



THE COLLEGE OF
VETERINARIANS
OF ONTARIO

UPDATE

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visit the CVO website at
www.cvo.org

September/October 2006

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New registrar ready to sink teeth into new role



Ms. Susan Carlyle
CVO registrar

Regulatory issues can seem complex and often daunting for most, but understanding their ins and outs is a fascination for the new Registrar of the College of Veterinarians of Ontario (CVO).

Susan Carlyle officially assumed her role with CVO on July 31 eager to delve into the policy and decision-making responsibilities that await her. While not a veterinarian, she brings a fresh perspective with her background in law, psychology and professional regulation.

“Once you get your hands on regulatory issues, they’re fascinating,” says Susan. “They’re something you can really sink your teeth into.”

Susan got her first taste of such issues and the veterinary profession after law school when her articling activities included a file for what was then known as the Ontario Veterinary Association. Through her involvement she developed an appreciation for the veterinary profession and its impact on Canadians, the food industry, and the environment.

She moved on to work in private practice in family law and commercial litigation. Then she became a complaints department investigations counsel for the Law Society of Upper Canada in Toronto. After 14 years of involvement with the Law Society, Susan had a self-described mid-life crisis and decided to venture down a different path; she became Registrar for the College of Denturists of Ontario. The move marked her first experience in regulated health professions and she enjoyed the interaction she had with the organization’s members.

continued on next page...

CVO Award

New Registrar...

continued from front cover

“It’s very interesting and very challenging because it all depends on human relations,” says Susan.

When CVO advertised for its Registrar role, Susan remembered her articling experiences 20 years previous and applied. She saw it as an opportunity to make a real difference, and be accountable and devoted to public interest by maintaining high standards of practice for veterinarians.

Since being offered the position, Susan has been busy honing her knowledge by reading CVO legislation, policy statements, strategic plans and annual reports. She also attended a recent CVMA conference in St. John’s to get a real feeling for the organization and its members.

In her new role, Susan says her legal training should help her stand back from the passion and interest of the members and clients so she can objectively look at the big picture. She has great faith in the CVO staff and their knowledge, experience and skills, which will ensure that her own technical gaps are filled in.

She is looking forward to meeting as many members as possible, through activities such as Medical Records Workshops and other events.

In her spare time, Susan has volunteered for the last 15 years with the Canadian National Institute for the Blind recording books, magazines and novels on tape for clients. She also chairs the board of directors for AlphaPlus, a resource centre for adult literacy teachers.

A film aficionado, Susan once owned her own theater. She also loves to cook and garden, and shares her home with her cats.

College of Veterinarians of Ontario Award

Dr. **Alma Conn**, past president, presented **Leslie Hodge**, OVC 2006, with the College of Veterinarians of Ontario Award on June 14, 2006. The CVO Award is given to a final year student who has been active and shown leadership in college or university affairs. The recipient is selected by a vote of the class.

Congratulations Leslie!



Reminder of Regulations Regarding Prescriptions

The College has received inquiries from veterinarians asking about the legalities of co-signing prescriptions written by veterinarians in the United States.

Some Canadian internet pharmacies are offering to sell drugs to clients in the U.S., and are suggesting that if a U.S. client has a prescription issued by a veterinarian in the U.S., then the prescription can be co-signed by a veterinarian in Canada, so the Canadian pharmacy may fill the prescription.

Members are cautioned that co-signing any prescription would be in direct contravention of subsection 33.(1) of the regulations, which states:

33.(1) No member shall administer, dispense or prescribe a drug unless,

(a) the member has assumed the responsibility for making medical judgements regarding the health of the animal or group of animals and the need for medical treatment and the custodian of the animal or group of animals has indicated a willingness to accept the advice of the member;

(b) the member has sufficient knowledge of the animal or group of animals by virtue of a history and inquiry and either physical examination of the animal or group of animals or medically appropriate and timely visits to the premises where the animal or group of animals is kept to reach at least a general or preliminary diagnosis;

(c) the member believes that the drug is prophylactically or therapeutically indicated for the animal or group of animals; and

(d) the member is readily available in case of adverse reactions to the drug or failure of the regimen of therapy.

