



NEWSBRIEF

June 2004

INSIDE THIS ISSUE:

| | |
|---|-----|
| 50th Mtg of VCNZ | 2 |
| Stats on Profession | 2 |
| AVBC— Information | 3 |
| Specialist Application Fee | 3 |
| EAEVE & Dublin | 3 |
| ECFVG | 3 |
| Complaints Report | 4 |
| Complaint Case Study | 4 |
| PAR Trading— VCNZ Comment | 5 |
| Consultation— Non-Vets undertaking surgical procedures | 6-7 |
| In Brief—Excel CPD form | 7 |
| Staff change | 7 |
| Elections—call for nominations | 8 |

ARC Cards

All veterinarians should now have received their Annual Retention Card. If you have not, or if you had a sticky problem (which seems to occur with a few each year) then let us know and we will send you another card.

Elections

Every three years, New Zealand veterinarians elect three of their profession onto the Veterinary Council. 2004 is election year. The Secretary is now calling for nominations. See the back page of this *Newsbrief* for details of the election process.

Code of Conduct—Changes approved

Following extensive consultation the Council has approved changes to Sections 4.4-4.7 of the Code of Professional Conduct, the section that defines consultation and immediate care. Details of this change can be found on the Council's website at www.vetcouncil.org.nz, and will also be included in the Handbook which should be distributed early August. In response to a recommendation from NZVA, the Council also approved minor amendments to Section 5.9, concerning the endorsement of products to ensure that the heading reflects the text in restricting veterinarians from putting their name to advertising of more than products (e.g. services and equipment), but clarifying that this restriction applies to the public arena (and not for example in Vetscript or in endorsement within the veterinary profession). Details of this amendment can also be found on the Council's website.

Australasian decisions

At the annual meeting of the Australasian Veterinary Boards Council in Canberra in April, some important decisions were made which affect overseas qualified veterinarians seeking registration in New Zealand and Australia, as well as those seeking specialist registration. Details of these decisions are provided on page 2.

Consultation Exercise: non-veterinarians undertaking surgical procedures

The Council recently hosted a meeting to discuss the animal welfare implications and controls over non-veterinarians undertaking surgical procedures. The article on pages 6-7 details this discussion and invites your feedback.

Debate on PAR Trading—VCNZ comment

The Council members have been monitoring the debate around the introduction of non-veterinary traders to the PAR supply chain. The Council makes comment on page 5 about its role of the Code of Professional Conduct in defining consultation and immediate care.

Fiftieth meeting of Veterinary Council

The Council's fiftieth meeting was held on 27th May this year in its new Wellington offices. The first meeting of the Council was held on January 25, 1995 following the implementation of the Veterinarians Act 1994. The Council's predecessor was the Veterinary Surgeons Board. At that 1995 meeting Professor Boyd Jones was elected Chairperson and Dr John Hellstrom elected Deputy Chair. (John took over the Chair of the Council when Professor Jones left to become the Dean of the Veterinary School in Dublin.) The only person from the inaugural group who remains

on the Council is Ron Gibson who is the current Chairperson.

On the 26th May the Council held a function to celebrate its fiftieth meeting and to celebrate the opening of its new offices. Current and past members of the Council attended as well as representatives of stakeholder groups and other regulatory bodies. The Associate Minister of Agriculture, Damien O'Connor MP, attended the opening and congratulated the Council on its achievements since its inception.



Damien O'Connor MP, opens the offices.



