



Don't forget to vote in the Veterinary Council elections

The following 5 candidates are standing for election for the 3 elected membership positions on the Veterinary Council:

- + Ron Gibson
- + Grahame Joyce
- + Peter Jerram
- + Mark Robson
- + Julie Wagner



Ballot papers and candidate profiles have been posted out to every registered veterinarian. Completed ballot papers must be received back, at the Council's offices, by 5.00pm on 22 November 2007 to be eligible to be included in the counting of votes.

This vote is your chance to determine who should be involved in the regulation of your profession.

All the other health professions have lost this right to elect some of their members to the governing regulatory body. The membership of all health regulatory bodies, such as the Medical and Pharmacy Councils, is now entirely determined by Government. This, in part, was justified by the Government on the basis of poor participation in elections.

Show your support for this democratic method of appointment by putting your completed ballot paper in the post today.

Use your vote or lose it!

A note for employers of veterinarians

Employers should check to ensure that prospective veterinarian employees are registered and hold a current practising certificate. You can do this by accessing the online Register of Veterinarians on the Council's website at www.vetcouncil.org.nz or phoning the Council's office.

The online register also records whether conditions have been imposed on a veterinarian's practice.

If you are planning to employ or recruit an overseas qualified veterinarian, you should check with Council staff or at the registration section of the Council's website

to see if the veterinarian is eligible for registration without examination.

The registration process can take some time if the veterinarian is required to sit and pass the New Zealand National Veterinary Examinations. The Preliminary examination is staged twice a year in March and September. The Final examination is held in November of each year.

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Returning to Practice after a break

Under the Veterinarians Act 2005 applicants for registration and/or the issue of a practising certificate (APC) must satisfy the practising requirements of the Act before registration is approved or an APC issued.

The Council has recently prescribed minimum practising standards which include recency of practice requirements. These state that *‘for any person who has not worked as a veterinarian for five consecutive years, or has not worked as a veterinarian for five consecutive years in the area in which they intend to practise, the Council may examine the person and may if it is necessary place conditions on the person’s practising certificate’.*

This means that each application for a practising certificate (or re - registration) from an applicant with non recent practice will be considered by the Council on an individual basis. In considering each application the Council will take into account such factors as:

- The extent of the applicant’s veterinary experience
- The length of time since they graduated
- any relevant continuing professional development (CPD) the applicant has engaged in while not practising and the proposed CPD they intend to do to assist in their return to practise
- whether the applicant is proposing to resume work in an environment where supervision and collegial support is available

The Council’s focus will be on assisting veterinarians with non recent practice to return to the workforce in

a supported way, while at the same time protecting the public interest.

The types of conditions Council might place on a person’s practice if not satisfied of competence, include:

- supervision - where another veterinary/s is required to monitor and report on performance
- oversight -where another veterinary/s provides support and assistance for the purposes of professional development
- conditions that a person only practise in a stated capacity e.g. as an employee or in association with other veterinarians
- auditing requirements
- continuing professional development requirements, or a period of practical training or experience, or a formal course
- (and in circumstances where the practitioner has been away for practice for a significant period) requiring the person to sit and pass part or all of the registration examination.

The veterinarian concerned has the right under the Act to make written comment or to meet with the Council before any final decisions are made.

Any conditions placed on a person’s practice would make it clear that these related to re-entry requirements and were not the result of any disciplinary action.

New Registrar, Janet Eden



Janet Eden has been appointed Registrar for the Council while Julie Haggie is on parental leave. Janet had a major role in the development of the new Health Practitioner Competence Assurance Act and was the Dental Council’s CEO/ Registrar during the tumultuous changes the introduction of this new legislation brought. This included the bringing together of the four oral health professions under a combined Dental Council, the registration of dental hygienists and dental therapists, development of a raft of new policies and the implementation of the new ongoing competency provisions.

As such Janet brings to the Veterinary Council a good knowledge of regulatory matters and considerable experience in implementing new legislation.

