



THE COLLEGE OF
VETERINARIANS
OF ONTARIO

Council Meeting

June 13, 2018

9:00 a.m., Council Chamber

MINUTES

Presiding Officer:

Dr. Steven Jacobs

Members present:

Dr. Peter Borgs
Dr. Geoffrey Cochrane
Dr. Jennifer Day
Dr. Tyrrel de Langley
Ms. Diane Freeman
Mr. Andrew Glenny
Dr. Lorie Gold
Mr. Murray Hunt
Dr. Shannah Kavonic
Dr. Patricia Lechten
Dr. Richard Liddell
Dr. Marc Marin
Mr. Donald Mayne
Ms. Claudia Newman
Dr. Sarah Thompson
Dr. Susan Warren

Regrets:

Dr. Paula Menzies

Appointed officer:

Ms. Jan Robinson, Registrar and CEO

Staff in Attendance:

Ms. Kim Huson, Communications Specialist
Dr. Kim Lambert, Associate Registrar, Quality Practice
Ms. Anita Lovrich, Policy Specialist
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

Ms. Aneeta Bharij
Ms. Megan Callaway
Ms. Ashley Coles
Ms. Laura Duncan
Ms. Sarah Ellery
Mr. Martin Fischer
Ms. Rose Robinson
Ms. Lindsay Sproule

1. Call to order

Dr. Jacobs called the meeting to order at 9:00 a.m. and welcomed Councillors, guests and observers who were in attendance.

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

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 March 21 and 22, 2018 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

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

It was noted that an incorrect name of a College was stated in the report. The correct name is The Ontario College of Social Workers and Social Service Workers.

The Registrar provided clarification on questions relating to the transfer of ownership of an animal. It was noted that the Ontario Veterinary Medical Association has recently published a protocol relating to this topic.

The Registrar responded to questions relating to a decision to appeal a recent Discipline Panel decision.

The Registrar provided the following highlights:

- recent By-law revisions concerning Professional Corporations will come into effect on March 1, 2019 instead of the previous date of August 1, 2018
- the College is very pleased with the responses received so far relating to the veterinarian survey – results of the survey will be provided at the September Council meeting
- the first teleconference meeting of the Veterinary Advisory Panel was held with great success – very energetic and engaged group – the Public Panel call will be held on June 15th
- an update was provided on a public notice that was circulated regarding a member who is no longer entitled to practise veterinary medicine through his equine mobile services

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. Registrar's 2019 Goals (in-camera session)

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario move in-camera to discuss the Registrar's Performance Goals for 2019.”

CARRIED

All staff, except the Registrar, guests and visitors present left the meeting for the duration of the discussion.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario move out of in-camera.”

CARRIED

6. Strategic Alignment

6.1 Evaluation

- March 21 and 22, 2018

Ms. Claudia Newman introduced this agenda item.

Council reviewed the meeting evaluation from its meeting held March 21 and 22, 2018. Comments received were positive.

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

6.2.1 Strategy 2020 Year One Tactics

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

The document was provided to Council for information.

6.3 Policy Priorities

This chart was provided for information.

6.4 Performance Measurement

6.4.1 Key Performance Indicators

Ms. Claudia Newman introduced this agenda item.

At its March meeting Council approved changes to the Balanced Scorecard. It was a decision that the Scorecard be replaced by a focus on nine key performance indicators. The new Dashboard was presented to Council.

Council reviewed and provided its suggested changes to the Dashboard. Changes to the Dashboard will be implemented and included in the next report.

6.5 Council Roundtable

Media Trends - Regulatory Trends - Legal Trends

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

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:

- continue to hear about mental health matters relating to veterinarians
- issue and importance of apology – recent article relating to a White House aid refusing to apologize about a joke about a Senator dying – highlighting the art of apology for the profession may be useful
- artificial intelligence in veterinary medicine – evolving quickly – have had conversations with the Innovation and Technology Advisory Group – possible topic for the upcoming 2019 Symposium

7.1 Financial Statements ending April 30, 2018

Council reviewed the Variance Report, Balance Sheet, and Revenue and Expenses Statement, ending April 30, 2018.