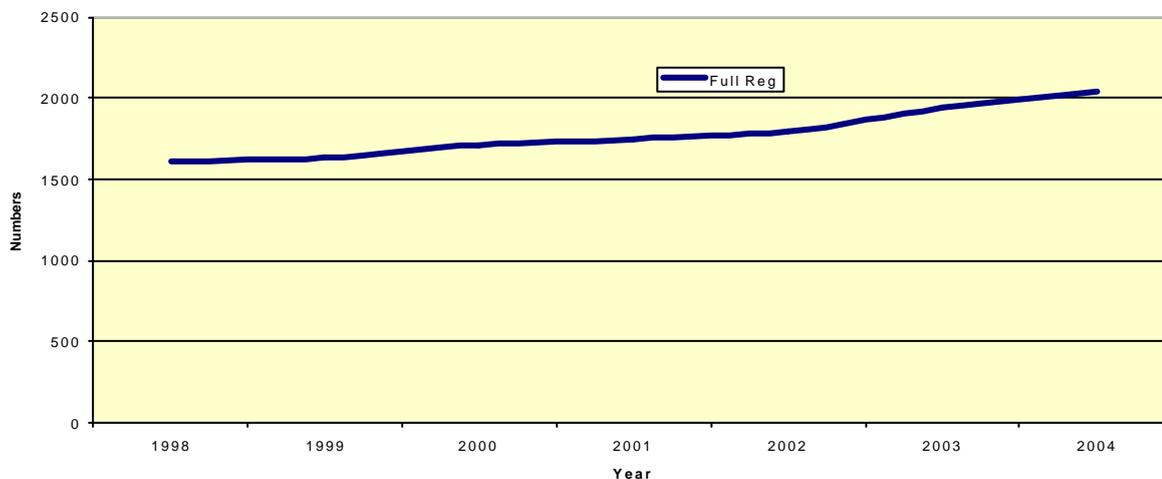
Chris Kelly and Mike Davidson, former members of the Veterinary Surgeons Board, and Norm Williamson, current member of the Council.

Numbers of registered veterinarians June 2004

| | Female | Male | Total | 2003 | 2002 | 2001 |
|-------------------|--------|------|-------------|-------------|-------------|-------------|
| Full Registration | 820 | 1219 | 2039 | 1940 | 1797 | 1750 |
| Non-Practising* | 168 | 198 | 366 | 401 | 359 | 339 |

* Non practising includes those who are overseas, on maternity leave, retired or not currently practising

No. Registered Veterinarians at 31 July



The numbers of currently registered veterinarians rose again this year. However, during the first six months of this 2004 the number of new applications for registration from overseas trained veterinarians is noticeably lower than it was last year.

Australasian Veterinary Boards Council

In April the Chairperson and Secretary of the Council attended the AVBC meeting in Canberra on 27th April. This body is an incorporated association which mainly advises, but can also act to a limited degree on behalf of the Veterinary Boards/Councils of Australasia, as well as assisting in the standardisation of acceptable

veterinary practice. Annual conferences provide a venue for general reporting and for addressing specific issues, for example the recognition of overseas qualifications, the accreditation of veterinary schools, the occupational regulation of veterinarians, including general and specialist registration, the harmonisation of standards,

regulations and quality assurance of veterinary services provided to the community in all jurisdictions. All state/territorial Boards and VCNZ are members, and the NZVA and AVA are non-voting members. The Veterinary Council of New Zealand was voted Chair of the AVBC for the year to May 2005.

Specialist application fee to rise

The AVBC meeting decided to raise the specialist registration application fee, from its current level of AUD \$450 to AUD\$1100, effective from 1 July 2004. The reasoning behind this substantial increase was that currently the consideration of specialist applications in Australasia is not self-funding. The committee that considers specialist applications

is the ACRVS (Advisory Committee on the Registration of Veterinary Specialists). Whilst the ACRVS has been able to simplify the process of specialist registration somewhat, there are still considerable costs involved in servicing the committee and in consideration of applications from those whose qualifications are not from an approved list. The

Veterinary Council of New Zealand, will have to pass this increase on to the applicants, and so it has requested the Minister of Agriculture to approve an increase in the fee that it charges for specialist applications to NZ\$1400.00. It is anticipated that this fee increase will take effect in New Zealand from Nov. 2004. VCNZ has also asked that AVBC review its fee structure.

