



## AGENDA ITEM 7.1

**TOPIC: Integrating Existing Veterinary Technician Roles Outside of Accredited Veterinary Facilities Under the *Veterinary Professionals Act, 2024***

### Overview

At its December 5, 2024 meeting, Transition Council asked College Staff to further consider and research potential pathways for assuring that the roles that veterinary technicians have currently established outside of accredited veterinary facilities have opportunities to continue with appropriate public protection safeguards under the new *Veterinary Professionals Act, 2024*.

A Discussion Paper has been developed based on this direction.

This Discussion Paper has been developed and informed by:

- Council discussion,
- Legal reviews,
- Conversations with the Ontario Association of Veterinary Technicians (OAVT), and
- Conversations with the Ontario Veterinary Medical Association (OVMA).

### Discussion

Transition Council is asked to review the information and pathways contained in this Discussion Paper and to provide its feedback and guidance related to its inclusion in a regulatory concept related to the authorized activity model.

#### Attachments:

1. Discussion Paper - Integrating Existing Veterinary Technician Roles Outside of Accredited Veterinary Facilities Under the *Veterinary Professionals Act, 2024*



## AGENDA ITEM 7.1

**Discussion Paper:            **Integrating Existing Veterinary Technician Roles Outside of Accredited Veterinary Facilities Under the *Veterinary Professionals Act, 2024*****

### Introduction

This Discussion Paper has been developed based on continuing work related to assuring that the roles that veterinary technicians have currently established outside of accredited veterinary facilities have opportunities to continue with appropriate public protection safeguards under the new *Veterinary Professionals Act, 2024*.

This work has been informed by:

- Council discussion,
- Legal reviews,
- Conversations with the Ontario Association of Veterinary Technicians (OAVT), and
- Conversations with the Ontario Veterinary Medical Association (OVMA).

Transition Council asked College Staff to further consider both current and future model options and to present further information and research at its next meeting.

### Council Deliberation to Date

There are currently approximately 20-30 veterinary technician-owned businesses, and the Transition Council has reviewed options for veterinary technician-owned businesses under the *Veterinary Professionals Act, 2024*. These businesses have been operating under the structure established by the *Veterinarians Act* and require options for continued operation under the new statutory framework.

Transition Council's conversations explored potential opportunities for the delivery of clinical veterinary medicine under the authorized activity model including the impact of veterinarian-client patient relationships (VCPR), the position and role of the facility director and the requirements/definition of an accredited facility. The discussions also included the other areas



where veterinary technicians are practicing including laboratories and research facilities, pounds and other third-party shelters, and other non-veterinary employers.

Transition Council's conversations also led to confirming that veterinary technicians can and will continue to own businesses.

### **College Work Since December 5, 2024**

As the staff began to review the issues and opportunities, it became apparent that the discussions have opened a broader policy agenda, with potentially significant policy changes that would best be based on a strong regulatory framework which the Transition Council is still establishing. To appropriately assess the impact, both the benefits and the risks, of some of the potential changes suggested, a fulsome policy development process would be important, similar to work of the Legacy Council in areas such as Use of Forms or Energy, and Accreditation Standards. Given the timeframe in which the Transition Council is asked to complete its regulatory work, this is not feasible and these possible policy changes may best be addressed by the inaugural Council under the new Act.

In addition, many of the potential policy changes being discussed are based upon the authorized activities framework which is not yet in the public domain.

The Transition Council's role within The *Veterinary Professionals Act, 2024* is to make any regulations, by-laws or standards that are necessary or advisable for the implementation of the Act. In this transfer, the Transition Council is not required nor tasked with instilling all aspects or potential aspects of the new system but is instead mandated with putting the necessary pieces in place to ensure a smooth transfer of power from the Legacy Council to the Inaugural Council of the College of Veterinary Professionals of Ontario.

The Transition Council can certainly provide guidance and insight related to its future-minded conversations to the Inaugural Council for its consideration. The new College of Veterinary Professionals of Ontario will have the regulatory framework, resources and full mandate to explore broader policy development in this area.



## Approach

As Transition Council continues to discuss this area it may be helpful to consider the decision-making parameters that it established within its Terms of Reference. It may be helpful to review discussion to date against these statements.

1. **Decisions are Risk-Based:** Using a right-touch regulation approach, every decision seeks to understand the identified risks and the problem needing to be solved or mitigated. Evidence is used to explore and describe the risk(s) to animals and/or people and to increase understanding and clarity of the consequences for solution building.
2. **Decisions are Proportional:** Decisions are proportional to the risks and consequences identified. Not every issue requires a regulatory solution. Low level risk matters do not require the attention of the College. Matters that have solutions through non-regulatory means, may benefit from the College's information and voice, but not from a regulatory solution. Issues that are high risks deserve regulatory oversight with the right level of intervention. The right tool is used for the right matter.
3. **Decisions are Just:** Decisions at all levels of the College must be fair and reasonable. Decisions need to explain why a particular course of action was chosen over another. Decisions also need to appreciate the individual, or individuals, seeking answers or responding to requests, and provide a compassionate approach to interactions with the College.

