



THE COLLEGE OF
VETERINARIANS
OF ONTARIO

Council Meeting
September 24 and 25, 2019
Council Chamber

MINUTES

Presiding Officer: Dr. Patricia Lechten

Members present: Dr. Patricia Alderson
Dr. Peter Borgs
Dr. Tyrrel de Langley
Mr. Andrew Glenny
Dr. Lorie Gold
Dr. Christine Hickman
Dr. Steven Jacobs
Dr. Shannah Kavonic
Ms. Joy Levison
Mr. Donald Mayne
Dr. Paula Menzies
Dr. Alana Parisi
Ms. Rena Spevack
Dr. Sarah Thompson
Dr. Susan Warren
Dr. Wade Wright

Regrets: Ms. Maureen Ralph

Appointed Officer: Ms. Jan Robinson, Registrar and CEO

Staff in Attendance: 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: Ms. Brandi Deimling, OVMA Representative
Ms. Agnes Pawelek, OMAFRA Representative

Observers: Emily McDowell

1. Call to order

Dr. Lechten called the meeting to order at 9:03 a.m. and welcomed Councillors, guests and observers who were in attendance. Dr. Lechten welcomed two new Public Members, Ms. Joy Levison and Ms. Rena Spevack. Both members were presented with a CVO lapel pin.

2. Adoption of Agenda

MOTION: It was moved and seconded,

“That the agenda be adopted as circulated.”

CARRIED

3. Conflict of Interest

No conflicts were declared.

4. Consent Agenda

Councillors reviewed the consent agenda and it was requested that

- 4.3 Registrar’s Report
- 4.4.4 Discipline Committee Report
- 4.4.6 Quality Assurance Committee 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 June 19, 2019 meeting
- 4.2 President’s Report
- 4.4 Committee Reports
 - 4.4.1 Accreditation
 - 4.4.2 Registration
 - 4.4.3 Complaints
 - 4.4.5 Executive
 - 4.4.7 Governance, Audit and Risk
- 4.5 National Examining Board Report

MOTION: It was moved and seconded,

“That the Consent Agenda be approved with items 4.3, 4.4.4, and 4.4.6 to be discussed separately.”

CARRIED

4.3 Registrar’s Report

The Registrar provided clarification regarding the criteria for membership on the Veterinary Practice Advisory Panel. A Councillor noted that the summary reports that are provided from the Veterinary Practice Advisory Panel meetings are very informative.

MOTION: It was moved and seconded
“That the Council of the College of Veterinarians of Ontario accept the Registrar’s Report as presented.”

CARRIED

4.4.4 Discipline Committee Report

Ms. Shilo Tooze, Associate Registrar, Licensure provided an update on a court case held on September 13, 2019.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario accept the Discipline Committee Report as presented.”

CARRIED

4.4.6 Quality Assurance Committee Report

Dr. Sarah Thompson, Chair of the Quality Assurance Committee, informed Council that the feedback received from the Code of Ethics consultation will be forwarded to the Quality Assurance Committee for its review before Council reviews it at the December meeting.

Clarification was provided on the Peer Review of Medical Records process.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario accept the Quality Assurance Committee Report as presented.”

CARRIED

Clarification was provided on a question relating to companion animal emergency clinics and their ability to meet a condition of the certificate of accreditation. It was reported that the situation is being discussed and monitored.

5. Strategic Alignment

5.1 Evaluation

- June 19, 2019

Mr. Don Mayne introduced this agenda item.

Council reviewed the meeting evaluation from its meeting held in Sudbury on June 19, 2019. Issues relating to the venue were identified in the evaluation form. Challenges were also identified relating to the Notice of Motion agenda item. It was noted that positive comments were identified such as respectful dialogue, robust discussions and collegial discussions.

Councillors are encouraged to complete the evaluation form and provide any comments.

5.2 Strategic Plan

5.2.1 Strategy 2020 – Year 3 Tactics

Dr. Susan Warren introduced this agenda item.

Council reviewed the Strategy 2020 update on third year tactics which included objectives, tactics and accomplishments.

The document was provided to Council for information.

5.3 Policy Priorities

Council reviewed the Project Priorities Chart which outlines current work that has been developed to support decision-making related to new and evolving priorities.

The Project Priorities Chart was provided for information.