These documents are presented as information only.

7.2 Preliminary Budget 2019 Discussion

In order to assist the Registrar with the preparation of the 2018/2019 budget, Councillors were provided with suggested areas of primary allocation for the upcoming year.

The Registrar answered questions posed by Councillors relating to key factors.

7.3 Capital Expenditure

The College implemented a new database system in September 2017. The vision for the College's new system is broad and is focussed on supporting innovation in many ways. A significant challenge has been that the database provider initially underestimated the amount of work to build out the system with all of the capabilities that the College required. The current product does not meet all of the College's expectations and does not include the enhancements that were planned.

In the current fiscal year 2018, staff suggested an additional \$74,000 above budgeted expenditures is required to continue development at the current pace for the remainder of the year. It was suggested that this amount be allocated as a capital purchase for the purpose of amortization.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the additional capital expenditure of \$74,000 for this fiscal year (2017/2018).”

CARRIED

8. Public Policy

8. Antimicrobial Resistance

Dr. Susan Warren introduced this agenda item.

In November 2013 Council directed staff to proceed with the establishment of a Prescribing and Dispensing Working Group to review, report on, and provide options for Council's consideration related to activities of prescribing and dispensing in veterinary medicine that are in the public interest and consistent with the regulatory framework and best practices.

At its November 25, 2014 meeting, Council adopted a motion that directed staff to proceed with the drafting of separate Professional Practice Standards for prescribing and dispensing in veterinary medicine, with input provided from the Prescribing and Dispensing Working Group.

Council reviewed drafts of the Professional Practice Standards along with feedback received during a targeted consultation.

At its March 2017 meeting, Council considered revised drafts of the Standards on the prescribing and dispensing of drugs including feedback received. At this meeting Council also considered a review of the newly confirmed *Veterinary Oversight of Antimicrobial Use – A Pan-Canadian Framework of Professional Standards for Veterinarians*.

The Prescribing and Dispensing Working Group was reconvened in 2017. The working group reviewed and analyzed the draft Professional Practice Standard: Prescribing Drugs and Professional Practice Standard: Dispensing Drugs with respect to the public consultation feedback.

The working group considered a briefing note on compounding and extra-label drug use; namely, whether the standard on compounding should be incorporated into a broader policy on extra-label drug use. Following a review and discussion on this topic, the working group determined that the policy on compounding should be separate from the one on extra-label drug use.

The working group reviewed and revised a number of draft standards on prescribing drugs, dispensing drugs, compounding, and extra-label drug use. Council directed that the four draft standards go out for consultation. Each standard was considered separately.

8.1 Professional Practice Standard – Prescribing a Drug

Dr. Susan Warren introduced this agenda item.

The Professional Practice Standard on Prescribing a Drug was circulated for consultation on March 27, 2018. The feedback received included a number of helpful suggestions, comments, and questions. It was noted that a Guide will be developed to the Standard.

Council reviewed and discussed the draft Standard including responses received during the consultation period.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the Professional Practice Standard: Prescribing a Drug as amended for publication.”

CARRIED

8.2 Professional Practice Standard – Dispensing a Drug

Dr. Susan Warren introduced this agenda item.

The Professional Practice Standard on Dispensing a Drug was circulated for consultation on March 27, 2018. The feedback received included a number of helpful suggestions, comments, and questions. It was noted that a Guide will be developed to the Standard.

Council reviewed and discussed the draft Standard including responses received during the consultation period.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the Professional Practice Standard on Dispensing a Drug as presented for publication.”

CARRIED

8.3 Professional Practice Standard – Extra-Label Drug Use

Dr. Susan Warren introduced this agenda item.

The Professional Practice Standard on Extra-Label Drug Use was circulated for consultation on March 27, 2018. The feedback received included a number of helpful suggestions, comments, and questions. It was noted that a Guide will be developed to the Standard.