European Schools Assessment/Dublin

The AVBC meeting received the report of John Craven, its representative on the EAEVE visit to Dublin University. EAEVE (see acronyms page 5) is the European body that assesses, but does not have the power to accredit, veterinary training colleges/universities across Europe. Because its power is limited (it cannot, for example, recommend that graduates are or are not registerable), the AVBC did not support wholesale endorsement of its assessment decisions. AVBC decided that it would consider

recommending registration of graduates from universities assessed by EAEVE based on the university's self-evaluation report, the EAEVE report and the report of the AVBC representative on the visit team (this attendance would have to be paid for by the university).

Following this policy decision, the AVBC then considered the self-evaluation report, EAEVE report and AVBC representative report on Dublin University Veterinary School. All three were most favourable, and as a consequence

the AVBC has recommended to its member Boards that they should accept for registration without further examination those graduating with a veterinary degree from Dublin University from 2004 onwards. The Veterinary Council of New Zealand has implemented this recommendation. Those graduating in 2004 and onwards from the National University of Ireland (Dublin) will be eligible for registration without further examination in New Zealand.

American Foreign Veterinary Examination certification programme

The AVBC accepted the Veterinary Council of New Zealand's recommendation that those who had received the Certificate of the Educational Commission for Foreign Veterinary Graduates should be eligible for registration in Australasia. The ECFVG is the

certification process for foreign veterinary graduates who wish to gain registration in the United States. It is run by the American Veterinary Medical Association (AVMA). It is at least equivalent to the examinations run in Australia, New Zealand and the UK, requiring

most veterinarians to undertake a year of supervised clinical work at an approved clinic, as well as having passed the NAVLE (the multiple choice 'American Boards' paper). The VCNZ will shortly gazette its acceptance of this certification process.

Complaints report



The total number of complaints received by the CAC from Jan-May 2004 is 20. Most of these (16) have been complaints about perceived inappropriate behaviour, with four arising from perceived unsatisfactory treatment. Three complaints did not reach the

criteria for investigation and two others were not considered because they were 'frivolous'. Twelve complaints are currently proceeding. Five have been closed with no charges laid, although in some cases advice has been given to the veterinarian about ways in which they could improve their practice.

Complaint Case Study

Most complaints that are received do not proceed to disciplinary action. Despite this, there is usually something to be learned, either by the veterinarian or by the complainant. In many cases the complainant feels they did not receive the communication they needed. The following case study is an example:

On clinical examination of a cat a veterinarian identified that a tooth needed to be extracted and an estimate provided.

On admission a different veterinarian noted that the cat had been previously diagnosed with chronic renal failure, and so tailored the cat's anaesthetic regime to suit its medical problems. An IV drip helped to preserve the cat's kidneys during the operation.

While the cat was under general anaesthetic the veterinarian noted areas of alopecia on its belly and near the anal glands and bilateral exudative dermatitis of the ears. The veterinarian cleaned the ears and instilled Canaural into them, then emptied the cat's full anal glands.

The cat awoke with Horner's Syndrome. After the procedure the veterinarian discussed what had happened by phone with a person other than the owner who was not available. The cat was

then discharged. The owner later discovered that the cat had lost its hearing.

The owner was upset that the fees charged were considerably more than the original estimate to extract the tooth and that additional clinical procedures had been undertaken without prior consent. The owner was also concerned that the cat could be left with permanent ear problems.

This type of complaint arises frequently in veterinary practice. Owners generally do not expect to face higher costs for extra procedures undertaken without their consent. If there is an adverse outcome, the owner feels even more aggrieved.

The Veterinary Council encourages veterinary practitioners to ensure a high level of communication with clients prior to performing any procedures other than those originally consented to, even if it

seems they are in the best interest of the animal.

Obtaining a signed consent form on admission provides a written record that identifies the client, patient and procedure. Consent forms can also be useful to record that specific risks associated with the procedure have been discussed, and the agreed costs. The owner's acceptance of responsibility for costs associated with managing emergencies that might arise during the consented procedure might be incorporated in the consent form.

Where veterinarians identify additional work other than that which has already been agreed with the owner, they should attempt to contact the owner and discuss before proceeding. Keeping the client informed and involved in the decision-making avoids unwelcome surprises for the client and helps to maintain good relationships with clients.