Janet holds a BA and a Diploma in Business and Administration. Prior to working for the Dental Council, she worked for the Ministry of Health in a variety of policy and executive roles.

Newly Registered Specialists

Three veterinarians have recently been granted specialist registration

Dr Fraser Hill – Veterinary Anatomic Pathology

Dr Fraser Hill gained specialist registration in Veterinary Anatomic Pathology in August. Dr Hill is a 1984 Massey graduate and completed a residency in Veterinary Pathology at the University of California's Veterinary Medical Teaching Hospital in 1996. He was admitted as a Fellow of the Australian College of Veterinary Scientists by examination in Veterinary Anatomical Pathology in 1998.

Dr Hill is currently employed as a veterinary pathologist with Gribbles Veterinary Pathology in Palmerston North.

Dr Jonathan Meyer – Veterinary Clinical Pathology

Dr Jonathan Meyer gained specialist registration in Veterinary Clinical Pathology in August. Dr Meyer is a 1995 Pretoria graduate and completed a Doctorate of Veterinary Science at the University of Guelph, Ontario in 1995. Having completed the specialist training and experience requirements and passed the Board Examination, Dr Meyer was awarded a

Diplomate of the American College of Veterinary Pathologists in 2006. Dr Meyer's DVSc thesis was on the lung injury caused by high frequency oscillatory (HFO) lymphoma.

Dr Meyer is currently employed as a diagnostic veterinary pathologist with Gribbles Veterinary Pathology in Auckland.

Dr Bronwyn Smits – Veterinary Anatomic Pathology

Dr Bronwyn Smits gained specialist registration in Veterinary Anatomic Pathology in August. Dr Smits is a 1986 Murdoch graduate and completed a Doctorate of Veterinary Science at the University of Guelph, Ontario in 1992. Having completed the specialist training and experience requirements and passed the Board Examination, Dr Smits was awarded a Diplomate of the American College of Veterinary Pathologists in 1993. Her thesis investigated urea plasma as a cause of abortion in cattle.

Dr Smits is currently employed as a diagnostic veterinary pathologist with Gribbles Veterinary Pathology in Hamilton.

Proposed reform of the administration of the Agricultural Compounds and Veterinary Medicines (ACVM) Act

The profession will be aware of NZ Food Safety's plans to reform the administration of the ACVM Act. Information on this was provided in the October issue of the NZFSA AgVetLink.

Council is aware of the unease about NZFSA's plans and the concerns about the impact on the public's interest.

Council members and staff have met with NZFSA officials on a number of occasions in recent months and Council is now represented on the Agricultural Compounds and Veterinary Medicines Advisory Council (AVMAC), which advises NZFSA on matters relating to the regulatory control of agricultural compounds and veterinary medicines.

During a recent meeting with NZFSA about the management of restricted products those present stressed the need for:

- ACVM to involve the profession and industry in developing any new system
- clear and user friendly ACVM communications - on the elements of the current system which are working and will remain unchanged and those elements which ACVM consider need changing and why – with examples
- any new process needs to be simple, with easily identified codes and as few categories as possible

ACVM will work towards issuing a 'veterinarian only' AgVetLink issue in December on these issues.

Further information will also be provided in future NewsBriefs.

Public comment by veterinarians on veterinary medicines and over the counter products

Advertising is part of robust competition. Advertising and public comment on veterinary products by veterinarians and traders must however be truthful and socially and professionally responsible.

The Council recently received a letter from a major trader of agricultural compounds and veterinary medicines which contained a number of alleged and documented instances of veterinarians' adverse public comments about the products and individual staff of the company concerned.

In reviewing this letter, the Council was concerned about the reported derogatory comments. The information provided by the company raised issues about whether the veterinarians had been acting in an unprofessional manner, at odds with the Code of Professional Conduct.

The company concerned has advised that it does not wish to pursue a formal complaint at this time.