Section 33.(1) requires that the member providing the prescription is the veterinarian who is actively providing medical care for the animal, that the veterinarian has a sufficient knowledge or history of the animal by virtue of personally examining the animal or where the animal will be kept, that the member believes that this is the appropriate drug to treat the animal's condition, and that the member is available in case of an adverse reaction to the drug.

None of these requirements can be met in the case of a co-signed prescription. Members are cautioned that the College considers co-signing prescriptions to be professional misconduct. Please refer to a previously published article in the Winter 2003 Vol. 19 No. 4 issue of *Update*.

CVO Directory 2006

One copy of the 2006 Directory on paper has been mailed to all veterinary facilities in Ontario. Additional copies for facilities are available on CD and may be requested by fax (519-824-6497 or 888-662-9479) or by email at inquiries@cvo.org.

There are a limited number of additional paper copies of the directory available for members on request. CDs are also available on request. When the paper copies run out, only the CDs will be available.

Any address information submitted after July 13, 2006 will not appear in the directory. However, the member and facility information on the CVO website www.cvo.org is updated weekly.

Sample templates and protocols

Medical Records

Keeping good medical records is a constant challenge, and deficiencies in client records are of concern in the course of complaints investigations. Thus the comment: “if it’s not written down in the medical record, it didn’t happen!”

In the CVO Professional Profile Survey completed last year (full results and summary available on the CVO website), 95% of the survey respondents reported maintaining complete medical records was very important, while only 16% had participated in a Medical Records Workshop. The Medical Records Workshops were found to be useful by the majority of those veterinarians who participated. Respondents indicated their interest in participating but some of the reasons for not attending were a factor of time and location.

During these workshops the minimum requirements are reviewed and tips and tools are provided to assist the professional in reaching a higher standard of practice. The number of workshops planned for 2006-2007 will increase from ten to fifteen in order to offer more availability across Ontario and encourage a greater level of participation. Seven of these will be held in October and the remaining eight in February/March of 2007. Please refer to the proposed schedule on page five for upcoming dates and locations.

Some quotes from previous participants of Medical Records Workshops:

“This is such a wonderful workshop, very helpful, informative and such an eye opener.”

“Great concept - I will modify many of my personal documentations and alter some of our clinic protocols.”

“Excellent value - done in an encouraging mode.”

“I feel that the workshop was helpful - it will help us to fine tune our current methods of record keeping.”

In addition to the live workshops, the CVO is considering the possibility of offering a workshop on-line, which would include an audio/visual presentation.

New! Sample Templates and Protocols

Sample templates and protocols for the various species groups are new to the CVO website. The documents are in word format and can be downloaded and modified to suit your facility. They are suggested formats based on CVO regulations and records “best practices”. The samples can be viewed at www.cvo.org - **Member Services**.

Medical Records Workshops / Peer Review

Upcoming Medical Records Workshops

Please see below a proposed list of upcoming medical records workshops. Practices in the geographical area of a scheduled workshop will be notified by mail but all workshops are open to practices across the province. The entire practice care team is invited to attend and participate. While there is no registration fee, participants must pre-register since group size is limited.

October 2006

Date	Location
October 2, 2006	Timmins
October 17, 2006	Oshawa
October 18, 2006	Cornwall
October 23, 2006	Guelph
October 24, 2006	Kitchener
October 26, 2006	Chatham
October 30, 2006	Toronto South

February/March 2007

Date	Location
February 26, 2007	Owen Sound
February 27, 2007	Orillia
March 1, 2007	Brampton
March 5, 2007	Brantford
March 20, 2007	Lindsay
March 21, 2007	Perth
March 26, 2007	Stratford
March 27, 2007	Burlington

For further information, please contact Ms. **Anita Stephenson** at extension 2237 or email astephenon@cvo.org.

Peer Review of Medical Records

The CVO Peer Review of Medical Records Program provides veterinarians with peer feedback in a voluntary, proactive environment. The veterinarian maintains control over the decision to implement any of the changes suggested in the reviewer report. This program is free of charge and veterinarians are encouraged to participate at any time.

Please submit your records and join the practices that have taken advantage of this opportunity!