USE YOUR CODE KNOW YOUR CODE READ YOUR CODE REFER TO YOUR CODE

The Code of Professional Conduct provides peer defined principles and guidelines for veterinarian performance. It is the Council's official interpretation of its expectations of the actions of competent and reasonable veterinarians in various given circumstances. Those who comply with the Code can be reasonably confident both of not breaching the Veterinarians Act, and of remaining in good standing with the public and with their peers.

The Debate around PAR Trading - VCNZ Comment

The Veterinary Council has been monitoring debate about the impending changes to the prescription animal remedy supply chain and the classification of prescription animal remedies. These changes will bring challenges for prescribing veterinarians and traders. Among other things, all approved traders will have to show, through effective documentation systems, trace-back of prescription animal remedy sales.

Criticism has been levelled at various parties during the debate, including the Veterinary Council, the perception of some being that the Council has not voiced concerns about the perceived risks arising from the trading of prescription animal remedies by non-veterinarians, and the risks to the viability of rural veterinary businesses.

The Veterinary Council's functions are prescribed by law. These do not include representing the interests of veterinarians, nor generally

lobbying Government, although the Council may offer advice to the Government on issues relating to veterinary science. The Council is charged with protecting the public interest by regulating the veterinary profession and by promoting and encouraging high professional standards. Within these parameters the Council has maintained regular liaison with ACVM, NZVA and other interested parties. The Council wants to ensure that its power to set minimum standards for the veterinary profession is not compromised by developments in or application of other legislation.

Although the word 'consultation' remains in the ACVM Act, ACVM has accepted that the responsibility for defining 'consultation' rests with the Veterinary Council. Issues relating to whether an adequate consultation has taken place will be referred to the Council in terms of possible breaches of the Code of Professional Conduct, and may also then be considered

by the ACVM group in terms of breaches of the ACVM Act. A draft memorandum of understanding between ACVM and VCNZ has been prepared and is being further developed to determine how complaints are managed between the two bodies. As has happened in the past, individual complaints will test the Council's definition and the authority of the Code of Conduct.

Some veterinary businesses are now separating out the consultation element of the prescription animal remedy that they prescribe. A consultation has always been required, but in many cases it's cost was incorporated into the overall price charged for the prescription animal remedy. Fee structures are now being revisited by some veterinary businesses. Fee levels are not an issue immediately relating to the Code of Conduct, however client perceptions regarding fee increases warrant explanations.

Another Day, Another Acronym

| | |
|---------|--|
| VCNZ | Veterinary Council of New Zealand |
| CAC | Complaints Assessment Committee (of the Veterinary Council) |
| NZVA | New Zealand Veterinary Association |
| ACVM | Agricultural Compounds and Veterinary Medicines Group (of the New Zealand Food Safety Authority) |
| AVBC | Australasian Veterinary Boards Council |
| ACRVS | Advisory Committee on the Registration of Veterinary Scientists (sub-com of AVBC) |
| PAR | Prescription Animal Remedy |
| CPD | Continuing Professional Development (also called CE) |
| NAVLE | North American Veterinary Licensing Examination (most registered vets in USA sit this) |
| ECFVG | Educational Commission for Foreign Veterinary Graduates (USA foreign vet grad exam) |
| EAEVE | European Association for the Establishment for Veterinary Education |
| AVMA | American Veterinary Medical Association |
| NUI | National University of Ireland (Dublin) |
| ARC | Annual Retention Certificate |
| ACRONYM | Abbreviated Coded Rendition Of Name Yielding Meaning |

FOR CONSULTATION

Non-Veterinarians undertaking surgical procedures

Should veterinary nurses be able to castrate cats? How different is this from farmers castrating their animals – a common occurrence in New Zealand? What about other types of surgery, minor or more significant: tooth removal; laparoscopic AI; embryo recovery; pregnancy diagnosis; semen recovery?



Over the past year the Veterinary Council of New Zealand has received enquiries from veterinarians and lay people, and has considered some complaints that have raised questions about the activities that can and cannot be done by non-veterinarians. In order to widen the discussion the Council recently hosted an animal welfare liaison meeting attended by representatives of NZVA, NAWAC, MAF Biosecurity, MAF Policy and the VCNZ including the Complaints Assessment Committee. This article summarises the discussion and seeks your feedback.