College staff are providing options for veterinary technicians currently working outside of accredited facilities to transition over into the new framework while ensuring regulatory oversight and accountability. These options incorporate discussions with the OAVT and OVMA as well as knowledge of the current practice environment. The following five (5) pathways are being presented for Transition Council's consideration for public consultation:

### Pathway One

**Allowance for a veterinary technician member to perform lower-risk clinical activities and certain authorized activities outside of an accredited veterinary facility in accordance with a treatment plan created by a veterinarian member.**

The first option being presented is the creation of a regulatory allowance for veterinary technician members that would permit the performance of certain lower-risk clinical activities



(ex. handling and restraint, clinical assessment, non-invasive health monitoring) and certain authorized activities (administering a substance by injection or inhalation; taking blood or lab samples) outside of an accredited facility if they were performed in accordance with a treatment plan that had first been created by a veterinarian member who maintains a VCPR with the client and the animal(s).

This option has been designed to serve those veterinary technicians that offer in-home care services directly to clients.

The authority for this regulatory exemption would come from:

1. *VPA 9 (2)* – a member may only carry out an authorized activity while engaged in the practice of veterinary medicine and **subject to any prescribed conditions or prohibitions and any terms**, conditions or limitations imposed on their licence.
2. *VPA 93 (1) 7 iii* – Regulation making power permitting or prohibiting veterinary technician members or classes of veterinarian members from carrying out specified authorized activities and governing the circumstances in which those activities may or shall not be carried out.

In addition, it would be based on the following statutory exception for non-members:

The administration of a treatment plan by a custodian of an animal if the treatment plan is made by a veterinarian member and carried out at the direction of the owner.

The following conditions would be associated with this regulatory allowance:

1. The veterinary technician member would need to be hired and/or contracted by the owner of the animal(s) to perform the services outlined in the treatment plan and would have to perform the services from the owner's location.
2. The veterinary technician member would be required to adhere to the treatment plan created by the veterinarian member and could not deviate from or expand upon it.
3. The veterinary technician member would be required to use the supplies provided by the veterinarian (including drugs) in accordance with the treatment plan.
4. The veterinary technician member would be required to provide a report of the services delivered to the veterinarian member.



The development of this regulatory allowance would require a specific regulatory list of the authorized activities (or components of) permitted to be performed by veterinary technician members in this manner.

There are pros and cons associated with this option:

Pros	Cons
<ul style="list-style-type: none"> <li>• Veterinary technician members would be able to continue to provide these services directly to owners while maintaining the oversight and accountability of licensure.</li> <li>• Veterinary technician members permitted to use titles and to advertise the availability of their services directly to the public or to accredited veterinary facilities.</li> <li>• Supports continuity of care by ensuring medical recordkeeping.</li> <li>• Supports access to care options.</li> <li>• Occurs under a veterinarian member’s VCPR and treatment plan – allowing for continuity of care and access to after-hours veterinary care services through the veterinarian.</li> </ul>	<ul style="list-style-type: none"> <li>• Clients may expect that the veterinary technician member is able to provide more care/adapt the care.</li> </ul>

Within this pathway, a veterinarian member would be accountable for establishing and maintaining the VCPR (including providing after-hours veterinary care) and for the development of the treatment plan. The veterinary technician member would be accountable for adhering to the treatment plan and for their performance of the activities permitted under the plan.

### Pathway Two

**Allowance for a veterinary technician member to perform lower-risk clinical activities and certain authorized activities outside of an accredited veterinary facility upon receiving a written referral from a veterinarian member.**

The second pathway being presented is the creation of a regulatory allowance for a veterinary technician member to perform lower-risk clinical activities (clinical assessment; massage; water



treadmill therapy) and certain authorized activities (spinal manipulation; laser therapy; shockwave therapy) outside of an accredited veterinary facility upon receiving a written referral from a veterinarian member who maintains a VCPR with the client and the animal(s).

This option has been designed to serve those veterinary technicians that offer animal rehabilitation services.

The authority for this regulatory exemption would come from:

1. VPA 9 (2) – a member may only carry out an authorized activity while engaged in the practice of veterinary medicine and **subject to any prescribed conditions or prohibitions and any terms**, conditions or limitations imposed on their licence.
2. VPA 93 (1) 7 iii – Regulation making power permitting or prohibiting veterinary technician members or classes of veterinarian members from carrying out specified authorized activities and governing the circumstances in which those activities may or shall not be carried out.

The following conditions would be associated with this regulatory allowance:

1. The veterinary technician member would only be able to provide care to an animal(s) that they have received a written referral from a veterinarian member for; and
2. The veterinary technician member would be required to provide a report of the services delivered to the veterinarian member.