5.4 Performance Measurement

5.4.1 Key Performance Indicators

Mr. Don Mayne introduced this agenda item and Ms. Shilo Tooze, Associate Registrar, Licensure joined the table to answer any questions.

The performance indicators are intended to assist Council to focus on risks to the organization and within the practice of veterinary medicine.

The Associate Registrar, Licensure, reviewed the Dashboard and answered questions posed by Councillors.

Council is provided with a Dashboard on a quarterly basis.

5.4.2 Strategic Risks

Mr. Don Mayne introduced this agenda item.

The Governance, Audit and Risk Committee, as part of its mandate, reviews leading risks and strategic risks. At its meeting in August, the Committee reviewed strategic risks identified by staff in the last quarter to determine those which are of highest priority and in need of elevation to Council.

One strategic risk was brought forward to Council's attention – facility director accountability. There is a concern that there is a lack of understanding among veterinarians about the fact that a Facility Director is accountable for oversight and the management of systemic issues within the facility.

Councillors discussed this strategic risk and it was suggested that the Accreditation Committee discuss this at its next meeting in October, with further discussions with Committee Chairs. Further information will be brought forward to Council in December or March.

5.5 Public Advisory Panel

As part of Strategy 2020, Council set in place two advisory panels – one with a public voice, and one with a voice from the profession.

The Panel held its inaugural meeting in 2018 and has now met 4 times.

Each panel member was asked three specific questions which was followed by a brief open question and comment period.

A summary report will be developed for posting.

5.6 Council Roundtable

Media Trends - Regulatory Trends - Legal Trends – Public Trends

Councillors were provided by staff with the top trends relating to media, regulation, recent legal cases, and public.

Councillors reviewed each category and provided comments.

General Trends

Councillors were given the opportunity to raise any matter that they believe is relevant to the College. Comments included:

- challenges impeding the development of veterinary drugs – relating to FIP-affected cats – drugs are being purchased on line to treat cats – with or without the assistance of a veterinarian
- an update was provided on animal welfare reporting – a hot line is in place if someone feels an animal is in distress – the College is in conversations with the Ministry of the Solicitor General
- patients recording doctor visits is a growing trend – what are legal rights – can this be used for an investigation
- article in Time Magazine – Veterinarians Face Unique Issues that make Suicide one of the Profession's Big Worries – suicide rates are increasing – recent article recommending not becoming a veterinarian (due to loans/debt) – high suicide
- article in the states – Johnson & Johnson had intentionally played down the dangers and oversold the benefits of opioids – ordered to pay over \$500 million
- on the College of Physician and Surgeons of Ontario (CPSO) website – the public can “Compliment a Physician” – if you have had a great experience with an Ontario doctor – you can let CPSO know
- comment on a new anti-microbial resistance policy published by the Canadian Medical Association

6. Finance

6.1 Financial Statements ending August 31, 2019

Council reviewed the Variance Report, Balance Sheet, and Revenue and Expenses Statement, ending August 31, 2019.

These documents are presented as information only.

6.2 Budget 2020

The Registrar provided an overview on the key areas of importance in formulating the proposed 2020 budget. The Registrar responded to questions of Councillors regarding a more detailed explanation of certain lines.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the proposed Operating Budget for the year 2020, as presented.”

CARRIED

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the proposed Capital Budget for 2020 as presented.”

CARRIED

7. Public Policy

7.1 Veterinary Medicine and Forms of Energy

Dr. Patricia Lechten introduced this agenda item and Ms. Anita Lovrich, Executive Partner, Policy, and Ms. Sarah Kirby, Policy & Project Specialist joined the table to answer any questions.

As part of its Strategic Risk dialogue, Council reviewed at its September 2018 meeting two strategic risks that the Governance, Audit and Risk Committee believed required Council’s attention. One of the topics discussed was the use of forms of energy in the treatment of animals. Council determined that the use of forms of energy in the treatment of animals is an area of strategic risk and directed staff to begin to research ways to manage and mitigate the risk and/or prevent the real or perceived harm associated with its provision.

In December 2018, Council was informed that work had begun to identify the forms of energy used in the treatment of animals and to develop a risk analysis related to their use.