The Animal Welfare Act 1999 sets the standards for animal welfare in New Zealand, including some general provisions for prohibiting, restricting or controlling certain types of surgical activities. Currently, prohibited (i.e. banned) activities are ear cropping of dogs and

blistering, firing or nicking of horses. The other two categories of significant surgical procedures are defined as restricted or controlled. Restricted activities can only be undertaken by either a veterinarian or a veterinary student under veterinary supervision (the only activities listed under this section include dog debarking, cat declawing and equine docking).

The only part of the Act that currently allows for a surgical act to be undertaken by a non-veterinarian (i.e. a person who is neither a veterinarian nor a veterinary student under veterinary supervision) is Section 18, which describes **controlled surgical procedures**. The wording of Section 18 allows only for animal owners (with approval of a veterinarian) or the employees of animal owners (also with veterinary approval) to undertake the controlled surgical procedure. The only listed controlled surgical procedure currently permitted in New Zealand is de velvetting of deer.

It could be argued that all other surgical procedures that may be being undertaken by non-veterinarians in New Zealand, such as castration of production animals by farmers without veterinary approval, cat castration by veterinary nurses, tooth removal in horses by 'equine dentists' or others, and laparoscopic AI, are illegal. This would definitely apply if the activity was causing unnecessary

pain or distress. Nevertheless there is anecdotal evidence to suggest that these activities are occurring and, in some cases, without significant risk to the welfare of the animal.

It appears that some allowance needs to be made so that well trained non-veterinarians can undertake certain surgical procedures as long as there is low risk in terms of the animal's health, and as long as there is some form of legal constraint on them such as a Code of Welfare and/or a Code of Practice. For some activities it is the lay person who may be the best operator, having done the procedure so many times that they are more experienced than veterinarians – an example being laparoscopic AI. Those present at the liaison meeting acknowledged that castration of cats by non



veterinarians (e.g. vet nurses or other lay staff) under supervision of a veterinarian is also being undertaken around New Zealand, (although members of the public/cat owners may well be surprised if they were made aware of this). The underlying principle should be to ensure that animal welfare is protected and the public interest is served.

So what is the problem? The

danger in ignoring procedures being undertaken by non veterinarians (just because we know they are happening) is that a lack of control over the procedures increases the risk to the welfare of animals and possibly the legal risk to the employer and employee. There is also concern that allowing one activity to occur could lead to more significant procedures being undertaken by non-veterinarians – the slippery slope. There are some procedures which, if undertaken by non-veterinarians, pose a greater risk to the health of the animal. Examples given at the meeting were liver biopsies, laparoscopic embryo recovery, wolf teeth extraction and transrectal pregnancy diagnosis.

In the legislation of some overseas jurisdictions, procedures such as these that can only be undertaken by veterinarians (or in some cases veterinary nurses) are listed in

law (for example as 'Acts of Veterinary Science' in some states of Australia and in the UK). New Zealand legislation is more flexible in not having a specific list which has to be added to or revised every time there is a development in surgical techniques.

Attendees at the meeting agreed that one option would be to seek a change to Section 18 of the Animal Welfare Act to allow for a person who is not a veterinary student or an animal owner or an owner's employee to undertake controlled surgical procedure but still under some form of supervision.

This would also trigger a requirement for a Code of Welfare, perhaps a professional code of practice and would likely result in a Code of Practice under the ACVM Act if access to PARs was required. It was acknowledged that it could be some time before such a proposal would become law.

Those attending the meeting agreed that there needed to be further and wider discussion, and this is the purpose of this article. There are activities occurring that do not fit strictly within the law, there are grey areas where more discussion needs to occur, and there are some options.

Veterinarians, veterinary nurses and any other interested parties or individuals are invited to make comment to the Council before July 31st 2004 on any of these matters. The Council will then consider whether it should make recommendations to the Minister of Agriculture about any changes or clarification that it believes should be made to the Animal Welfare Act.