For more information contact:
Ms. **Anita Stephenson**, Quality Assurance Coordinator
519-824-5600 ext. 2237 or toll free 800-424-2856
astephenon@cvo.org

Council Bulletin/Incorporation/Unlawful Practice

Council Meeting: June 7, 2006

- Received a summary of Revenue and Expenditures for the 2nd Quarter and a budget vs. discrepancies report.
 - Conducted interviews of candidates for the position of Registrar and decided to make offer of employment.
-

Incorporation Reminders

- If you are planning to incorporate by **December 31, 2006**, please note that the cut off date for **new name applications** is **December 1, 2006** to allow for processing time before the office closes on December 22nd.
- The certificate of accreditation expires when the facility is sold. The new owner must arrange beforehand to have the facility re-inspected immediately. Professional Incorporation by the buyer and seller does not replace the accreditation process.
- Please note that a certificate of authorization is valid for a period of three years from its date of issue.

As of August 1, 2006 the college has issued 435 certificates of authorization.

Court Issues Order to Cease Unlawful Practice

In July, 2005, the College received information from a member concerning an incident where a non-veterinarian from Texas performed dentistry in Ontario on a 10 year old miniature horse. Prior to providing the dentistry, the man administered a quantity of Xylazine to the horse. Following the dentistry, and for several days afterward, the horse's condition deteriorated to the point that a veterinarian was called. The veterinarian diagnosed a Xylazine overdose, resulting in sedation and ileus, dehydration, oral pain and infection.

Despite appropriate veterinary intervention the horse continued to deteriorate, and it was humanely euthanized.

After a lengthy investigation, the College was able to track the non-veterinarian to Santa Fe, Texas. Court proceedings were initiated, and on June 5, 2006, Madame Justice Speigel, of the Ontario Superior Court of Justice issued an order to Wesley Hardy, of Santa Fe, Texas, to comply with Section 11 of the *Veterinarians Act*, and to pay costs to the College of \$750.

CVO ANNUAL GENERAL MEETING

***Wednesday, January 31, 2007
at the
College of Veterinarians of Ontario
2106 Gordon Street, Guelph, Ontario***

***Coffee and Refreshments: 3:00 p.m. to 3:30 p.m.
Meeting Convenes: 3:30 p.m.***

***To register call the CVO office by January 17, 2007
(519) 824-5600 / (800) 424-2856***

The meeting agenda will include consideration of the report of the CVO Council, acceptance of the financial statements and the appointment of auditors.

Members who wish to receive a copy of the minutes from last year's AGM may contact the CVO office with their request. A limited number of copies will be available at the meeting.

Regulatory Consultation Document Available for Comment

The following position statement was approved by Council March 2005 and was made available for comment at that time. The Position Statement is due for review. The CVO Council is seeking input on this from any interested parties prior to its review in March 2007.

Position Statement on Deficiencies Noted During the Inspection of New Facilities

The full document is available at www.cvo.org under "Regulatory Consultations" or can be obtained by calling the CVO office. Please forward your comments by **November 24, 2006** to:

Mr. Martin Fischer
College of Veterinarians of Ontario
2106 Gordon Street, Guelph, Ontario, N1L 1G6
email: policy@cvo.org
Fax: 888-662-9479 or 519-824-6497

Complaints Case

Complaints cases are designed as an educational tool to help Ontario veterinarians and the public gain a better understanding of the current trends observed by the College's Complaints Committee. The cases are an edited version of some of the cases dealt with by the Committee. The law does not allow for either the veterinarian or the complainant to be identified.

Errors in Labeling and Reading X-rays Lead to Complaint

Mrs. Owner presented her twelve-year-old, male Labrador Retriever, Rover, to Dr. A of the XYZ Animal Hospital for assessment of a cough. Dr. A examined Rover and performed thoracic radiographs. The radiographs, though labeled incorrectly, demonstrated two pulmonary masses.

In the letter of complaint received by the College, Mr. and Mrs. Owner alleged, among other things the following:

1. Mr. and Mrs. Owner believed that the following failures on the part of Drs. A and B led to a mismanagement of the care provided to Rover:

(a) Rover's radiographs were mislabeled.

(b) Dr. A failed to scrutinize it thoughtfully (i.e., to consider the displacement of the heart and its original location). Apparently, he didn't perform a physical examination.

