incidents that have a potential for high consequence will be reported to the President by the Registrar.

5. The Governance, Audit and Risk Committee will annually review the College’s leading risks for possible revision (see Appendix 2) to ensure currency.
1. What is the problem?  
2. Is the problem about patient or public risk?

| No – Stop, don’t regulate. If the problem is not about risk there’s no need to regulate | Yes – go to 3 |

3. What are the risks?  
4. How great are the risks?  
5. Are the risks currently managed? (by whom/how/evidence)

| Yes – Stop, don’t regulate, use the existing solution to manage the problem | No – go to 6 |

6. Where and why is the problem occurring?  
7. Can the problem be solved locally? (employer, consumer, government)

| Yes – Stop, don’t regulate, use targeted local approaches | No – go to 8 |

8. Is there a regulatory solution in line with the principles of good regulation?

| No – consider other regulatory options – go back to 8 | Yes – go to 9 |

9. Are there any new risks or unintended consequences?

| Yes – Stop, consider other regulatory options – go back to 8 | No – regulate. Review regularly and respond to change |

1Adapted from Council on Healthcare Regulatory Excellence (CHRE)
Risk

Instilling public confidence in veterinary regulation
Right Touch Regulation

- What is the problem that we are trying to solve?
- What’s the risk?
- Public interest

Right-touch reform
A new framework for assurance of professions
November 2017
Regulatory Effectiveness Foundations

- Just Culture
- Risk Management Framework
- Outcomes-Focused Regulation
Types of Risks

Leading Risks
- Finance
- Operations
- Governance
- Hazards
- Regulatory Process
- Veterinary Practice

Strategic Risks
- Focus on emerging and future risks. This area is further divided into regulatory environment risks and veterinary practice risks
Key Performance Indicators

- Quarterly reports on key defined risks
Strategic Risk Conversations

- Twice a year (March and September) Council engages in strategic risk discussions
TOPIC: 5.5 Outcomes Focused Regulation

5.5.1 Impact Strategy Unit Launch

Background

In December 2019, Council adopted an Outcomes Focused Regulation Framework that set as a primary goal the need to evaluate its policy implementation against intended outcomes and change in the public interest https://cvo.org/getmedia/89824376-b691-4ec7-a276-2061284fe094/OutcomesFocusedRegulation.pdf.aspx. As part of that direction, a staff led Impact Strategy Unit needed to be formed to ensure that approved policies, or policies with identified issues of strategic risk, had an intentional review and an implementation strategy aimed at behavioural change and evaluation, not just communication. This Framework has been set to get at the "so what" of policy decision making and to continue to build the College’s trustworthiness in delivering its mandate.

Discussion

Since December, the Impact Strategy Unit has been formed, with the Registrar and CEO as the Unit lead. This Unit is coordinating with the Risk Analysis and Mitigation Unit. A copy of the terms of reference are attached for information.

At present the Unit has two matters it is considering action on related to impact and outcomes review. One is clarifying the role of accredited facility directors given the high level of deficiencies consistently found at the time of renewal inspection. The second is the consistent inspection concern related to the apparent lack of appropriate drug disposal by facilities. The Unit is using a systematic process of review to develop its implementation strategy and evaluation plan (see attached). A social marketing consultant with skills in cognitive behavioural psychology has been hired to assist with innovative thinking in this area.

The Impact Strategy Unit (ISU) meets quarterly post Council meetings to determine its priorities based on Council direction. Subgroups focussed on specific projects meet as needed to execute desired outcomes.

The ISU will report out semi-annually to Council on its projects and progress.

Attachments

- Impact Strategy Unit – Terms of Reference
- Impact Strategy Unit – Process of Review
Impact Strategy Unit

Terms of Reference

Purpose

The Impact Strategy Unit is responsible for developing a plan for implementation of new or revised Council approved policies. The Unit is intended to consider the goal and intent of the policy, set indicators of success and a relevant evaluation plan, and identify methods of implementation to support the positive engagement of the profession. The Unit has a core team that is expanded, dependent on the policy, to include staff directly involved with oversight of policy once implemented.

Composition

Registrar and CEO (Unit Lead)
Risk Unit Lead
Executive Partner, Policy
Executive Partner, Communications
Business Intelligence Analyst

Duties

1. To provide internal infrastructure to support the Council’s Outcomes Focused Regulation Framework for policy implementation.

2. To conduct a systematic analysis of each new or revised Council approved policy, prior to implementation, and develop a strategic approach to assuring profession-based engagement.

3. To review evaluation data related to policy implementation and consider demonstrated impact and potential further recommendations.

4. To regularly provide outcomes information for public reporting.

Reporting

The Unit meets quarterly after each Council meeting. The Unit provides semi-annual reports to Council on policy implementation and progress.
Outcomes Focused Regulation Framework

Phase 1: Problem and Risk Identification
What is the problem we are trying to solve?
What, if any, are the identified risks?
   leading?
   strategic?

Phase 2: Level of Mitigation
Is mitigation involving the regulator required?
Is the mitigation solution regulatory only?
in need of partners?

Phase 3: Impact Strategy
1. What goal/vision is the policy/decision/order wanting to accomplish?
2. What indicators would indicate success/goal achievement/impact?
3. What evaluation tools would assist in measuring the indicators?
4. What influencers will support success of the goal? (aim for 9)
   Nudges
   Education
   Mentorship
   General communication
   Quality assurance tools

Phase 4: Implementation
• Develop workplan for implementation
• Implement

Phase 5: Analysis & Recommendation
• Gather data in accordance with Phase 4
• Analyze and critique data
• Revise Phase 4 if needed
• Evaluate success against goal
• Make recommendations for future improvement

Phase 6: Public Reporting
• Consider appropriate reporting mechanisms
  E-update
  Newsletters
  Peer norm referencing
  Website
  Media
  Social network

Outcomes Focused Regulation
TOPIC: 5.6 Council Roundtable

5.6.1 Media Trends

Top General Trends found in Media:

1. COVID-19 and animals: The pandemic dominated news throughout the spring including articles discussing cases of COVID-19 in pets and animals.

   
   
   

2. Veterinary medicine and COVID-19: There were multiple articles locally and across Canada sharing information on how veterinarians are adjusting services during the pandemic.

   
   
   
3. Impact of COVID-19 on production animals: There have been numerous articles in industry publications and some mainstream media discussing the challenges for slaughter and processing.

https://newsinteractives.cbc.ca/longform/cargill-covid19-outbreak

4. One Health: Due to the pandemic, there have been articles discussing infectious diseases and the connection between people, animals and the environment.

https://www.healtheuropa.eu/improving-one-health-is-more-important-than-the-covid-19-blame-game/100229/
TOPIC: 5.6 Council Roundtable

5.6.2 Regulatory Trends

Emerging regulatory trends this quarter include:

1. A continuing trend in the US is the deregulation of professions. In Florida, the governor has referred to this movement as a “deregathon.” His current themes include:
   - decreasing fees
   - permitting an increased number of licence examination attempts
   - eliminating the need for experience prior to licensure for some professions
   - defining the time to issue a license as 48 hours from application receipt, and
   - eliminating renewal fees

2. A continued worldwide regulatory conversation on assuring mobility between jurisdictions, assuring no interference with trade competition, and assuring cost stabilization for clients/public.

3. The oversight of regulatory organizations. A new emerging theme is a crackdown on regulators lobbying the legislature. The reasoning is linked to the fact that regulators are an extension, albeit arms-length, of government.

4. COVID-19 – this of course is a prevalent trend still in motion. Interesting challenges arising for consideration:
   - preparedness (or not)
   - the ability to go paperless in all programs
   - the support of technology to manage virtual meetings and operational functions
   - an understanding of essential services
   - the ability to move essential services to virtual platforms (e.g., hearings)
TOPIC: 5.6 Council Roundtable

5.6.3 Legal Trends

One of the College’s legal counsel, Richard Steinecke, prepares quarterly reports that outline legal cases or legislative changes that impact the work of the College. College staff have reviewed this material and present relevant legal trends for your information.