At its June 2019 meeting Council was advised of the work completed to date, which included conducting research and preliminary discussions with identified stakeholders and the College's legal team to gain a deeper understanding of the forms of energy used in the treatment of animals and their associated benefits and risks.

Council was provided with a preliminary report on forms of energy. The report outlined the different forms of energy used in the treatment of animals as well as the oversight of their use in Canada (both in human and veterinary medicine).

Council reviewed the report and provided its feedback relating to which forms of energy pose a higher risk to animals and which areas should be studied further for consideration of potential regulatory oversight. A next steps report will be brought forward to Council in March 2020.

7.2 Position Statement – Medically Unnecessary Veterinary Surgery

Dr. Patricia Lechten introduced this agenda item and Ms. Anita Lovrich, Executive Partner, Policy, and Ms. Sarah Kirby, Policy & Project Specialist joined the table to answer any questions.

At its June 2019 meeting, a Councillor brought forward a Notice of Motion to Council to discuss the banning of medically unnecessary surgery performed by a veterinarian. The motion was defeated by Council both as presented and amended. However, Council directed that the motion be sent as presented for a legal review related to its potential legality and enforceability. Council further directed that the motion and its associated legal review be returned to Council in September 2019 for continued consideration and conversation.

Council considered, and robustly discussed, a Briefing Note on Medically Unnecessary Medical Surgery and the requested legal opinion.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario receive the Briefing Note on Medically Unnecessary Surgery and legal opinion for information and to refer to the documents in the future, if and when the topic is re-visited.”

1 opposed
1 abstention
14 for
CARRIED

7.3 Proposed Minimum Standards for New Model of Facility Accreditation

Dr. Lorie Gold, Chair, Accreditation Committee, introduced this agenda item and Dr. Kim Lambert, Associate Registrar, Quality Assurance and Ms. Aneeta Bharij, Principal, Accreditation, joined the table to answer any questions.

Council at its June 2017 meeting directed the establishment of an Expert Advisory Group to draft new facility accreditation standards. The Expert Advisory Group was tasked with drafting standards for a new facility accreditation model which reflect an outcome-based

approach and the services and scope of practice of the veterinary facility. The Group met several times to draft the outcome-based facility standards.

Council was provided with a draft copy of the Essential Standards and the Additional Scope of Practice Standards. Council reviewed each section of the Standards and provided feedback.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the draft Essential Standards for pilot testing in 2020.”

CARRIED

7.4 Legislative Reform

Dr. Steven Jacobs introduced these agenda items and Ms. Anita Lovrich, Executive Partner, Policy, and Ms. Sarah Kirby, Policy & Project Specialist joined the table to answer any questions.

The College of Veterinarians and its Council and the Ontario Association of Veterinary Technicians and its Board have been developing and considering a new vision for the regulation of veterinary medicine in the province in relation to the College’s legislative reform initiative. The bulk of the legislative reform recommendations were included in a concept paper which was submitted jointly by the College Council and the Board of Directors of the Ontario Association of Veterinary Technicians to the Ministry of Agriculture, Food and Rural Affairs. There are a small number of additional topics which required further study prior to public consultation.

7.4.1 Selection of Council

At its December 2018 meeting, Council was presented with a briefing note intended to assist Council in its discussion on whether to continue to support an election model or to move to a selection process for members of Council from the veterinary profession under a new legislative format. Council directed that this agenda item be tabled until its next meeting. It was also suggested that a presentation be provided to Council on the benefits of an election process versus a selection process.

Mr. Harry Cayton was invited to Council’s March 2019 meeting to give a presentation on the election vs. selection process and his experience with the topic in the broader regulatory community. Council also considered a pros and cons chart on the election versus selection of Council members and a number of other resources to assist Council in its discussion on this topic. Council directed staff to bring forward its questions and feedback to the Legislative Reform Implementation Advisory Group.

Council robustly discussed remaining with an election process versus a selection process. It was noted that the Implementation Advisory Group suggested to remain with an election process.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario recommend that Councillor composition remain with an election process.”

CARRIED

Public consultation is not required as this decision remains consistent with current processes.

7.4.2 Council Composition

The Legislative Reform Implementation Advisory Group previously reviewed and considered a proposed composition of Council that reflected a previous recommendation made by the Group, with the notable need to add Council positions for veterinary technicians.

In December 2018, Council directed staff to defer circulating the composition of Council until a decision was made relating to the Council selection process.