Council reviewed and discussed the draft Standard including responses received during the consultation period.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the Professional Practice Standard on Extra-Label Drug Use as presented for publication.”

CARRIED

8.4 Professional Practice Standard – Compounding

Dr. Susan Warren introduced this agenda item.

The Professional Practice Standard on Use of Compounded Products in Veterinary Practice was circulated for consultation on March 27, 2018. The feedback received included a number of helpful suggestions, comments, and questions. It was noted that a Guide will be developed to the Standard.

Council reviewed and discussed the draft Standard including responses received during the consultation period. It was noted that the name be changed to “Use of Compounded Drugs in Veterinary Practice.”

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the Professional Practice Standard on the Use of Compounded Drugs in Veterinary Practice as amended for publication.”

CARRIED

8.5 Telemedicine

Ms. Anita Lovrich, Policy Specialist, introduced this agenda item.

In 2015 Council approved a Professional Practice Standard: Telemedicine for publication and directed that a Guide to the Professional Practice Standard: Telemedicine be published to

accompany the Standard. Further, Council directed that the Standard should be reviewed annually, as telemedicine is an emerging and rapidly developing practice.

In 2016 Council reviewed a revised draft with accompanying briefing note. Following public consultation, a revised Professional Practice Standard: Telemedicine, was approved in March 2017. Council also directed that an advisory group on telemedicine be struck to assist Council with its ongoing review of this rapidly advancing area and in staying abreast of innovation and its effect on the regulation of the profession.

At its May 2018 meeting, the Executive Committee reviewed the briefing note and provided its feedback.

As a result of Council's direction that the policy documents related to telemedicine be reviewed annually, a Briefing Note on Telemedicine was provided for its consideration.

Council robustly discussed and provided its feedback on the Briefing Note.

After consideration of the Briefing Note it was a decision of Council to direct staff to develop a proposal to allow assessment at a distance. An analysis will be prepared and brought forward to its meeting in September. Further, amendments to the current standard were proposed. These will be incorporated in a revised document, also for consideration in September.

8.6 Non-Prescription Products

Dr. Susan Warren introduced this agenda item.

In 2012, a Councillor brought a notice of motion to discuss the potential of "over-the-counter" medication within the practice of veterinary medicine. This motion was approved for an initial exploration. College staff sought legal advice and developed a briefing note for Council's consideration. Council considered this briefing note at its November 2012 meeting, which included a legal memorandum on the issue. Following its review and debate of the issue of allowing veterinarians to sell certain substances which are commonly available at retail outlets without a VCPR, Council determined not to change its interpretation of the need for a VCPR for a veterinarian to dispense or sell any drug or substance.

When the Prescribing and Dispensing Working Group was reconvened in 2017, on the direction of Council, one of its objectives was to examine and make recommendations to Council on substances that veterinarians may (or may not) dispense without a veterinarian-client-patient relationship.

Council considered a Briefing Note – Proposed Approach to Products that May be Sold Without a VCPR or Without a Prescription and Recent and Sufficient Knowledge of an Animal(s).

Council robustly discussed and provided its feedback on the Briefing Note.

After consideration of the Briefing Note it was a decision of Council to direct staff to undertake further research and targeted stakeholder consultation relating to whether veterinarians should be permitted to sell certain substances (not defined as “drugs”) without a prescription but within a veterinarian-client-patient relationship. Information will be brought forward to its meeting in September.

8.7 Professionalism

Dr. Sarah Thompson introduced this agenda item and Dr. Kim Lambert, Associate Registrar, Quality Practice joined the table to answer any questions.

At its meeting on March 22, 2018, Council considered and discussed the definition of veterinary professionalism proposed by the Quality Assurance Committee. Council provided suggested changes and approved the proposed definition of veterinary professionalism with modifications.