1. COVID-19
   The impact of the COVID-19 pandemic has impacted almost every component of all of our lives and the impact on professional regulation is also taking place. There have been changes to specific professional acts and then broader changes that impact all professions. As an example, pharmacists have been permitted to independently adapt prescriptions during the pandemic. Broader legislation has allowed for the use of virtual hearings even where a regulator does not have rules that usually permit virtual hearings. Limitation periods and procedural timelines are suspended in many circumstances, but at the discretion of each tribunal. Legislative References: Pharmacy Act Ontario Regulation 126/20, Emergency Management, Civil Protection Act, R.S.O. 1990 and Bill 188, Economic and Fiscal Update Act, 2020.

2. Need for Comprehensive and Clear Reasons
   A recent court case is a good reminder of why panels need to provide clear and comprehensive reasons for their decisions. In this case, an applicant had failed the third and final attempt at the entry to practice exam and provided three grounds for appeal. The Committee’s reasons only addressed two of the three grounds for appeal. The Court returned the matter to the Committee for reconsideration and directed that its reasons should address all of the main grounds of appeal to be considered procedurally fair. Case Reference: Mattar v The National Dental Examining Board of Canada, 2020 ONSC 403.

3. Finality of Referrals to Discipline
   A recent court case demonstrates that once a matter has been referred to a disciplinary hearing, the screening committee that referred the matter cannot reconsider it even if there is new information that would have changed their decision. This is due to the principle of finality. Case Reference: Stanley v Office of the Independent Police Review Director, 2020 ONCA 252.
4. **Scope of Investigations**
   A recent court decision is a good reminder that in any investigation regulators need to ensure that the investigation only contains issues that are within the scope of the original complaint or concern. Where new issues arise during the investigation, they can be investigated under a new investigation order, but not under the existing complaint. Case Reference: *Houghton v Association of Ontario Land Surveyors*, 2020 ONSC 863.

5. **Right of Regulator to Access Records**
   A recent Ontario court case supported the regulators need to be able to access a professional’s records. Even in an especially sensitive case, where the medical records of a regulatory body employee needed to be accessed by that regulator to determine if there was misconduct on the part of a treating regulated professional, access to the records were granted. Safeguards were put in place to support the employee’s privacy by hiring outside investigators to conduct that component of the investigation. Case Reference: *College of Physicians and Surgeons v SJO*, 2020 ONSC 1047.
TOPIC: 5.6 Council Roundtable

5.6.4 Public Trends

College staff collect information about the types of contacts that we receive from members of the public. This report is intended to share these themes with Council.

1. COVID-19 Impact on Veterinary Services
   The majority of College contacts from members of the public in the last couple of months have been related to the impact of the province’s emergency declaration and public health directives on veterinary care. Many questions were received, with the most common questions focused on what qualified as an urgent procedure and why groomers were not permitted to operate.

2. Discipline Hearing Transparency
   The College received a concern from a member of the public that the College should not just provide discipline hearing dates on the public register, but that the name of the veterinarian should also be provided. The Registrar explained to this individual that our Act does not permit the publication of the veterinarian’s name prior to the hearing, but that this is one component of the College’s legislative reform proposal to government.
TOPIC: 5.6 Council Roundtable

5.6.5 General Trends

Every Councillor is encouraged to raise any matter they believe is relevant to the College and to which it should pay attention.
AGENDA ITEM 6.

**TOPIC:** Registrar's 2021 Goals

This will be an in-camera session.
AGENDA ITEM 8. Public Policy

TOPIC: 8.1 Position Statement & Policy Statement – Forms of Energy

Background

Since September 2018, Council has been reviewing as part of its strategic risk dialogue the use of forms of energy in the treatment and/or care of animals. This work has been risk-focused and has been heavily influenced and guided by research and literature review. For a complete history of this work, please refer to the March Council Package, Agenda Item 8.2.

In March 2020, Council reviewed the second iteration of a staff-developed risk report related to the use of forms of energy on animals. This report was centered around key identified forms of energy and sought to categorize the different forms into classes of regulatory oversight based on their associated risks.

Following its review and consideration, Council directed that staff proceed with the development of policy based on the recommendations put forward within the report. Staff have completed this work and a draft position statement and draft policy statement have been developed for review.

The purpose of the draft position statement is to communicate Council’s proposed position on the use of forms of energy in the treatment and/or care of animals to the public. It is designed to highlight the Council’s overall position and to articulate its approach to regulatory oversight.

The purpose of the draft policy statement is to serve as a support to veterinarians in their adherence to the Council’s position statement. This document contains far greater detail than the position statement and is designed to help veterinarians navigate the use of forms of energy within their practices.

In June 2020, the proposed draft documents were presented to Executive Committee for its consideration. Following its review, Executive Committee directed that both the position statement and the policy statement be sent to Council.

Discussion

Council is asked to review both the draft Position Statement: Use of forms of Energy in the Treatment and/or Care of Animals and the draft Policy Statement: Use of Forms of Energy in the Treatment and/or Care of Animals and to offer any comments, suggestions or feedback that it may have.
Options

Following discussion, Council may elect to:

1. Direct that the draft position statement and/or policy statement (as presented or amended) be published;
2. Direct that the draft position statement and/or policy statement be returned to staff for further revisions; or
3. Other.

Attachments

1. Draft Position Statement: Use of Forms of Energy in the Treatment and/or Care of Animals
2. Draft Policy Statement: Use of Forms of Energy in the Treatment and/or Care of Animals
Position Statement

Use of Forms of Energy in the Treatment and/or Care of Animals

Published: TBD

Purpose

This Position Statement serves to communicate the Council’s position pertaining to the use of forms of energy in the treatment and/or care of animals.

Background

Council acknowledges the use of forms of energy in the treatment and/or care of animals across multiple species. Some of these forms are well-researched and established, while others have emerged in recent years and have a more limited scientific basis. In continuing to assure public protection and animal welfare while appreciating business and technology innovation, Council has determined that risk-based oversight is required. Council has conducted a thorough review and developed a set of safeguards to ensure the safe, quality treatment and/or care of animals when forms of energy are introduced.

Definitions

Forms of Energy: There is no specific definition of forms of energy that can be found across the professions who utilize them. Forms of energy generally refer to the use of a tool and/or equipment to create either ionizing or non-ionizing radiation designed to produce a specific outcome to aid or enhance the treatment and/or care of a patient. The particulars of the desired outcome vary based on the form and method used.
Draft Position Statement: Use of Forms of Energy in the Treatment and/or Care of Animals

Position

It is the position of Council that the use of forms of energy in the practice of veterinary medicine pose a risk of harm to an animal(s), dependent on their application. Given research and evidence-based analysis, the Council has determined that a form of energy may be used in the treatment and/or care of an animal based on the following three categories:

Category One

The first category of regulatory oversight oversees forms of energy that have been determined to have high levels of real or potential harm associated with their use in animals. Forms of energy that fall under this category are to be used only by a veterinarian, or an auxiliary working under a veterinarian’s delegation with immediate or direct supervision.

Category Two

The second category of regulatory oversight oversees forms of energy that have been determined to have moderate levels of real or potential harm associated with their use in animals. Forms of energy that fall under this category are to be used only by a veterinarian, or an auxiliary working under a veterinarian’s delegation with a level of supervision determined appropriate by the veterinarian based on their professional judgement related to context.

Category Three

The third category of regulatory oversight oversees forms of energy that have been determined to have low levels of real or potential harm associated with their use in animals. Forms of energy that fall under this category may be used by a veterinarian or a non-veterinarian. Non-veterinarians cannot represent themselves as practising veterinary medicine.

Since the first two categories contain high to moderate levels of associated risk that require veterinary oversight, it is the position of the Council that the use of these forms of energy on animals constitutes the practice of veterinary medicine and, therefore, remain under the College’s regulatory authority.
Legislative Authority

Veterinarians Act R.S.O. 1990, c. V.3 ss. 3
Ontario Regulation 1093 R.S.O. 1990 s. 19 made under the Veterinarians Act.