(c) Dr. B apparently did not perform a physical examination prior to surgery or look carefully at the radiograph. Otherwise, auscultation might have revealed the location of the large tumour mass and he would not have entered the wrong side of Rover's chest.

“...Dr. B initially entered the right instead of the left side of Rover's chest.”

(d) The advice to leave the second tumour may have been misguided by entering the wrong side of Rover's thorax and, given the peremptory response of Dr. A to Mr. Owner's telephone call, at a later date, Mr. and Mrs. Owner question if his understanding that a serious error had occurred tainted his judgment during the operation.

The Committee reviewed the medical records of the XYZ Animal Hospital as well as written submissions from Mr. and Mrs. Owner, Dr. A and Dr. B.

Mr. Owner submitted that he presented Rover to Dr. B for thoracotomy surgery to remove a pulmonary mass. Due to a radiographic labeling error, Dr. B initially entered the right instead of the left side of Rover's chest. Discovering the error, Dr. B entered the left side and removed the lung lobe that included one of the masses, but elected not to remove the second mass. The labeling of the radiograph was not changed when a D/V radiograph being taken instead of a V/D thoracic radiograph, resulting in an error that led to mislabeling and misinterpretation of the radiographs. Dr. A indicated that this was an unfortunate human error.

The Committee believed that this error was serious and likely contributed to a second serious

Complaints Case

error; that of surgically entering the wrong side of Rover's chest.

Mr. Owner also submitted that even with the labeling error of the radiographs, Dr. A failed to recognize the error because he did not consider the displacement of the heart from its normal position. Dr. A admitted that while looking at the radiograph, the large tumour overlapped the heart to a degree that it was impossible to tell that the radiographs were labeled incorrectly and he failed to note the error. Having reviewed the submitted radiographs, the Committee believed Dr. A should have been alerted to the possibility that the radiograph was improperly labeled when there was clear evidence of Rover's stomach being located on the same side as the tumour. The stomach is normally located on the left side of the abdomen.

Dr. B submitted that he examined Rover prior to surgery; however, the Committee was unable to find any

specific documentation of Dr. B's examination findings. The Committee noted it is a generally accepted principle of veterinary practice that the results of a physical examination are documented in the medical records.

Dr. B submitted he was unable to detect any difference between Rover's left and right sides, suggesting the presence of a tumour when he auscultated Rover's chest. The Committee agreed with Dr. B that auscultation alone in a canine patient would not necessarily suggest the presence of a pulmonary mass. The Committee believed the more significant diagnostic findings in this case was the fact that the pulmonary masses evident on Rover's radiograph were located on the same side as the air-filled stomach, which is ordinarily located on the left side in the canine. The Committee believed this finding, more than any auscultative difference, should have triggered an inquiry into the labeling of the radiograph.

The Committee did not consider this case worthy of a referral to the Discipline Committee for the purposes of determining if Dr. A and B committed an act of professional misconduct. Instead, the Committee admonished Drs. A and B for their conduct as it relates to their failure to properly read and interpret a diagnostic radiograph. It is apparent Dr. A placed too much stock in the position of the radiographic marker and overlooked other telling radiographic findings. Dr. A was also reminded that he is entirely responsible for the conduct of his auxiliaries. Dr. B was reminded of his failure to identify the mislabeled radiograph on which he based his decision to enter the right side of Rover's chest in error and advised Drs. A and B to take whatever steps are necessary to ensure that such an error does not occur again.

Lyme Disease Association of Ontario

The Lyme Disease Association of Ontario in collaboration with the British Columbia Centre for Disease Control/Department of Pathology and Laboratory Medicine, University of British Columbia, has prepared a 10-year Lyme disease and blacklegged tick study.

Veterinarians across Ontario played a keystone role in providing ticks for the study. The Association is very grateful to those who participated.

A copy of the study can be downloaded from www.esa.catchword.org by selecting the Journal of Medical Entomology (J. Med. Entomol. 2006; 43: 762-773, July issue #4).