Information on this topic was provided to Council as reference material.

It was noted that the items will be sent out for public consultation and will be brought back to Council for its review and next steps, including forwarding them to the Ministry.

7.5 Determining Applicant Suitability to Practise

Dr. Paula Menzies introduced this agenda item and Ms. Shilo Tooze, Associate Registrar, Licensure and Ms. Lindsay Sproule, Principal, Licensure and Professional Corporations.

The College's Applicant Character Assessment Policy Statement was approved by Council in 2014 and last reviewed in 2015. The College's legal counsel suggested to update the name of this policy statement so that the name reflects that the policy statement includes more than just an assessment of applicant's character.

Staff, and the Registration Committee, reviewed the policy to update the statement to broaden the scope and ensure that the statement reflects the College's policy and process related to the assessment of an applicant's suitability to practise, including character and prior conduct. Suitability to practise also includes determining whether an applicant has a health condition or disorder that could affect the applicant's ability to practise safely. The document title was changed to Determining Applicant Suitability to Practise.

Council reviewed and provided its feedback on the revised draft Policy Statement on Determining Applicant Suitability to Practise.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the proposed revised Policy Statement – Determining Applicant Suitability to Practise as presented for publication.”

CARRIED

7.6 Criminal Records Screening

Dr. Paula Menzies introduced this agenda item and Ms. Shilo Tooze, Associate Registrar, Licensure and Ms. Lindsay Sproule, Principal, Licensure and Professional Corporations.

At its meeting in March 2018, Council directed the Registration Committee to study criminal record screening and report its findings back to Council. Public expectation has evolved, and the public expects that regulators are aware of all relevant information about its licensed members. Regulators need to take all reasonable steps to meet this public expectation.

Council considered a Briefing Note on Criminal Records Screening and provided its feedback.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario support the addition of criminal record screening at initial licensure and direct the Registration Committee to continue work on the criminal record screening project as reported.”

CARRIED

It was noted that a further policy will be brought back to Council for approval.

7.7 Policy Statement - Wildlife

Dr. Tyrrel de Langley introduced this agenda item and Ms. Anita Lovrich, Executive Partner, Policy, and Ms. Sarah Kirby, Policy & Project Specialist joined the table to answer any questions.

The College has been made aware of several questions and areas of confusion that arise amongst veterinarians who provide veterinary services to wildlife since the College’s previous guidance document was retracted. Given this, the College has begun to research and consider different ways to offer additional support to those individuals working in this subset of veterinary medicine.

Over the past several months staff have worked to research and understand the current factors and challenges facing those working in the area of wildlife care. In particular, this work has included a variety of informative conversations with a range of stakeholders, including veterinarians, government agencies, and wildlife custodians working with a range of different species. These conversations also included numerous informative interactions with both legal and policy staff at the Ministry.

After researching and clarification work in this area, staff have moved forward with the development of a new draft policy document that is intended as a secondary resource for those offering veterinary services to wildlife.

In August 2019, the Executive Committee reviewed the new draft policy and provided its feedback and supported the document being forwarded to Council for its consideration.

Council reviewed and provided its feedback on the new draft Policy Statement on Provision of Veterinary Services to Wildlife.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario direct that the draft Policy Statement on Provision of Veterinary Services to Wildlife, as amended, be circulated for targeted consultation.”

CARRIED

8. Organizational Policy

8.1 Councillor Recognition

Mr. Don Mayne introduced this agenda item.

Councillor recognition usually occurs each year at the Annual Council Meeting. All Councillors completing their term receive a commendation letter from the President, and a framed certificate of appreciation. The President also receives a recognition gift. Selecting a gift for the President is always a challenge as it has been personalized but not standardized. Last year the President requested that the recognition gift be in the form of a donation.

At its meeting held in February, the Governance, Audit and Risk Committee (GAR) were asked for their guidance on the future recognition of Councillors and to consider what format should remain or change and how. As well, guidance on the future of the “Chain of Office” was sought.

The GAR Committee proposed that Council support the following suggestions:

- President and Councillors will continue to receive a letter and framed certificate of recognition
- the President’s recognition gift will be in the form of a choice for charitable donation – a small tangible CVO keepsake to the President is also provided
- the “Chain of Office” will be retired – a wooden, glass top box will house the Chain for archival purposes

Council discussed the proposed suggestions and considered a revised governance policy on Councillor Recognition.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the proposed suggestions and revised governance policy on Councillor Recognition as presented.”