Resources

The following can be found at the College’s website at cvo.org:

Policy Statement: Use of Forms of Energy in the Treatment and/or Care of Animals
POLICY STATEMENT

Use of Forms of Energy in the Treatment and/or Care of Animals

Published: TBD

Introduction

It is the position of Council that the use of forms of energy in the treatment and/or care of animals poses a risk of harm, dependent on the application. Given this position, Council has approved a public statement that outlines the levels of regulatory oversight required to utilize forms of energy in the treatment and/or care of animals. This specific policy statement has been developed to expand on Council’s position and to outline how it is to be implemented by veterinarians in their practice.

Definition

Forms of Energy: There is no specific definition of forms of energy that can be found across the professions who utilize them. Forms of energy generally refer to the use of a tool and/or equipment to create either ionizing or non-ionizing radiation designed to produce a specific outcome to aid or enhance the treatment and/or care of a patient. The particulars of the desired outcome vary based on the form and method used.

Classification Based on Risk

Whether the use of a form of energy in the treatment and/or care of an animal requires regulatory oversight is based on a risk analysis that considers both real and potential harm. This risk analysis is based on current research and is designed to evaluate each form of energy in an unbiased and consistent fashion. In particular, the risk analysis seeks to determine if:

- the use of the form of energy constitutes the practice of veterinary medicine;
Draft Policy Statement: Use of Forms of Energy in the Treatment and/or Care of Animals

- the use of the form of energy requires sedation;
- the use of the form of energy inflicts pain or discomfort;
- the use of the form of energy puts the patient and/or provider at risk of undue exposure or harm;
- the use of the form of energy requires a specific set of knowledge or training in order to be properly administered;
- the use of the form of energy has been researched and validated; and
- the use of the form of energy has a high risk of adverse effect if improperly administered.

Note on Efficacy

This risk analysis does not consider the real or perceived efficacy of forms of energy. This is due in large part to the lack of research related to the overall efficacy of many forms. Given this, it is recommended that the real or perceived efficacy of a form of energy be included as part of the conversation that occurs between the veterinarian and/or provider and their client.

Levels of Classification

Based on the aforementioned risk analysis, three categories have been developed that oversee the use of forms of energy in the treatment and/or care of animals. These classifications have been created in accordance with the Veterinarians Act and its associated regulation, and are designed to provide clarity related to their oversight.

Category One – High Risk

The first category of regulatory oversight has been designed to oversee forms of energy that have been determined to have high levels of real or potential harm associated with their use in animals. In particular, these forms of energy have characteristics and/or uses that associate them with:

- surgery;
- diagnostics;
- the requirement for sedation;
- below the dermis procedures;
- high levels of potential harm and/or injury;
- requirements for advanced knowledge or training in order to be properly administered;
- high level of risk of harm if improperly administered; and
- varying degrees of clinical research.

Given these characteristics, forms of energy that fall under this category are to be used only by a veterinarian, or an auxiliary working under a veterinarian’s delegation with immediate or direct supervision.
Draft Policy Statement: Use of Forms of Energy in the Treatment and/or Care of Animals

At this time, the following forms of energy fall under this category:

- any forms of energy that employ or produce ionizing radiation;
- magnetic resonance imaging;
- laser therapy (class 4 and 3B lasers);
- any forms of energy used in surgery (laser surgery, lithotripsy, cryosurgery, radiosurgery, etc.); and
- electrical muscle stimulation (below the dermis).

Category Two – Moderate Risk

The second category of regulatory oversight has been designed to oversee forms of energy that have been determined to have moderate levels of real or potential harm associated with their use in animals. In particular, these forms of energy have characteristics and/or uses that associate them with:

- specific forms of diagnostics;
- varying requirements for sedation;
- above the dermis procedures;
- moderate risk of potential harm and/or injury;
- varying requirements for advanced knowledge or training in order to be properly administered;
- medium-to-high level of risk of harm if improperly administered; and
- varying degrees of clinical research.

Given these characteristics, forms of energy that fall under this category are to be used only by a veterinarian, or an auxiliary working under a veterinarian’s delegation with a level of supervision determined appropriate by the veterinarian based on their professional judgement related to context.

At this time, the following forms of energy fall under this category:

- Diagnostic Ultrasound
- Shockwave Therapy

Category Three – Low Risk

The third category of regulatory oversight has been designed to oversee forms of energy that have been determined to have low levels of real or potential harm associated with their use in animals. In particular, these forms of energy have characteristics and/or uses that associate them with:

- above the dermis procedures;
- low levels of risk of potential harm and/or injury;
Draft Policy Statement: Use of Forms of Energy in the Treatment and/or Care of Animals

- limited to low requirements for advanced knowledge or training in order to be properly administered;
- low levels of risk of harm if improperly administered; and
- varying degrees of clinical research.

Given these characteristics, forms of energy that fall under this category may be used by a veterinarian or a non-veterinarian. Non-veterinarians cannot represent themselves as practising veterinary medicine.

At this time, the following forms of energy fall under this category:

- pulsed electromagnetic field therapy;
- therapeutic ultrasound;
- laser therapy (any class of laser that falls below 3B); and
- electrical muscle stimulation (above the dermis).

Legislative Authority

Veterinarians Act R.S.O. 1990, c. V.3 s. 3
Ontario Regulation 1093 R.S.O. 1990 s. 19 made under the Veterinarians Act.

Resources

The following can be found at the College’s website at cvo.org:

Position Statement: Use of Forms of Energy in the Treatment and/or Care of Animals

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College publications contain practice parameters and standards which should be considered by all Ontario veterinarians in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained. The College encourages you to refer to the website (www.cvo.org) to ensure you are referring to the most recent version of any document.
AGENDA ITEM 8. Public Policy

TOPIC: 8.2 Conflicts of Interest in the Practice of Veterinary Medicine

Background
At its meeting in February 2018, the Quality Assurance Committee approved a three-year strategy for the introduction of resources and supports related to professionalism. In year two of the strategy, the College set four priorities/key areas to develop resources and supports based on current College data.

In June 2018, Council confirmed the list of key areas of focus to develop resources and supports related to professionalism. Staff began work on the first area of focus: Relationships with Industry.

While the key area of focus was initially relationships with industry, the work by the Committee soon identified that the broader issue is conflict of interest and the potential for personal interests to interfere with a veterinarian’s decision-making by introducing bias.

In August and November 2019, the Quality Assurance Committee reviewed a briefing note on personal conflicts of interest for Council’s consideration. The briefing note outlined the issue, related risks, and proposed next steps. The Committee provided input to revise the briefing note for Council’s consideration.

In December 2019, Council considered a Briefing Note on Personal Conflicts of Interest in Veterinary Practice. Council directed staff to proceed with developing a draft policy statement related to conflicts of interest.

Discussion
A draft Professional Practice Standard (PPS) on Conflicts of Interest in the Practice of Veterinary Medicine is provided for Council’s consideration.

Options
Following discussion, Council may elect to:
1. Approve the draft PPS on Conflicts of Interest in the Practice of Veterinary Medicine (as presented or amended) for stakeholder consultation;
2. Direct that the draft PPS on Conflicts of Interest in the Practice of Veterinary Medicine be returned to the Quality Assurance Committee for further consideration; or
3. Suggest an alternate course of action.

Attachment
- Draft Professional Practice Standard (PPS) on Conflicts of Interest in the Practice of Veterinary Medicine
Professional Practice Standard

Conflicts of Interest in the Practice of Veterinary Medicine

Published: TBD

Introduction

Maintaining public trust in veterinary medicine is crucial. The public expects that a veterinarian will use their knowledge, skills, and judgment in the best interest of any animal(s) in their care and that their choice of treatment will be based on objective professional judgment and not by considerations of personal or financial interests. A veterinarian is expected to act in a trustworthy manner by being competent, honest, and reliable. When a veterinarian’s animal health care decision-making is influenced by personal interests or potential gain, the reputation of the profession could be at risk.

Conflicts of interest in the practice of veterinary medicine will arise. Being in a conflict of interest or having a potential conflict of interest does not mean that a veterinarian has acted inappropriately. They can arise out of circumstances outside of a veterinarian’s control. However, it is important for a veterinarian to avoid conflicts of interest if possible, and to identify when they are in a real or potential conflict of interest and determine how to manage that conflict.