The Council therefore reminds veterinarians that as registered professionals, they enjoy a privileged position in the market place and that under the VCNZ Code of Professional Conduct they are expected to

- be impartial and discerning in their sale or recommendation of veterinary medicines and OTC products so that clients obtain and, equally importantly, know they can obtain an unbiased opinion on the safety, efficacy and worth of products for particular conditions.
- not use their position as a registered veterinarian to gain commercial advantage in the promotion of particular products
- not misrepresent their products or denigrate any other products without substantiated scientific evidence
- maintain scientific integrity and impartiality, providing an unbiased professional opinion on their product and any competitive products.
- ensure that any advertising of over-the-counter animal remedies is done in such a manner as not to jeopardise the public's confidence in the scientific integrity and impartiality of the veterinarian or practice involved or the veterinary profession as a whole.

Veterinarians and veterinary traders also need to ensure that

- comments made on specific products should be factual and based on sound scientific data/ properly conducted trials. The intent and connotations of comments made should be to inform clients and not to discredit, disparage or attack competitors, competing products or services directly or by implication
- in advertising and commenting on specific products they observe a high standard of social responsibility, given that direct and implied criticism of competitors undermines the credibility of the profession as a whole
- advertising of specific products complies with the Agricultural Compounds and Veterinary Medicines Act and ACVM guidance
- concerns about the efficacy of a product or adverse events are notified to the registrant of that product.

The company raising these concerns has been advised that it should publish data on product efficacy to inform veterinarians and end users.

Attention: MAF-approved veterinarians (to certify dogs and cats to Australia) – Leishmaniasis spp. testing



From 1 September 2007, dogs entering Australia that have not been continuously resident in New Zealand since birth or since importation from Australia, will need to have been tested for Leishmaniasis spp. prior to leaving New Zealand.

This test can now be done in-house by IDC, Wallaceville (Tel: 04 894 5600), with a 3-5 day turnaround and a cost of approximately \$90.

For further information, please contact MAF Biosecurity New Zealand Exports Group on 04 894 0513 or email: animalexports@maf.govt.nz

The Public Register of Veterinarians

The Council, after consulting with the NZVA and MAF, has prescribed by notice in the New Zealand Gazette the contents of the register of veterinarians. Under this notice, and under the provisions of the Act, the following information must be included on the Register and made publicly available:

- The veterinarian's name
- Particulars of the qualifications by virtue of which the veterinarian is registered
- Additional qualifications approved by the Council for entry onto the register
- The registration status of the practitioner (full registration, limited registration, provisional registration or non practising)
- The period of time for which veterinarians with limited or provisional registration are registered (required by the Act)
- Whether or not the veterinarian is registered as a specialist
- Details of any conditions on practice (required by the Act) and
- As required by the Act whether the practitioner's registration or practising certificate is suspended and, if so, the following information:
 - .. the grounds for the suspension; and
 - .. the period of the suspension; and
 - .. any conditions for termination of the suspension

In addition the Act requires veterinarians to provide the Veterinary Council with current contact and practice addresses.

The Council will only publish your contact address, the name of your practice or employing organisation, your phone, and e-mail details, if you agree. As such the 2008/09 practising certificate application will include additional questions seeking your permission to publish these details in the public register.

In recent years the Council has published two public registers – the online register on the Council's website and the register published in the Veterinary Council handbook. The content of these registers differs and the information contained in the handbook is out of date even before it is printed. By contrast the information

contained in the online register is never more than one week old.

The Veterinary Council has decided that the content of the public register should be the same, regardless of the format in which it is published.

It is understood that the profession values the register information contained in the Handbook and it is hoped that the majority of veterinarians will continue to give permission for their contact details to be published.

Complaints Report

As at 11 October 41 complaints had been received for 2007.

One complaint remains on hold, 4 have been referred to the Health Committee, 15 did not meet the criteria for investigation and 8 are proceeding. Thirteen complaints have been completed but one has requested a review.

There are currently three different Complaints Assessment Committees active, one relating to a 2006 complaint. Over the year there has been six different committees operating.

Four complaints received in 2006 are still being investigated and 2 have been referred to the Health Committee.