Up dates (May 2, 2006 - August 1, 2006)

The College welcomes the following new registrants between May 2, 2006 and August 1, 2006. The list also indicates licence type as follows:

*G = General GNR = General Non-Resident E = Educational R = Restricted A = Academic
PGR = Postgraduate and Resident Licence PS = Public Service*

Dr. John D. Adams	G	Dr. Michael Geist	G	Dr. Adriana Morganti	G
Dr. Lawana Adepoju	G	Dr. Sukhpal Gill	G	Dr. Katherine Mullin	G
Dr. Nabeel Al-Azawi	G	Dr. Christopher Good	G	Dr. Annabel Musson	G
Dr. Salah Al Izzi	R	Dr. Lena Gordon	G	Dr. Elizabeth O'Toole	G
Dr. Sherry Appel	G	Dr. Sebastian Gordon	PGR	Dr. Roxane Pardiac	G
Dr. Christa Arsenault	G	Dr. Shana Halfon	G	Dr. Romany Pinto	G
Dr. Allison Ashleigh	G	Dr. Emad Hanna	G	Dr. Roberta Portela	PGR
Dr. Rebecca Ball	G	Dr. David Hanwell	G	Dr. Etienne Ranger	G
Dr. Perminder Bansal	G	Dr. Jesse Harvey	G	Dr. Annika Rear	G
Dr. Karshan Baraliya	G	Dr. Erica Heinen	G	Dr. Erin Reid	G
Dr. Rajesh Bidlon	G	Dr. Bradley Hinsperger	G	Dr. Tiffany Rennick	G
Dr. Carole Both	G	Dr. Leslie Hodge	G	Dr. Douglas Riddle	G
Dr. Nicole Bourque	G	Dr. Jennifer Hodges	G	Dr. Alison Rideout	G
Dr. Shay Bracha	PGR	Dr. Leanne Horsman	G	Dr. Eva Rioja Garcia	PGR
Dr. Jaime Buchanan	G	Dr. Jessica Ioannou	G	Dr. Rajinder Sandhu	G
Dr. Rebecca Butt	PGR	Dr. Fiona James	G	Dr. James Schulenberg	G
Dr. Troy Butt	G	Dr. Linda Johnson	G	Dr. Karl Seidler	G
Dr. Maud Carron	G	Dr. Kimberley Joyce	G	Dr. Cynthia Seto	G
Dr. Marco Cervi	G	Dr. Krista Kean	G	Dr. Allyson Simpson	G
Dr. Calvin Chark	G	Dr. Brian Keith	G	Dr. Ameet Singh	PGR
Dr. Carolyn Cooper	G	Dr. Gordon Kirby	G	Dr. Simon Staempfli	PGR
Dr. Joanna Coote	G	Dr. Kim Kosari	G	Dr. Bart Straus	G
Dr. Michelle Courtemanche	G	Dr. Jenny Kungl	G	Dr. Juan-Jose	
Dr. Robin Cuming	G	Dr. Janyk Laferriere	G	Tabar Rodriguez	PGR
Dr. Andrea Danyluk	G	Dr. Hanna Laidlaw	G	Dr. Fiona Tam	G
Dr. Steven Davidson	G	Dr. Rachel Laird	G	Dr. Emma Thom	G
Dr. Jackie Day	G	Dr. Mijanou Lamoureux	G	Dr. Susan Thompson	G
Dr. Michael DeGroot	G	Dr. Lindsay Lane	G	Dr. Alison Turcotte	G
Dr. Danny DeRose	G	Dr. Shallen Langley	G	Dr. Emma Turner	G
Dr. Robert DeVries	G	Dr. Alice Lee	G	Dr. Maggie Turner	G
Dr. Satnam Dhothar	G	Dr. Stella Letic	G	Dr. Jonathan Uyede	G
Dr. Angela Doxsee	G	Dr. Jennifer Lillywhite	G	Dr. Nathan VanderLinde	G
Dr. Christopher Elder	G	Dr. Melissa Madden	G	Dr. Matthew Walker	G
Dr. Joshua Fender	G	Dr. Tahir Mahboob	G	Dr. Stephen Watts	G
Dr. Robin Ferguson	G	Dr. Christoph Mans	PGR	Dr. Ashley Whitehead	G
Dr. Andrea Finnen	G	Dr. Carolyn Martin	G	Dr. Wendy Wideman	G
Dr. Kevin Finora	G	Dr. Taralyn McCarrel	G	Dr. Amanda Wiltsie Thoonen	G
Dr. Evan Freeman	G	Dr. Heather McGowan	G	Dr. Tiffany Wolters	G
Dr. Erica Gehring	G	Dr. Tara Montgomery	G	Dr. Yousif Yousif	G