Definitions

Conflict of interest: A conflict of interest arises when a veterinarian's duties and responsibilities may be affected by some other interest that the veterinarian has, usually a personal or financial interest. The test for a conflict of interest is not whether the veterinarian believes that such an interest may affect their professional judgement but rather the perception of a reasonable person aware of the circumstances as to whether the conflict may influence the
professional judgement of the veterinarian.1

Practice Expectations

A veterinarian meets the Professional Practice Standard: Conflicts of Interest in the Practice of Veterinary Medicine when he/she complies with the expectations of a veterinarian set out in the Veterinarians Act and, in particular, sections 38, 42-44 of Regulation 1093 (see Appendix A), which are summarized as follows:

1. Takes appropriate steps to avoid, identify, declare, and manage any perceived or potential conflicts of interest.

2. Understands that if there is a conflict between their duty to a client, the College or the public and their duty to any other person or entity, including a professional corporation, the duty to the client, the College or the public must prevail.

3. Understands that their choice of treatment for an animal must be based on their objective professional judgment and must not be influenced by considerations of personal interest or gain, including financial considerations, as this constitutes a conflict of interest.

4. Understands that no other individual should exercise control or influence over any of the clinical or professional aspects of the services they provide.

5. Understands that it is inappropriate to enter into an agreement where compensation is related to any measure of financial performance respecting the veterinarian’s practice other than a partnership, association or employment agreement with another member.

6. Understands that it is inappropriate to participate in a system in which another person steers or recommends clients to a particular veterinarian or group of veterinarians.

7. Understands that it is inappropriate to give/receive a benefit for referring an animal/specimen from or to another person other than to a member in the same practice, unless a written explanation is given to the client explaining the relationship.

8. Understands that it is inappropriate to inspect or assess an animal on behalf of both the seller and the buyer of the animal unless the veterinarian has informed both parties of the conflict of interest and of the fact that information cannot be kept from either party to the transaction, and has obtained both parties’ written consent to proceed.

9. Understands that a veterinarian who is employed/contracted by a person (other than another member or a professional corporation) to perform veterinary services, must not

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1 Code of Professional Conduct for Veterinarians, Veterinary Council of New Zealand, January 2020
provide veterinary services in the course of that employment/contract for any client other than the employer/contractor. Exceptions do exist for, among other situations, veterinarians employed by or contracted to provide services with a government agency, a public postsecondary institution, a humane society, zoo or wildlife rehabilitation centre, etc.; see section 43 of Ontario Regulation 1093 for the entire list of exceptions.

Please note that the above is a summary only. The specific provisions of Regulation 1093 take priority over this Professional Practice Standard in the case of any conflict.

**Legislative Authority**

*Veterinarians Act*, 5.5.1  
Regulation 1093 17(1)25, 38 and 42-44

**Other References**

Additional Resources will be added upon completion of the document

**Resources**

Code of Professional Conduct for Veterinarians – Veterinary Council of New Zealand
Appendix A – Relevant Sections from Regulation 1093

38. A member shall not participate directly or indirectly in a system in which another person steers or recommends clients to a member for a professional service or an ancillary service. R.R.O. 1990, Reg. 1093, s. 38.

42. (1) In this Part,

“related person” means a person connected with a member by blood relationship, marriage or adoption, and,

(a) persons are connected by blood relationship if one is the child or other descendent of the other or one is the brother or sister of the other,

(b) persons are connected by marriage if one is married to the other or to a person who is connected by blood relationship to the other, and

(c) persons are connected by adoption if one has been adopted, either legally or in fact, as the child of the other or as the child of a person who is so connected by blood relationship, except as a brother or sister, to the other. R.R.O. 1990, Reg. 1093, s. 42 (1).

(2) A member has a conflict of interest where the member, or a related person, or an employee or employer of the member, directly or indirectly,

(a) enters into any agreement, including a lease of premises, under which any amount payable by or to a member or a related person is related to the amount of fees charged by the member or the net revenue from the member’s practice of veterinary medicine or any other measure of financial performance respecting the member’s practice of veterinary medicine; or

(b) receives, makes or confers a fee, credit or other benefit by reason of the referral or transfer of an animal or a specimen from or to any other person. R.R.O. 1990, Reg. 1093, s. 42 (2); O. Reg. 233/15, s. 28 (1).

(3) Clause (2) (a) does not prevent a member,

(a) from entering into a partnership, association or employment agreement with another member under which the drawings, interest or remuneration of the partners, associates or employees, as the case may be, is related to the amount of fees charged by them, the net revenue from their practice of veterinary medicine or any other measure of financial performance respecting their practice of veterinary medicine; or

(b) from entering into an agreement with another member to form a professional corporation, under which the drawings, interest or remuneration of the members is related to the amount of fees charged by them, the net revenue from their practice of veterinary medicine or any other measure of financial performance respecting their practice of veterinary medicine. O. Reg. 24/02, s. 3; O. Reg. 161/04, s. 20 (1); O. Reg. 233/15, s. 28 (2, 3).
(4) Clause (2) (b) does not prevent a member from referring or transferring an animal or a specimen to another veterinarian who is a partner, associate, employer or employee of the member if,

(a) the animal is seen or the specimen is examined in the same facility by both veterinarians; or

(b) the member provides a written explanation to the client of the member’s relationship to the other veterinarian, if the animal is seen or the specimen is examined in a different facility. O. Reg. 161/04, s. 20 (2).

(5) Clause (2) (b) does not prevent a member from referring or transferring an animal or a specimen to a corporation or other business entity from which the member receives a benefit, by reason only that the member or a related person has an interest in the corporation or other business entity, if,

(a) the member provides a written explanation to the client of the member’s or related person’s interest in the corporation or other business entity;

(b) the member provides written notice to the client that, if the client chooses another service provider, the client’s choice will not affect the client’s ability to obtain services from the member unless the choice would result in the care provided to the animal being uncoordinated;

(c) in the case of laboratory testing or radiological or other technical procedures, the member provides a written explanation to the client that the member is professionally responsible for the quality of the testing or technical procedures performed for the animal; and

(d) the member provides the College, upon request, documents demonstrating that the member has complied with clauses (a), (b) and (c). O. Reg. 161/04, s. 20 (2).

43. (1) In this section,

“employer” includes a principal. R.R.O. 1990, Reg. 1093, s. 43 (1); O. Reg. 233/15, s. 29 (1).

(2) It is a conflict of interest for a member who is employed by a person other than another member or a professional corporation, or who has a contract to provide veterinary services with such a person, to perform veterinary services in the course of his or her employment or pursuant to his or her contract for a client other than the employer or the contractor. O. Reg. 233/15, s. 29 (2).

(3) Despite subsection (2), a member who is employed by any of the following persons or entities, or who has a contract to provide services with any of the following persons or entities, does not have a conflict of interest if, in the course of his or her employment or pursuant to his or her contract, he or she performs veterinary services for a client other than the employer or the contractor:

1. The Crown in right of Canada or the Crown in right of Ontario or an agency of the Crown.
2. Any university, college of applied arts and technology or post-secondary institution in Ontario, the enrolments of which are counted for purposes of calculating annual operating grants received from the Government of Ontario.

3. Any post-secondary institution that is affiliated with a university referred to in paragraph 2, the enrolments of which are not counted for purposes of calculating annual operating grants received from the Government of Ontario.

4. A Royal Military College.

5. A humane society operated in accordance with the *Ontario Society for the Prevention of Cruelty to Animals Act* or a pound operated under the *Animals for Research Act*.

6. The estate trustee of a deceased member or an attorney pursuant to a continuing power of attorney or a Guardian of Property of a mentally incapacitated member, for a reasonable period of time after the member’s death or the commencement of the member’s incapacity to settle matters.

7. A zoo or a wildlife rehabilitation centre. O. Reg. 233/15, s. 29 (2).

(4) Despite subsection (2), a member who is employed by, or has a contract to provide veterinary services with, a municipal corporation does not have a conflict of interest with respect to any spay or neuter procedures, including the pre-operative, intra-operative and post-operative management services usually associated with such procedures, that the member performs in the course of his or her employment or pursuant to his or her contract, for a client other than the municipal corporation. O. Reg. 233/15, s. 29 (2).