At its meeting on March 22, 2018, Council considered a revised Briefing Note on Professional Boundaries – Sexual Relationships with Clients and provided its feedback. Council directed not to pursue any additional work related to professional boundaries and a veterinarian having a sexual relationship with a client. Instead, it was determined that examples and discussion related to this issue be managed in the development of the professionalism program.

Council was provided with a list of priorities/key areas for the development of resources and supports. Resources and supports related to professionalism will be developed in the key areas ranked 1-4 in years two and three of the three-year strategy. At the end of year two, an annual review of current college data on issues related to professionalism will take place to confirm or refocus on key areas for year three.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario confirm the list of key areas of focus to develop resources and supports related to professionalism as presented:

1. Relationship with industry; accepting gifts
2. Veterinary communication supporting the VCPR
3. Treating/advising family members and close friends about their pets/animals
4. Boundaries with clients
5. Boundaries with staff
6. Relationships with colleagues: disruptive behaviour/bullying”

CARRIED

8.8 Briefing Note – Urban Farming and Facility Accreditation

Dr. Jennifer Day introduced this agenda item and Dr. Kim Lambert, Associate Registrar Quality Practice, joined the table to answer any questions.

On December 1, 2018, veterinary oversight of all antimicrobials will come into effect across Canada. This federal directive is the result of moving all medically important antimicrobials for humans on to the prescription drug list.

With the increase in urban farming (backyard poultry, goats, rabbits, etc.) in Ontario, and the requirement for veterinary oversight of prescribing of antimicrobials, the College must determine what the best accreditation facility standard is required for this emerging issue.

Granting exemptions from the *Minimum Standards for Veterinary Facilities in Ontario* is the authority of the Accreditation Committee. The aim is to seek a consistent approach for the future decision making of the Committee based on an appropriate context and risk consideration.

Council reviewed and provided its feedback on a Briefing Note: Urban Farming – Choice of Accreditation Facility Standard.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario support the Accreditation Committee’s suggestion that owners seeking veterinary services for backyard production animals must use a veterinarian with an accredited food animal mobile facility.”

CARRIED

8.9 Proposed National Scope of Practice Statement for Veterinary Medicine

The Registrar and CEO introduced this agenda item.

In 2015 the Canadian Council of Veterinary Registrars (CCVR) was approached by the National Practice Issues Committee of the Canadian Veterinary Medical Association (CVMA) to consider the concept of an aspirational scope of practice statement. Upon discussion of this request, the CCVR was of the strong opinion that this was the purview of the Regulatory, not the Association, community in veterinary medicine. As a result, several discussions have occurred at the CCVR table that have included international benchmarking in veterinary medicine and other professions related to best practice models related to current scope and current public interest. The discussion was also premised on parallel conversations on changing legislation opportunities, in Prince Edward Island and in Ontario.

Council reviewed a proposed document from the CCVR on the National Scope of Practice Statement for Veterinary Medicine. Each Council across Canada is being asked to endorse the proposed national scope as an aspirational model which will be used by each province as separate discussions and provincial government progression towards modernization occurs.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the Canadian Council of Veterinary Registrars (CCVR) National Scope of Practice Statement for Veterinary Medicine as presented.”

CARRIED

8.10 Property, Consent, and Privacy of Records

In March 2018 a Notice of Motion was brought before Council regarding matters of property, consent, and privacy of records. The specific issue was regarding access to the previous veterinary records of animals when the ownership of the animal has changed. The issue touches on various laws which overlap at both the provincial and national level.

Council directed that College staff seek a detailed legal opinion regarding the intersection of these laws with the College's own legislation, and to provide an analysis of the various factors that must be considered when determining the possible options for addressing this problem. The College's position is that when a veterinarian gets a request from either a new owner or an owner's new veterinarian to transfer records for an animal, the records cannot be released to the second veterinarian unless the first owner authorizes the release of the information. This advice is based on the College's interpretation of subsection 17(1)6 of Regulation 1093.