Up dates (May 2, 2006 - August 1, 2006)

The following is a list of new and closed corporations:

New Corporations

Cawthorpe Veterinary Services Professional Corporation
Confederation Animal Hospital Professional Corporation
Desjardins Veterinary Professional Corporation
Dr. Denis Philibert Professional Corporation
Ingrid Walker Professional Corporation
Jason Brownridge Professional Corporation
Kingston Road Animal Hospital Professional Corporation
Malton Veterinary Services Professional Corporation
North Eastern Ontario Veterinary Professional Corporation

Oakville Animal Clinic Professional Corporation
Queen West Animal Hospital Professional Corporation
Sjonnesen Veterinary Professional Corporation
Southdown Animal Clinic Professional Corporation
South Porcupine Animal Hospital Professional Corporation
Upper Canada Animal Hospital Professional Corporation
Walden Animal Hospital Professional Corporation

Closed Corporations

Rhoads-Leonn Veterinary Professional Corporation

The following is a list of new, closed and relocated veterinary facilities:

New Facilities

Breslau Animal Hospital

Category: Companion Animal Hospital
Director: Dr. Shirleen R. Guest

Campbellville Animal Hospital

Category: Companion Animal Hospital and Companion Animal Mobile
Director: Dr. Gregory Springett

Carole Michon Equine Veterinary Services

Category: Equine Mobile
Director: Dr. Carole Michon

Cornerstone Animal Hospital

Category: Companion Animal Hospital
Director: Dr. Nina Honda

Cote Equine Services

Category: Equine Mobile
Director: Dr. Nathalie Cote

Crossroads Veterinary Clinic

Category: Companion Animal Hospital
Director: Dr. Terry Taylor

King West Veterinary Clinic

Category: Companion Animal Hospital
Director: Dr. Kent Ackerman

Marygrace Veterinary Mobile Services

Category: Companion Animal Mobile
Director: Dr. Farouk Elgabalawi

Prince Edward Animal Clinic

Category: Companion Animal Hospital
Director: Dr. Tibor Toman

Saugeen Shores Mobile Veterinary Services

Category: Companion Animal Mobile and Equine Mobile
Director: Dr. Kathy Gadd

South Porcupine Animal Hospital

Category: Companion Animal Hospital, Companion Animal Mobile and Food Producing Animal Mobile
Director: Dr. Corinne Last

Closed Facilities

Around Town Animal Clinic
Stephen I. Juhasz D.V.M.

Relocated Facilities

Campbellville Equine Services
Omeme Veterinary Hospital
Oshawa Animal Hospital
Troy Veterinary Services (previously Troy Veterinary Mobile)

Up dates (May 2, 2006 - August 1, 2006)

The following veterinarians are no longer licensed in Ontario:

Dr. Karen Behrens
Dr. Kate Berger
Dr. Jessika Bronsoiler
Dr. Deborah Carboni
Dr. Jose Diaz
Dr. Monique Driesse

Dr. Colette Elmas
Dr. Hugo Hilton
Dr. Stanley Kim
Dr. Jens Koerner
Dr. Rolando Quesada
Dr. Kara Schulz

*If you note any errors in the preceding lists or believe someone may be practising without a licence, please contact Ms. **Karen Gamble** at extension 2228 or e-mail kgamble@cvo.org.*

In Memoriam

The council and staff of the CVO were saddened to learn of the following deaths and extend sincere sympathy to their families and friends. In memory of deceased members, the CVO contributes an annual grant to the Ontario Veterinary College Alumni Trust.

Francis, Suzanne Morrow (OVC 1957)

Rowell, Harry Cecil (OVC 1949)

Annual Renewal Forms for 2007

Due on November 30th, 2006

Annual renewal forms and licence fees are due on or before November 30, 2006. Please notify the CVO office if you do not receive a renewal form/invoice prior to the end of October 2006.

Please contact Ms. **Karen Gamble**, registration coordinator, if you have any questions, at extension 2228 or email kgamble@cvo.org.