(4.1) Despite subsection (2), a member who is employed by, or has a contract to provide veterinary services with, an individual, partnership or corporation that sells food or drug products for use in food-producing animals, does not have a conflict of interest with respect to veterinary services that the member provides in the course of his or her employment or pursuant to his or her contract, if the following conditions are met:

1. The veterinary services must relate to the food or drug products sold by the employer or contractor.

2. The veterinary services must be provided to an established customer of the employer or contractor at the customer’s farm or at a similar establishment.

3. The member must take all reasonable steps to notify the veterinarian who would normally attend the client’s animals of the member’s visit and the reasons for it so that that veterinarian may discuss the matter with the client and, if desirable, arrange to meet the member before or at the visit. O. Reg. 233/15, s. 29 (2).

(4.2) Despite subsection (2), a member who is employed by, or has a contract to provide veterinary services with, Eastgen Incorporated does not have a conflict of interest with respect to the following veterinary services that the member provides, in the course of his or her employment or pursuant to his or her contract, to animals that are not owned by Eastgen Incorporated:

1. In the case of a member who has been continuously employed by, or under a contract for veterinary services with, Eastgen Incorporated since September 14, 1998, services in respect of fertility, including ova and embryo transfer.
2. In the case of a member who was employed by, or entered into a contract for veterinary services with, Eastgen Incorporated after September 14, 1998, ova and embryo transfer services. O. Reg. 233/15, s. 29 (2).

(5) Despite subsection (2), it is not a conflict of interest for a member to provide veterinarian services under the following circumstances:

1. The member is employed by, or has a contract to provide services to, an entity that is an individual, a partnership or a corporation.
2. The entity does not provide services or products that are exclusive to veterinary medicine.
3. In the course of the member’s employment or provision of services, the member performs veterinary services related only to the entity’s products or services, for an established customer of the entity and at the customer’s farm or similar establishment.
4. In the course of the member’s employment or provision of services, the member takes all reasonable steps to notify the normally attending veterinarian of the member’s proposed visit and the reasons for it so that the normally attending veterinarian can discuss the matter with his or her client, and, if desirable, arrange to meet the member before or at the visit. O. Reg. 431/00, s. 10 (3); O. Reg. 233/15, s. 29 (3, 4).

(6) Despite subsection (2), it is not a conflict of interest for a member to provide veterinary services under the following circumstances:

1. The member is employed by, or has a contract to provide services to, an entity that is an individual, a partnership or a corporation.
2. The entity is engaged in manufacturing or selling feed for poultry or is engaged in breeding, hatching, growing, processing or feeding poultry.
3. The entity does not offer veterinary services as an inducement to others to buy its products or to sell products to it. O. Reg. 431/00, s. 10 (3); O. Reg. 233/15, s. 29 (5).

(7) Despite anything in subsections (3) to (6), a member who is employed by a person or entity described in any of those subsections, or who has a contract to provide veterinary services with such a person, has a conflict of interest in respect of any services that the member provides where the employer or contractor exercises control or influences any of the clinical or professional aspects of the provision of services. O. Reg. 233/15, s. 29 (6).

(8) For greater certainty, subsection (7) applies even where the member is providing services to an animal that is owned by, or in the custody of, the person who employs the member or with whom he or she has a contract for the provision of veterinary services. O. Reg. 233/15, s. 29 (6).

44. (1) A member has a conflict of interest if the member or a partner or associate of the member,

(a) inspects or assesses an animal on behalf of both the seller and the buyer of the animal; or
(b) being regularly engaged by the seller or buyer of an animal, inspects or assesses an animal on behalf of the other party to a sale. R.R.O. 1990, Reg. 1093, s. 44 (1).

(2) Despite subsection (1), a member, or a partner or associate of the member, may inspect or assess an animal on behalf of both the buyer and seller of the animal or, where one or more of them are regularly engaged by the seller or buyer of an animal, any of them may inspect or assess an animal on behalf of the other party to a sale if, before accepting engagement by the second party, he or she,

(a) informs both parties of the conflict of interest and of the circumstances giving rise to it;

(b) informs both parties that no information received by the member, or a partner or associate of the member, in connection with the transaction can be treated as confidential so far as the other party is concerned; and

(c) after informing the parties under clauses (a) and (b), obtains the consent of both parties to inspect or assess the animal on behalf of both of them, which shall be in writing unless it is impracticable to obtain the consent in written form. R.R.O. 1990, Reg. 1093, s. 44 (2).
AGENDA ITEM 8. Public Policy

TOPIC:  8.3 Policy Statement - Wildlife

Background

Over the years, the College has offered a variety of supports and resources to veterinarians who provide veterinary services to wildlife. Previously, the College has provided written guidance to veterinarians. This document was largely focused on how to dispense euthanasia-related drugs to wildlife custodians and was retracted when veterinarians were granted the ability to dispense T-61 to wildlife custodians.

The College has continued to receive questions related to the provision of veterinary services to wildlife. Given this, College staff began to focus on identifying and addressing both real and potential risks factors associated with the provision of veterinary care to wildlife to facilitate the development of a new document. Several discussions were held with veterinarians with expertise in this area to try and best understand this problem. Work was also completed with the Ontario Ministry of Natural Resources and Forestry, who oversees the Fish and Wildlife Conservation Act, to ensure clarity of the role of wildlife custodian.

In September 2019, the first draft of the Policy Statement: Provision of Veterinary Services to Wildlife was presented to Council for its consideration. Following review, Council directed that the draft policy statement be circulated for targeted consultation.

The draft policy statement was circulated to all veterinarians in Ontario who indicated that they provided veterinary services to wildlife. It was also provided to the Ontario Ministry of Agriculture, Food and Rural Affairs and the Ontario Ministry of Natural Resources and Forestry.

The feedback received from the targeted consultation was vast and informative and touched on topics such as ownership, the veterinarian-client-patient relationship, euthanasia and access to drugs, and the overlap of federal and provincial oversight. Following review of this feedback, staff developed a second draft of the policy statement. This revised draft was once again circulated to a targeted audience and was further amended based on the feedback received.

In June 2020, the revised draft was presented to Executive Committee for its consideration. Following its review, Executive Committee directed that draft policy statement be presented to Council.

Discussion

Council is asked to review the revised draft Policy Statement: Provision of Veterinary Services to Wildlife and to offer any comments, suggestions, or feedback that it may have.
Options

Following discussion, Council may elect to:

1. Direct that the draft policy statement (as presented or amended) be published;
2. Direct that the draft policy statement be returned to staff for further revisions; or
3. Other.

Attachment

1. Draft Policy Statement: Provision of Veterinary Services to Wildlife (June 2020 version)
POLICY STATEMENT

Provision of Veterinary Services to Wildlife

Published: TBD

Introduction

Ontario is home to a diverse wildlife population that inhabits both the rural and urban areas of the province. These species play an important role in Canada’s ecosystem, and their protection and preservation are essential to maintaining a well-balanced environment for both humans and animals alike.

In order to ensure that wildlife are properly managed and cared for, there are a variety of federal and provincial laws and regulations that have been developed to outline the legal ways in which an individual can interact with these species. In Ontario, these legal requirements are overseen and enforced by a variety of government agencies, including the Ministry of Natural Resources and Forestry, the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Environment, Conservation and Parks, and the Ministry of the Solicitor General.

Safe and effective veterinary care is an essential part of providing services to wildlife when necessary. Given this, a veterinarian may choose to work in either a paid or volunteer capacity to help ensure that wildlife receives appropriate and effective veterinary treatment. The provision of veterinary services to wildlife is unique in the practice of veterinary medicine and requires a veterinarian to develop expertise, knowledge and relationships outside the realm of traditional practice.

As this is an area of practice that intersects across numerous areas of oversight and accountability, it is important that veterinarians understand the legal and regulatory frameworks that shape this subset of veterinary medicine.