Continuing Professional Development Form in Excel on Website

Allen Bryce, Chairperson of the Registration Committee, has provided the Council with an excel version of the CPD sheet, which is a useful way of keeping an electronic record of your activities and points. A template of this is available on the Council's website, at www.vetcouncil.org.nz, or we can email you a copy if you email us at vet@vetcouncil.org.nz

Staff Change.

Karen McClelland, the Council's Administration Officer left the Council in mid-May to work for the New Zealand Greyhound Racing Association. We wish Karen well. Her replacement is Helen Piercy, who has considerable experience in accounts and administration. We welcome Helen to the Secretariat office.

Vets in Stress Programme
 WORKPLACE SUPPORT
 24 Hour Freephone
 Confidential Counselling Service
0508 664 981
 Helps you solve personal and work problems, including:
 Stress, Grief, Relationship problems, Drug & alcohol issues, Work issues, Change

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V E T E R I N A R Y C O U N C I L
O F N E W Z E A L A N D
 Te Kaunihera Rata Kararehe o Aotearoa



To All Registered Veterinarians,

Election of Registered Veterinarians to be Members of the Veterinary Council of New Zealand

The Veterinary Council of New Zealand, as constituted under Section 43-49 of the Veterinarians Act 1994, consists of:

- three veterinarians elected by veterinarians in accordance with regulations made under section 72 of this Act;
- two persons who are not veterinarians appointed by the Minister;
- one veterinarian appointed by the Minister; and
- the Dean of the Faculty of Veterinary Science at Massey University. (The Academic Programme Director of the Institute of Veterinary, Animal and Biomedical Sciences is designated by the Vice Chancellor of Massey University to hold the title of the Dean of the Faculty of Veterinary Science until further notice for the purposes of the Veterinarians Act 1994, and to discharge the role and responsibilities appropriate to that position as defined in the Act.)

Only a veterinarian whose name appears on the register and who has paid their retention fee for the 2004-05 year at 5 pm on the day nominations close (1 October 2004), 56 days before the election day, shall be eligible to be a voter in an election under The Veterinarian (Elections) Regulations 1995.

Under the Veterinarian Elections Regulations 1995, I hereby inform you that, if there are more nominations than vacancies, an election of members of the Veterinary Council, in pursuance of paragraph (a) of Section 45 of the Veterinarians Act 1994, will be carried out by a poll to be held on **26 November 2004**. I invite nominations for candidates for this election.

Nomination requirements:

- Every candidate for election must be nominated in writing by at least two registered veterinarians.
- The nomination shall contain the full name and residential address of the veterinarian nominated and of the nominating veterinarians as well as the written consent of the nominee; Nomination forms are available by contacting the Secretary at VCNZ. Nominators should be aware that their names will be published along with a short profile of the nominee which will accompany the ballot papers.
- The nomination shall be forwarded to myself to reach me not later than 1 October 2004 (56 days before the date of the election). Any nomination not received within that time shall be invalid and shall be disregarded.
- If the number of candidates is equal to or fewer than the number of vacancies, the returning officer shall declare the candidate or candidates so nominated to be duly elected. If the number of candidates exceeds the number of vacancies then an election will be conducted by postal ballot.

The address on the envelope containing this circular is the address shown against your name in the register of veterinarians. Please advise me at once if it is incorrect. The name of the returning officer is Philip Noel Ross, J P. The Secretariat Office can supply copies of the Elections Regulations, nomination forms and guidelines on the nominee profile that is required.

Timeline of 2004 Election:

| | |
|--|----------------|
| Veterinarians advised in <i>Newsbrief</i> | Mid June |
| Nominations close | 1 October |
| Ballot papers mailed | 11 October |
| Ballot closes, votes counted | 26 November |
| Candidates and Council notified | 26 November |
| Gazette Notice, Minister notified | early December |
| Registered vets notified by <i>Newsbrief</i> | December |

Julie Haggie
Secretary

Veterinary Council of New Zealand