Council was provided with a legal opinion from the College's legal counsel. Staff reviewed the document and provided a high-level synopsis of the analysis that was provided.

Council robustly discussed the information that was provided by legal counsel.

MOTION: It was moved and seconded,

"That the Council of the College of Veterinarians of Ontario respond to the problem of privacy and veterinary records sharing in a multi-step manner.

That the College make a policy decision to start interpreting the Misconduct Regulation more broadly, such that with appropriate redaction of a client's personal information veterinary medical records must be shared amongst treating veterinarians when requested.

That the Council work towards change in the legislative reform (as this project is currently underway), allowing for more clarity in the future, ensuring best care of our patients, and serving the public good, protecting the public from the problems that can ensue from the lack of a "fulsome history" of the patient under treatment.

That educational materials to be developed and distributed to both members of the CVO as well as the public with regards to these matters, so that both veterinarians and the public will understand that continuity of care is the standard of the day, as has clearly been the goal all along, as reflected in part 40 and 41 of the professional misconduct regulation."

DEFEATED

While Council is of the opinion that the current interpretation of the Regulations, as supported by legal counsel, is appropriate in this case, it was clear that this issue is of concern for continuity of care in some circumstances. Council directed staff to add potential related changes to the regulation at the time of the larger legislative review and reform. Further, opportunities to educate veterinarians and clients on how to better achieve continuity of care when buying or adopting animals or when changing ownership is important and should occur.

9. Organizational Policy

9.1 Board Governance Manual

Ms. Claudia Newman introduced this agenda item.

The Governance Audit and Risk Committee (GAR) is charged with regularly reviewing Council's governance policies. It was noted that with the recent changes to the College By-Laws there would also be revisions required to some policies in the Manual. As the stewards of the Council's Governance Manual, the GAR Committee reviewed the Manual and provided its feedback.

A draft copy of the manual, including tracked changes, was provided to Council for its review. Council reviewed the draft and provided its comments.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario approve the revised Board Governance Manual as amended.”

CARRIED

9.2 Performance Audit Opportunity

Ms. Claudia Newman introduced this agenda item.

In accordance with Governance policy 4.2 Performance Audit, the Governance, Audit and Risk Committee (GAR) must annually consider the need for a performance audit at any statutory level of the organization. Prior to 2014, legal audits were traditionally rotated between committees and Council, and while likely of moderate benefit from time to time, they provided little value based on cost.

No audits have been completed since 2014; the last focus was the Executive Committee.

The annual discussion by Council of the need for a performance or legal audit is central to its desire to achieve governance excellence. However, value of an audit must be balanced by identified areas of risk and/or the demands and expectations of the current regulatory environment. Further, the challenge is identifying areas for review based on our ongoing vigilance related to emerging governance matters requiring the College’s attention.

After a review by the GAR Committee, there were no areas that they flagged for Council’s immediate attention via audit. With regards to the greater context, the Council has initiated a request to government to modernize our processes. It appears to the GAR that, unless a major matter of concern regarding role and function exists, allocating funds to an audit of any type (beyond financial of course) is not a wise allocation of dollars at this time.

Council debated the need for a specific performance audit.

MOTION: It was moved and seconded,

“That the Council of the College of Veterinarians of Ontario accept the Governance, Audit and Risk Committee’s suggestion of not conducting a performance audit at this time.”

CARRIED

9.3 2019 Draft Meeting Schedule

Council considered a draft 2019 meeting schedule.

Council reviewed the schedule and will make note of the 2019 dates.

10. Other Business

None

11. Notice of Motion

None

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 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.

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.

14. Date of Next Meeting

The next regular meeting of Council will be held on Thursday, September 20th and Friday, September 21st, at 9:00 a.m.

15. Adjourn

MOTION: It was moved,

“That the meeting of Council be adjourned.”

CARRIED

The meeting adjourned at 2:05 p.m.

Steven Jacobs, DVM
President

Jan Robinson
Registrar and CEO

Beth Ready
Recording Secretary