Purpose

This policy statement has been developed as a resource to support veterinarians who provide, or are considering providing, veterinary services to animals designated as wildlife.
Definitions

Game Wildlife: Game wildlife means a fur-bearing mammal, game amphibian, game bird, game mammal or game reptile.¹

Migratory Bird: means a migratory bird referred to in the Convention found in the schedules of the Migratory Birds Convention Act and includes the sperm, eggs, embryos, tissue cultures, and parts of the bird.²

Specially Protected Wildlife: Specially protected wildlife means a specially protected amphibian, specially protected bird, specially protected invertebrate, specially protected mammal or specially protected reptile, as outlined in Schedules 6 to 11 of the Fish and Wildlife Conservation Act.³

Wildlife: Wildlife means an animal that belongs to a species that is wild by nature and includes game wildlife and specially protected wildlife.⁴

Wildlife Custodian: Wildlife custodian means a person authorized by the Ministry of Natural Resources and Forestry to keep injured, sick or immature game wildlife or specially protected wildlife for the purpose of rehabilitating or caring for them.⁵

General Requirements

Overview

Any veterinarian who provides veterinary services to an animal in Ontario, including wildlife, is required to be licensed by the College and adhere to all applicable practice standards regardless of whether they are compensated for their services.

A veterinarian who provides veterinary services to wildlife in Ontario must do so from an accredited facility. While there is no specific facility type for wildlife, a veterinarian may practice from another facility type determined by their scope of practice.

Treating Wildlife Presented to an Accredited Facility by a Member of the Public

A veterinarian may provide veterinary services to wildlife that is presented by a member of the public at an accredited facility for emergency treatment without establishing a veterinarian-client-patient relationship (VCPR). However, it is expected that any wildlife treated by a veterinarian be transferred to a wildlife custodian for rehabilitation or release once the animal is stable. If a veterinarian wishes to provide rehabilitation to an animal classified as wildlife beyond completion of emergency treatment, they are required to become authorized as a wildlife custodian.

¹ Definition taken from the Fish and Wildlife Conservation Act, 1997.
² Definition adapted from the Migratory Bird Convention Act, 1994.
⁵ Definition taken from the Fish and Wildlife Conservation Act, 1997.
In accordance with Section 61 of the *Provincial Animal Welfare Services Act*, a veterinarian is permitted to euthanize wildlife presented to an accredited facility by a member of the public without consent if they determine through their professional judgement that the animal is suffering and euthanasia is the most humane course of action.

**Treating Wildlife in the Care of a Wildlife Custodian**

A wildlife custodian is a person or organization that has been authorized by the Ministry of Natural Resources and Forestry to keep and make care decisions for wildlife for the purpose of rehabilitation.

All wildlife custodians are expected to form a VCPR with a veterinarian. Before forming this relationship, a veterinarian is expected to confirm that the individual they are engaging with is a Ministry-authorized wildlife custodian.

A veterinarian is permitted to establish standard operating procedures (SOPs) with a wildlife custodian should they determine that it is appropriate within the context of the VCPR.

A veterinarian is able to euthanize wildlife in the care of a wildlife custodian in accordance with their professional judgement. A veterinarian is also permitted by regulation to dispense T-61 to a wildlife custodian for the purpose of euthanasia.

**Legislative Authority**

*Veterinarians Act*, R.S.O. 1990, c. V.3
R.R.O. 1990, Reg 1093 (*Veterinarians Act*), in particular Section 33 (2)(f)(c)
*Fish and Wildlife Conservation Act*, S.O. 1997, c. 41
O. Reg. 668/98: Wildlife in Captivity, s. 44 (*Fish and Wildlife Conservation Act, 1997*)
O. Reg. 242/08: General, s. 15-16 (*Endangered Species Act, 2007*)
*Provincial Animal Welfare Act*, 2019
College Resources

The following can be found on the College’s website at www.cvo.org:

Professional Practice Standard: Informed Client Consent
Guide to the Professional Practice Standard: Informed Client Consent
Professional Practice Standard: Medical Records
Guide to the Professional Practice Standard: Medical Records
Professional Practice Standard: Prescribing a Drug
Guide to the Professional Practice Standard: Prescribing a Drug
Professional Practice Standard: Dispensing a Drug
Guide to the Professional Practice Standard: Dispensing a Drug
Professional Practice Standard: Extra-Label Drug Use
Guide to the Professional Practice Standard: Extra-Label Drug Use
Professional Practice Standard: Use of Compounded Drugs in Veterinary Practice
Guide to the Professional Practice Standard: Use of Compounded Drugs in Veterinary Practice
Professional Practice Standard: Management and Disposal of Controlled Drugs
Guide to the Professional Practice Standard: Management and Disposal of Controlled Drugs
Professional Practice Standard: Veterinarian-Client-Patient Relationship
Guide to the Professional Practice Standard: Veterinarian Client Patient Relationship
Professional Practice Standard: Veterinary Euthanasia
Professional Practice Standard: Humane Animal Handling and Restraint
Position Statement: Reporting Animal Abuse or Neglect

Other Resources

This section is ongoing

Ministry of Natural Resources and Forestry – Find a Wildlife Rehabilitator:
https://www.ontario.ca/page/find-wildlife-rehabilitator

Ministry of Natural Resources and Forestry – Public List of Authorized Wildlife Rehabilitators:
https://learningcompass.learnflex.net/Upload/Public/WildlifeRehabilitatorsPublicList.htm

AVMA Guidelines for the Euthanasia of Animals: 2020 Edition:

College publications contain practice parameters and standards which should be considered by all Ontario veterinarians in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained. The College encourages you to refer to the website (www.cvo.org) to ensure you are referring to the most recent version of any document.
AGENDA ITEM 8. Public Policy

TOPIC: 8.4 Legislative Reform

8.4.1 Advertising

Background
Since 2019, Council has been reviewing proposed regulatory language related to the modernization of the Veterinarians Act. To date, Council has approved language related to registration, accreditation, delegation, quality assurance, and professional misconduct.

Based on direction from the Ontario Ministry of Agriculture, Food and Rural Affairs, the College has shifted its legislative reform priority to the development of potential changes that can be achieved through regulation amendment alone. This has resulted in a shift in staff work to focus on sections of Regulation 1093 that can be altered without subsequent changes to the Veterinarians Act.

As part of this revised strategy, the staff working group tasked with reviewing the advertising sections of Regulation 1093 have now completed their proposed regulatory language for Council’s consideration. This proposed language has been drafted to improve the clarity and conciseness of the current provisions and is designed to ensure consistency with proposed professional misconduct language that states that:

1. For the purposes of the Act, professional misconduct includes the following:
   38. Failing to comply with the requirements of [section outlining advertising requirements].

Other key areas of change include:

- The removal of facility naming regulations in line with the new accreditation standards;
- The removal of title use related to specializations in favour of oversight through professional misconduct; and
- The removal of the restriction on the use of testimonials in advertising in recognition of the current digital world.

Further detail related to these changes is provided in the proposed annotated advertising language.

Discussion
The proposed annotated advertising language is attached for Council’s attention to assist with its discussion. A copy of the current advertising provisions in Regulation 1093 is also provided for comparison.

All Council comments and feedback regarding the proposed advertising language are welcome.
Options

Following discussion, Council may elect to:
   a) Direct that the College proceed with the proposed regulation language for advertising;
   b) Direct that the proposed regulations for advertising be returned to staff for further review
      and consideration; or
   c) Other.