The development of this regulatory allowance would require a specific regulatory list of the authorized activities (or components of) permitted to be performed by veterinary technician members in this manner.

There are pros and cons associated with this option:

Pros	Cons
<ul style="list-style-type: none"> <li>• Veterinary technician members would be able to continue to provide these services directly to owners while maintaining the oversight and accountability of licensure.</li> <li>• Veterinary technician members permitted to use titles and to advertise the</li> </ul>	<ul style="list-style-type: none"> <li>• Veterinary technician members cannot offer their services directly to the public.</li> <li>• Clients may expect that the veterinary technician member is able to provide more care/adapt the care.</li> </ul>



<p>availability of their services directly to the veterinary facilities.</p> <ul style="list-style-type: none"> <li>• Supports continuity of care by ensuring medical recordkeeping.</li> <li>• Supports access to care options.</li> <li>• Occurs under a veterinarian member's VCPR and referral – allowing for continuity of care and access to after-hours veterinary care services.</li> </ul>	
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Within this pathway, a veterinarian member would be accountable for establishing and maintaining the VCPR (including providing after-hours veterinary care) and for providing a written referral. The veterinary technician member would be accountable for adhering to the referral and for their performance of the associated activities.

**Pathway Three**

**Veterinary technician members working as employees of the Crown and/or under the oversight of another piece of federal or provincial legislation.**

The third pathway being presented has already been reviewed and given general consensus by the Transition Council. Here, a veterinary technician member would be permitted to practice both clinical and authorized activities outside of an accredited veterinary facility if they are carrying out their duties as an employee of the Crown (either federal or provincial). Examples include working for the Canadian Food Inspection Agency or the Ontario Ministry of Agriculture, Food, and Agribusiness.

**Pathway Four**

**Veterinary Technician members working under the oversight of another piece of federal or provincial legislation.**

The fourth pathway being presented has also already been reviewed and given general consensus by the Transition Council. Here, a veterinary technician would be permitted to practice both clinical and authorized activities outside of an accredited veterinary facility if they





were carrying out activities in accordance with the jurisdiction and oversight provided by another piece of legislation. Examples include:

- Veterinary technician members working for research laboratories under the *Animals for Research Act*;
- Veterinary technician members working for pounds and/or shelters overseen by the *Pounds Act* (as long as the animals they were practising on were owned by the Pound); and
- Veterinary technician members employed or contracted by either federal or provincial ministries.

This allowance would not extend to veterinary technician members who work for animal shelters who offer veterinary services to publicly owned animals, as these entities require an accredited veterinary facility to operate.

### **Pathway Five**

#### **Veterinary technician members working as employees of non-veterinary animal care providers who are performing authorized activities under specific statutory exemptions.**

The fifth pathway would permit a veterinary technician member to perform certain authorized activities outside of an accredited facility if they were the employee of a non-veterinary animal care provider who was permitted to offer certain authorized activities by way of statutory exception or regulatory exemption. This pathway would include:

- If the veterinary technician member was working for a business that engages in the artificial insemination of livestock for the purpose of collecting or using semen, implanting embryos in bovine and/or administration of heat synchronization injections; or
- If the veterinary technician member was working for a business that offered confirmation of pregnancy in livestock through blood or milk analysis.

The authority for this regulatory exemption would come from:



- VPA 9 (2) – a member may only carry out an authorized activity while engaged in the practice of veterinary medicine and **subject to any prescribed conditions or prohibitions and any terms**, conditions or limitations imposed on their licence.
- VPA 93 (1) 7 iii – Regulation making power permitting or prohibiting veterinary technician members or classes of veterinarian members from carrying out specified authorized activities and governing the circumstances in which those activities may or shall not be carried out.

If a veterinary technician member was employed by a non-veterinary animal care provider and sought to provide clinical or authorized activities that fell outside of these parameters, they would be required to practice them at or from an accredited facility.

There are pros and cons associated with this option:

Pros	Cons
<ul style="list-style-type: none"> <li>• Veterinary technician members could be able to continue to provide certain services outside of an accredited facility while maintaining the oversight and accountability of licensure.</li> <li>• Mirrors approach for Crown employees.</li> </ul>	<ul style="list-style-type: none"> <li>• Clients may expect that the veterinary technician member is able to provide more care/adapt the care.</li> </ul>

These five (5) pathways are presented to Transition Council for consideration for public consultation with the recognition that additional roles or business models may emerge during the gathering of public feedback that could require the development of different pathways depending on the circumstance. College staff is aware of this possibility and has flagged this as a particular area of heightened attention to watch for during the consultation.

### January 9, 2025 Discussion

Transition Council is asked to review the information and pathways contained in this Discussion Paper and to provide its feedback and guidance related to its inclusion in a regulatory concept related to the authorized activity model.