CARRIED

8.2 Creating a Culture of Independence

Mr. Don Mayne introduced this agenda item.

The Governance, Audit and Risk Committee has been exploring the topic of “undue influence,” a subject increasingly being discussed within the leadership circles of profession-based regulation. “Undue influence” is the broad-based term used in the literature to emphasize the concern for decisions made where there is evidence of interested parties bringing pressure to ensure a particular favored outcome. Often this undue influence comes from a group with vested self-interest that rarely aligns with the overarching mandate of a particular regulatory organization. Undue influence can occur across a continuum, with the most extreme example being the concept of regulatory capture.

Council has paid deliberate attention to its good governance over the past several years. A last full review of our governance structure took place in 2013-2015 and gave rise to the current Governance, Audit and Risk Committee (GAR). The Council has a governance philosophy and structure, a series of governance policies and principles that guide its work, and a code of conduct that in particular pays attention to conflicts of interest and to confidentiality. Recognizing the decreasing trust of the public in profession-based regulation over many years, Council and the GAR have embraced the need to build trustworthiness through demonstrated competence, reliability and honesty.

In 2018, Council approved enhanced procedures regarding Councillor and committee member declarations of conflicts of interest. The GAR is suggesting that Council may wish to further codify its commitment to the integrity of its decision making by reviewing its current governance principles and its code of conduct against various directive documents.

Council was provided with a copy of the Organisation for Economic Co-operation and Development (OECD) document on Creating a Culture of Independence, as well as governance policies – Governance Principles, Code of Conduct, and Code of Conduct Sanctions Process.

After discussion of this agenda item, Council directed the Registrar to proceed with a review of the College’s governance materials and to bring forward to Council suggestions on how to strengthen its culture of independence.

8.3 Proposed By-Law Changes

Dr. Patricia Lechten introduced this agenda item and Ms. Shilo Tooze, Associate Registrar, Licensure joined the table to answer any questions.

Staff regularly review the College by-laws to determine if any changes are necessary. Two minor issues, located in Section 20.01 of the College By-laws, were brought forward to Council for its consideration.

One item proposed was to eliminate the need for the College to collect and retain fax numbers for licensees and accredited facilities. The other item was an addition related to the information that is collected from veterinarians related to practise in another jurisdiction. It is in the public interest for the College to be clearer that it expects veterinarians to report both current investigations and discipline referrals related to a veterinarian's practise in another jurisdiction. The language in the current By-laws would be revised to be more transparent to better reflect this expectation.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the proposed revisions to the College By-laws for circulation.”

CARRIED

9. Other Business

9.1 Annual General Meeting / Members' Forum

Council has hosted a Members' Forum in combination with its annual meeting of members. Since 2014, this meeting has been held in January in conjunction with the OVMA conference in Toronto.

In accordance with a new set of By-laws, an annual meeting is held for the sole purpose of reporting to licenced members on key areas of Council activity. A Members' Forum is then held for an hour. Topics have varied dependent on current College issues. Speakers at the forum have been both internal and external to College staff.

Last year the Forum was divided in to 2 components; a series of short updates on major projects and a set of hot topic round tables. This format was widely supported by those in attendance. In addition, the ideas gathered in the round tables have been used to further College work throughout the year.

The Executive Committee, at its meeting held in July, discussed the suggested outline and were in agreement to bring this format suggestion forward to Council for its consideration.

Council considered this format and were in agreement to maintain this same format for 2020.

10. Notice of Motion

No notice of motion was brought forward.

11. Confidentiality

Councillors were reminded that Council meetings are public meetings.

All budget/financial documents are not to be shared outside of the meeting as these documents are working documents of Council and not public material.

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

12. 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.

14. Date of Next Meeting

The next regular meeting of Council will be held on December 5 and 6, 2019.

15. Adjourn

MOTION: It was moved,

“That the meeting of Council be adjourned.”

CARRIED

The meeting adjourned at 2:10 p.m.

Dr. Patricia Lechten, DVM
President

Jan Robinson
Registrar and CEO

Beth Ready
Recording Secretary