Attachments

   1. Annotated Proposed Regulation Language – Advertising
## Annotated Proposed Regulation Language – Advertising

<table>
<thead>
<tr>
<th>Provisions</th>
<th>Explanations</th>
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<tbody>
<tr>
<td><strong>1.</strong> A member shall not advertise or communicate the availability of professional services inconsistently with this Part.</td>
<td>The advertising section of Regulation 1093 has undergone several revisions since the legislation was first adopted. The last revision occurred in 2015 and was heavily influenced by the Ministry. Recently, this section has become an area of focus, in particular related to its relevancy and applicability in the digital world. The section has also been flagged by staff as being overly convoluted and containing language that is not directly related to advertising. Given this, it is the intention of the College to propose to the Ministry the adoption of a concise and straightforward amended section that is reflective of modern practice.</td>
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<td><strong>2.</strong> (1) A member may communicate any factual, accurate and verifiable information that a reasonable person would consider material in the choice of a veterinarian in an advertisement.</td>
<td>This first subsection has been developed as an overarching statement to ensure that the remainder of the amended section is considered in its entirety and is not subject to selective or partial interpretation.</td>
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<td><strong>2.</strong> (2) Information communicated under subsection (1) must not,</td>
<td>This second subsection represents the condensing of several current advertising sections into one concise statement that reflects the College’s overall expectations related to advertising. Should a member’s advertising practices be questioned, they will be required to prove that they have met these requirements.</td>
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<td>(a) be false, misleading or deceptive by the inclusion or omission of any information;</td>
<td>The remainder of the amended subsections have been designed as supplementary clauses to 2 (1). The purpose of these subsections is to provide further context surrounding the College’s expectations and to aid members in meeting the requirements. The wording in these amended subsections is a mixture of new and existing regulatory language, with some wording appearing from the current regulation and other wording being drawn from Ontario Regulation 114/94 of the Medicine Act.</td>
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<td>(b) contain any comparative or superlative statements; or</td>
<td>One notable absence within this amended wording is the removal of restrictions related to testimonials. Given the rise of the technological world and online reviews, staff believe that the restrictions on testimonials are no longer useful as a large</td>
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<td>(c) contain any endorsement or promotion of drugs or third-party service providers.</td>
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<td>Annotated Proposed Regulation Language – Advertising</td>
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<td>2. (3) Information communicated under subsection (1) must be readily comprehensible, dignified and in good taste.</td>
<td>portion of the public already look to online comments and feedback when determining whether they will seek a veterinarian's services.</td>
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<tr>
<td>2. (4) No member shall, (a) cause or permit their name to appear in any communication offering a product or service to the public; or (b) otherwise cause or permit themselves to be associated with the advertising or promotion of any product or service, other than the member’s veterinary services, in accordance with subsections (1), (2), and (3).</td>
<td>The purpose of this supplementary subsection is to allow for the College to respond to advertising that may technically be permissible but is presented in way that is not acceptable to dignity and reputation of the profession.</td>
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<td></td>
<td>The purpose of this subsection is to clarify that a veterinarian is not to use their professional status to attempt to sell anything other than veterinary services to the public.</td>
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34. In this Part,
“ancillary services” means boarding, grooming, funeral services and sales of foods, supplies
and other goods and services used by or with animals that is provided by a member whether as
part of, or separately from, his or her practice of veterinary medicine. R.R.O. 1990, Reg. 1093,
s. 34.

35. No member shall publish, display, distribute or use, or permit, directly or indirectly, the
publication, display, distribution or use of any advertisement, announcement or similar form of
communication related to the member’s professional services or ancillary services or to a
member’s association with, or employment by, any person, except as permitted by this
Part. R.R.O. 1990, Reg. 1093, s. 35.

36. A member may advertise the professional services he or she provides, and any ancillary
services, if the information in the advertisement,
(a) is factual, verifiable, accurate and comprehensible;
(b) is not false, misleading or deceptive;
(c) contains no testimonials;
(d) contains no comparisons to, or claims of superiority over, another member’s practice or
expertise;
(e) contains no endorsement or promotion of specific products, brands of products, brand-name
drugs or third-party service providers; and
(f) could not reasonably be regarded by members as likely to demean the integrity or dignity of
the profession or to bring the profession into disrepute. O. Reg. 233/15, s. 25.

37. Revoked: O. Reg. 233/15, s. 25.

38. A member shall not participate directly or indirectly in a system in which another person
steers or recommends clients to a member for a professional service or an ancillary
service. R.R.O. 1990, Reg. 1093, s. 38.


41. (1) The name used by a member in the practice of veterinary medicine shall be the same as
the name in which the member is entered in the register. R.R.O. 1990, Reg. 1093, s. 41 (1).

(1.1) If a member practises veterinary medicine on behalf of a professional corporation, he or
she may, despite subsection (1), use the name of the professional corporation in practising the
profession. O. Reg. 24/02, s. 2 (1).

(2) A member may name the veterinary facility in which he or she carries on an independent or
private practice of veterinary medicine with a designation approved by the Registrar. R.R.O.
1990, Reg. 1093, s. 41 (2); O. Reg. 509/93, s. 4 (1).

(3) The designation under subsection (2) shall contain,
(a) a geographical reference appropriate to the location of the facility or the surname of a member who is or was associated with the practice;

(b) the word “animal”, “pet” or “veterinary” except,

(i) if the practice in or from the facility is restricted to one particular species or specialty, the name of that species or specialty or one of the words “animal”, “pet”, or “veterinary” or both the name of the species or specialty and one of the words “animal”, “pet” or “veterinary”, and

(ii) if the practice in or from the facility is restricted to poultry, the word “poultry” with or without the word “veterinary”; and

(c) an appropriate term required under section 11 for the class of certificate of accreditation of the facility. R.R.O. 1990, Reg. 1093, s. 41 (3); O. Reg. 398/07, s. 15.

(3.0.1) In addition to the words required under subsection (3), a designation under subsection (2) may contain any additional words to convey information about the veterinary facility that,

(a) are factual, accurate and verifiable;

(b) will not lead the public to confuse the facility with another facility;

(c) will not mislead the public as to the nature of the services provided at the facility; or

(d) could not reasonably be regarded by members as likely to demean the integrity or dignity of the profession or to bring the profession into disrepute. O. Reg. 233/15, s. 27 (1).

(3.1) If the Registrar is in doubt as to whether or not a designation meets the requirements set out in subsections (3) and (3.0.1), he or she shall refer the matter to the Accreditation Committee. O. Reg. 509/93, s. 4 (2); O. Reg. 233/15, s. 27 (2).

(4) Neither the Registrar nor the Accreditation Committee shall approve the designation if of the opinion that it,

(a) is inconsistent with subsection (3) or (3.0.1);

(b) is improper or unfitting; or

(c) may tend to be confused with the designation of another veterinary facility or the name of a professional corporation. R.R.O. 1990, Reg. 1093, s. 41 (4); O. Reg. 510/95, s. 9; O. Reg. 24/02, s. 2 (2); O. Reg. 233/15, s. 27 (3).

(5) Revoked: O. Reg. 509/93, s. 4 (3).

41.1 (1) Except as authorized by this section, a member shall not use a term, title or designation which indicates specialization in veterinary medicine, or represents to the public that the member is a specialist or is specially qualified in a branch of veterinary medicine. O. Reg. 431/00, s. 9.

(2) A member who holds a certificate of specialization from the National Examining Board of the Canadian Veterinary Medical Association may use a designation for the specialty approved by the Board of that Association. O. Reg. 431/00, s. 9.
(3) A member who holds a certification recognition in a specialty from the Board of the American Veterinary Medical Association may use a designation for the specialty approved by the Board of that Association. O. Reg. 431/00, s. 9.
AGENDA ITEM 9.  Organizational Policy

TOPIC:  9.1  2021 Draft Meeting Schedule

Background
Annually, meeting schedules are set at the June meeting to assist with ongoing planning for Councillors and staff.

The proposed dates for 2021 are attached.

Discussion
Feedback on the draft meeting schedule is welcome.
## 2021 Draft Council and Executive Meeting Dates

<table>
<thead>
<tr>
<th>Month</th>
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<th>Event Description</th>
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<td>Executive (Orientation/Meeting)</td>
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AGENDA ITEM 9. Organizational Policy

TOPIC: 9.2 Governance Policy – Document Security

Background
The College has had a governance policy on document security for several years. It has become clear at a recent Committee Chairs’ meeting that some members are downloading and saving documents to all different types of devices and the policy for document security is not being followed.

Best practice would encourage one common system in place for downloading documents for use in order to assure the confidentiality and privacy of College documents. It is suggested that all members shall download their documents on to a secure USB key, provided by the College, that uses hardware encryption to protect the data stored on the key.

In subsequently reviewing the College’s current governance policy, it was determined that some enhancements would be beneficial.

Discussion
A draft revised governance policy on document security has been circulated to Council for its review. All feedback is welcome.