Mutual Acknowledgement and Undertakings

The following Mutual Acknowledgement and Undertakings were made between the College of Veterinarians of Ontario and members of the College. An abbreviated version of the agreements follow:

I DR. X,

1) undertake that I have fully disclosed to the College of Veterinarians of Ontario my conduct with respect to failing to correct deficiencies noted during accreditation inspections by the College, and notifying the College that these deficiencies had been corrected when, in fact, they had not.

2) acknowledge that my conduct contravened subsections 17.(1) 1., 2., 38.1 and 44. of Ontario Regulation 1093 under the *Veterinarians Act*, which state:

17.(1) For the purposes of the Act, professional misconduct includes the following:

- 1. An act or omission inconsistent with the Act or this Regulation.*
- 2. Failing to maintain the standard of practice of the profession.*

38.1 Providing false or misleading information to the College.

44. An act or omission relevant to the practice of veterinary medicine that, having regard to the circumstances, would be regarded by members as disgraceful, dishonourable or unprofessional.

3) undertake that I will henceforth obey subsections 17.(1) 1., 2., 38.1 and 44. of Ontario Regulation 1093 under the *Veterinarians Act*.

4) undertake that I will not use the runs identified as deficient in the accreditation inspections, unless or until they are repaired to the satisfaction of the College.

5) undertake that I will allow monthly unannounced inspections of my facility, at my expense, until the inspector verifies the deficient runs have been corrected or have been dismantled in such a manner as to render them useless.

6) undertake that I will make a donation of \$2,500 to the Dean's Greatest Need Fund.

I DR. Y,

1) undertake that I have fully disclosed to the Executive Committee of the College of Veterinarians of Ontario my actions in connection with dispensing drugs without a proper veterinarian-client-patient relationship (VCPR), operating my veterinary practice from a vehicle other than my accredited food producing animal mobile, and failing to keep appropriate records.

2) acknowledge that my conduct contravened subsections 17.(1) 1., 2., 27. and 44. of Ontario Regulation 1093 under the *Veterinarians Act*, which state:

17.(1) For the purposes of the Act, professional misconduct includes the following:

- 1. An act or omission inconsistent with the Act or this Regulation.*
- 2. Failing to maintain the standard of practice of the profession.*

27. Failing to make or retain the records required by this Regulation.

44. An act or omission relevant to the practice of veterinary medicine that, having regard to the circumstances, would be regarded by members as disgraceful, dishonourable or unprofessional.

continued on next page...

Discipline Hearing

3) undertake that I will henceforth obey subsections 17.(1) 1., 2., 27. and 44. of Ontario Regulation 1093 under the *Veterinarians Act*.

4) undertake that I will henceforth establish a valid VCPR prior to the sale of any drugs, which will include actual farm visits, and assessments of individual animals or herds, as the case may be, in accordance with ss. 33.(1) of Ontario Regulation 1093.

5) undertake that I will henceforth maintain proper records in accordance with Section 19. of Ontario Regulation 1093.

6) undertake that I will allow an unannounced inspection of my facility, at my expense, two months following the date of execution of this undertaking, to determine my level of compliance with the Regulations and the Minimum Standards for Veterinary Facilities in Ontario.

7) undertake that I will allow three random inspections of my facility, at my expense, for the purpose of reviewing records to confirm that I have conducted myself in accordance with this undertaking and that these inspections will take place twice in the first year, and once in the second year of this undertaking.

Summary of Recent Discipline Hearing

Discipline Hearings

The *Veterinarians Act*, section 31.-(1) “Where the Discipline Committee finds a member or former member of the College guilty of professional misconduct or serious neglect, the registrar shall publish the finding...” The name of the member who is subject of the hearing may, or may not, be included depending on the decision of the Discipline Committee panel. Information revealing the names of the witnesses and clients has been removed.

Decisions may be obtained, in full, by contacting Ms. **Rose Robinson**, coordinator for Complaints and Discipline, at extension 2227 or email robinson@cvo.org.

Dr. John McCleary

On March 1, 2 and 3, 2006 the Discipline Committee met to consider allegations of professional misconduct against Dr. John McCleary.