Options
Following discussion, Council may elect to:

- approve the draft governance policy – Document Security as presented
- approve the draft governance policy – Document Security as amended
- not approve the draft governance policy – Document Security
- other

Attachment
- draft revised governance policy – Document Security – with tracked changes
Policy

Materials relevant to the preparation and decision making of Council, Committee and Task Force activity is primarily intended to be housed and shared in a private, secure electronic portal (Intranet) for that purpose. Documents downloaded from the portal (Intranet) shall only be downloaded on to a secure USB key that uses hardware encryption to protect the data.

Where delivery of materials occurs outside the portal, either by mail or electronic means, materials will be sent using a method that assures confidence in its secure arrival. All College materials, unless noted otherwise, are considered confidential and not in the public domain.

Procedure

1. All Councillors and non-Council Committee members are provided a password to the private portal (Intranet) which houses Council and Committee materials for meetings and resource reference. Task forces or advisory groups may, dependent on their purpose and longevity, also have access to the portal.

2. All Councillors and non-Council Committee members will be provided with a secure USB key to use for downloading documents. Members will only use the provided USB key for downloading College documents. No other devices will be used for this purpose.

3. All Councillors and non-Council Committee members are responsible to inform College staff if their computer/laptop does not contain a USB port. The College will provide the member with an adapter for their computer in order to use the USB key.

4. All Councillors and Committee members are encouraged to work in the portal. Materials that are downloaded are expected to be destroyed not less than quarterly. Reminders for document destruction will be regularly sent by Council and Committee staff administrators. All Councillors and non-Council Committee members will return the USB key, or any other equipment provided by the College, at the end of their term. If a member has hard copy documents to be destroyed, the member shall contact the College office to arrange destruction of the documents.

25. Materials sent by courier require a signature on delivery.

36. Materials sent by e-mail that relate to a member or contain legal advice must have password protection. Passwords for committees will be managed by each Committee administrator. These emails will be sent with a flag for receipt acknowledgement.

47. Should none of the above methods be useful in a particular circumstance, Canada Express post may be used as this method is timely, does not require signature and the contents are protected by law.
5. Councillors and committee members who lack secure, off-site document storage for hard copy College material, will be reimbursed for the purchase of a filing cabinet capable of being locked (to a maximum of $200.00).

8. Councillors and committee members are individually responsible for the safeguarding of material sent electronically or by mail to the email provided to the College for that purpose.

9. A member who experiences an accidental loss of the USB key should report this to the College immediately.

7. All Councillors and Committee members are encouraged to work in the portal. Materials that are downloaded are expected to be destroyed not less than quarterly. Reminders for document destruction will be regularly sent by Council and Committee staff administrators.
AGENDA ITEM 9. Organizational Policy

TOPIC: 9.3 Draft Governance Policy – Regulatory Sandbox

Background
The concept of a “regulatory sandbox” is relatively new and has its birthplace in the finance sector. Its impetus is the result of the fast pace of change in the highly regulated world of finance, and such innovations as bitcoin really spurred forward the need for a testing ground for ideas.

A regulatory sandbox is a tool designed to allow a regulator to relax specific legal and regulatory requirements to create a safe space to experiment with an innovative idea while mitigating any fallout from failure. It is particularly helpful in identifying where existing regulations hinder innovation and where amended rules might better manage public protection.

Another way to think of a sandbox is like a laboratory where you work outside the confines of normal regulations – you observe and evaluate – and then make a conclusion on whether the innovation can fall within existing regulation or whether adaptation is needed for the innovation to actually move forward independently. A regulatory sandbox is managed by the regulator, and it is the regulator that allows a project to happen outside normal regulations, but within a strict protocol for the duration of the pilot project.

The legal interpretation, that allows for this type of solution to be permitted by a regulator, comes from the ability of the regulator to independently determine a need to relax an existing rule in the greater public interest. This is in effect deciding not to enforce a rule in a certain context. This is, of course, done rarely. This ability is contrasted with the inability of a regulator to add more authority or new rules without government approval.

The initial thinking on a regulatory sandbox and veterinary medicine actually came from the College’s international Advisory Group on Innovation and Technology. This group is attempting to determine a positive way to engage the regulatory and innovator communities in the development of new technology for the purpose of health assessment, treatment and monitoring in animals. A next iteration of the Advisory Group, in the form of a Global Veterinary Innovation Network, is in development and includes the concept of sandboxes as a future need.

Discussion
Currently, the profession is facing the issue of veterinary shortages across the province. In particular, this exists in the food animal sector in more rural and northern communities. To really assist with this challenge the opportunity exists to expand the use of telemedicine by leveraging the skills of RVT’s at a distance. This poses challenges related to accountability, technology, prescribing and supervision. Building a modern solution will create a need for the College to relax certain rules and pilot test their risks and benefits of various solutions.
A different example may be a third-party innovator wanting to introduce an AI (artificial intelligence) solution for record keeping. Privacy, accuracy, security and meeting existing standards will all be of concern. A trial of the solution could occur within a sandbox opportunity, permitting safe exploration, and an evaluation that could benefit both the college and the innovator.

The regulatory sandbox model seems a perfect fit for these concepts.

As the College has no existing guidance on this topic, a first draft of a policy concept is being proposed for consideration. The Executive Committee has had discussion on this topic and the proposed policy. It is not expected that such requests will be numerous or frequent. This model does, however, align with a right touch regulation approach and is consistent with Council’s principles encompassing nimbleness, responsiveness and relevance.

Options
Following discussion, Council may elect to:

- approve the draft governance policy – Regulatory Sandbox as presented
- approve the draft governance policy – Regulatory Sandbox as amended
- not approve the draft governance policy – Regulatory Sandbox
- other

Attachment
- draft governance policy – Regulatory Sandbox
Policy

The Regulatory Sandbox is a Council initiative which supports problem-solving through innovative strategy. It permits the exemption of certain regulatory requirements in order to test new products, services or ways of practising veterinary medicine on a time limited basis and with appropriate safeguards for public protection.

A Regulatory Sandbox permits the ability to safely assess the scope and nature of the regulatory implications of an innovative solution to an identified risk-based problem and determine what might be required, or not, to modernize the veterinary regulatory framework.

Definition

A Regulatory Sandbox is a tool designed to allow a regulator to relax specific legal and regulatory requirements to create a safe space to experiment with an innovative idea while mitigating any fallout from failure. It is particularly helpful in identifying where existing regulations hinder innovation and where amended rules might better manage public protection.

A Regulatory Sandbox is managed by the regulator, and it is the regulator that permits a project to happen outside normal rules, but within a strict protocol for the duration of the pilot project.

Overarching Principles

As innovation in the veterinary sector becomes essential to solving emerging issues in service delivery and public expectation, the College’s Regulatory Sandbox allows ideas to be introduced for trial that require exemption from existing regulatory requirements while maintaining public protection.

All ideas approved to operate in the Sandbox remain subject to all applicable regulatory requirements and any conditions, terms or limitations approved by Council. Any exemption granted is on a time limited basis, with agreed-to milestones and risk management oversight. Every agreement is subject to regular reporting and the evaluation of outcomes.

Criteria for Sandbox Project Selection

The criteria to be used to determine approval of a Regulatory Sandbox project include:

1. Identification of a specific problem not able to be solved within existing regulatory parameters
2. Identification of specific regulatory barriers that prevent safe testing and trial
3. Demonstrated alignment with the College mandate, its Strategic Plan and the public interest
4. A clearly articulated innovation solution to the identified problem inclusive of critical success factors
5. An articulated risk mitigation plan ensuring animal and public safety
6. Identified key leadership
7. A detailed workplan for a time limited trial, including project milestones, reporting and evaluation intervals
8. Projected financial implications for the College

Procedure
1. Concepts believed suitable for a Regulatory Sandbox project will be introduced by the Registrar and receive a first critique by the Executive Committee.

2. A Sandbox project that meets all the criteria will be forwarded to Council for its approval.

3. Where the opportunity includes a product or service of a third party and where public disclosure prior to market release would risk potential intellectual property confidentiality breach, Council’s debate and discussion will be held in camera utilizing its customary rules for such action.

4. Progress on all Sandbox projects will be regularly reported to Council as per an agreed-upon project workplan.