It was alleged that Dr. McCleary engaged in professional misconduct by violating sub-section 17.-(1) of Ontario Regulation 1093 paragraphs 1 (*an act or omission inconsistent with the Act or the Regulations - section 22 of Ontario Regulation 1093*), 2 (*failing to maintain the standards of practice of the profession*), 5 (*failing to provide within a reasonable time and without cause any certificate or report requested by a client and his or her agent*), 27 (*failing to make or retain records required by the regulations*), 30 (*failing to adequately*

supervise an auxiliary), 44 (*an act or omission relevant to the practice of veterinary medicine that, having regard to the circumstances, would be regarded by members as disgraceful, dishonourable or unprofessional*) and 45 (*conduct unbecoming a veterinarian*) by:

- Breaching a Mutual Acknowledgement and Undertaking Dr. McCleary entered into with the College by needlessly requiring consent forms to be signed by clients or former clients when another veterinarian asked for a copy of the patient’s chart in order to provide care and treatment to an animal, and not responding to requests for medical information from another veterinarian within a reasonable time, or not responding appropriately.

continued on next page...

Discipline Hearing

- Failing to maintain adequate or proper records, or any records, failing to respond appropriately, on a timely basis, or at all, to inquiries from another veterinarian for copies of records, or information relating to an animal.
- Prior to applying for a licence to practice veterinary medicine in Ontario, Dr. McCleary must complete a course in medical records and provide evidence of the successful completion of that course to the Registrar.

Decision

The Discipline Committee found Dr. McCleary to be guilty of professional misconduct by:

- Breaching the conditions of his Mutual Acknowledgement and Undertaking on numerous occasions.
- Failing to keep proper records and to respond appropriately to inquiries.

After hearing the submissions of counsel, the Discipline Committee imposed the following penalty:

- A licence suspension of three months. The suspension will not come into force until such time as Dr. McCleary applies and is granted a licence to practice veterinary medicine in Ontario. The suspension and condition is to be maintained in the database of the College of Veterinarians of Ontario for 10 years. Prior to the hearing Dr. McCleary resigned as a member of the College (and therefore his licence to practice veterinary medicine in Ontario) and he is presently practicing in British Columbia.

- Prior to applying for a licence to practice veterinary medicine in Ontario, Dr. McCleary must complete a course in interpersonal management skills and provide evidence of the successful completion of that course to the Registrar.
- A written reprimand will be placed in his file.
- A \$5,000 fine.
- Costs of \$10,000 awarded to the College.
- A copy of the decision will be sent to the Registrar of the British Columbia Veterinary Medical Association.
- A summary of the matter is to be published in *Update*.

(Note: resigning from the College does not prevent that College from taking action against a veterinarian in relation to events that occurred while he/she was a member)

OVMA Conference January 25 - 27, 2007

The Ontario Veterinary Medical Association is holding its annual conference and trade show at the Westin Harbour Castle Hotel in Toronto, Ontario. The conference program will feature concurrent sessions on bovine, equine, small animals, public health, practice management and hospital personnel. Special registration fees for out-of-province delegates.

For further information, contact **Christine Neziol**, Delegate Coordinator, Ontario Veterinary Medical Association, 245 Commercial Street, Milton, Ontario, L9T 2J3, telephone (905) 875-0756, fax (905) 875-0958 or email cneziol@ovma.org.

CVO Public Award

Call for Nominations for CVO Public Award

Do you know someone who deserves the CVO Public Award?

This award may be given annually to recognize a citizen for his or her contribution to the veterinary profession and/or animal care or service.

Submit Your Nomination

If you would like to nominate someone for this award, please contact Ms. **Christine Simpson** at the CVO, extension 2225 or email csimpson@cvo.org for a nomination form. The form can be downloaded off the CVO website at www.cvo.org.

Nominations are due **November 15, 2006**.

CVO e-news

Have you signed up for the CVO electronic newsletter? To sign up go to the CVO website (www.cvo.org).

Professionals Health Program

Confidential toll-free line:

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www.phpoma.org

Update, the official publication of the College of Veterinarians of Ontario, is the principle means of communication between the College and its members. It is the primary means of informing the membership on regulatory issues, with the expectation that members will govern themselves accordingly. *Update* is charged with the responsibility of providing comprehensive, accurate and defensible information.

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