Of the 8 complaints currently being investigated 3 relate to unprofessional behaviour (2 in regards to PAR's and 1 relating to small animals) and the remaining 5 relate to unsatisfactory treatment of small animals (2 cats and 3 dogs).

Congratulations to Julie Haggie on the birth of her twins

Julie's twins were born earlier this month. Those of us who have had the privilege of meeting Grace and Liam can confirm what bonny and beautiful babies they are.

Competency Assessment Processes - Update on current situation and request for comments

The Veterinarians Act 2005 allows the Council to assess the competence of individual veterinarians. To date this provision has not been used.

The Council has recently appointed, on the nomination of NZVA, the following practitioners to a panel available for appointment to competency assessment teams:

- Dr Sandra Forsyth
- Dr Adam Hittman
- Dr Ivan Bridge
- Dr Jenny Weston

Other appointments are pending. The Council is grateful to these veterinarians for making themselves available to assist in the self regulation of the profession.

Members of the Council's Standing Competency Review Committee may also serve on competency assessment teams.

The Council is currently reviewing its draft competency assessment policies and procedures. In undertaking this review the Council is being guided by the following principles:

- Consultation with the profession should occur before finalisation of competency assessment policies and procedures
- Competency assessments determine whether a veterinarian has the necessary skills, judgement, attitude and knowledge to practise veterinary medicine in accordance with his or her registration and whether he or she meets the reasonable standard expected of a veterinarian with his or her registration
- Although consideration of competence may be triggered by a complaint/s, competency assessments do not investigate complaints and are not a disciplinary process. Rather they are evaluative, educational and rehabilitative in nature. In recognition of the anxiety that they cause for veterinarians being assessed, they are also as consultative and supportive as possible

- The competence assessment procedures are designed to protect the public, to be remedial, and to be based on a process that is thorough, transparent and fair
- At present the Act provides that competence assessments can only be initiated following a Complaints Assessment Committee (CAC) recommendation identifying areas of concern, However a proposed amendment to the Act, contained in the Statutes Amendment Bill provides that Council may initiate competence reviews on its own initiative
- Council has agreed that the following factors increase the probability of underlying incompetence and may, in combination or on their own, lead to a competence review :
 - .. A pattern of poor standards of care - with several clients, or one client over a period of time, that suggests that the veterinarian's practice does not meet the accepted standard
 - .. The magnitude of the mistakes – evidence of a significant knowledge or skill deficit or a one off serious departure from accepted standards of practice
 - .. A developing change in behaviour toward a disruptive pattern exhibiting angry responses, inappropriate outbursts, damaging personal interactions, deteriorating relationships
 - .. Working in a professional isolated environment
- If the Council decides a competence assessment is required, the practitioner concerned will be provided with full information on why the Council has decided to carry out a review and be asked to comment on the proposed terms of reference and membership of the review team
- A competence assessment team of up to 3 members will be appointed from a panel of assessors. One member of the team must be a person practising in the same branch of veterinary medicine as the person being assessed

- ♦ Team members must sign a confidentiality agreement in which they undertake not to reveal or release any personal or health information obtained about the practitioner being assessed or his or her clients, except as legally required during the course of or after the review
- ♦ The scope of the review will normally be limited to the area of the concern about which the decision to hold a competence assessment arose, unless there are indicators of a general competence problem
- ♦ The review wherever possible will use standard assessment techniques (currently being developed) e.g. assessment tools covering communication skills, clinical case management, record keeping, practice systems, prescribing etc
- ♦ The Competence Assessment Team will visit the veterinarian in his or her practice. The practitioner can expect the onsite part of the review to last one day and may have a support person present
- ♦ Outcomes of a competency assessment process, if the veterinarian's practice does not meet the required standard of competence, may include the veterinarian being required to undertake an educational program or have one or more conditions included on their practice e.g. supervision, oversight, limitations on practice, practical experience
- ♦ VCNZ will pay for the costs of any competency assessment. The veterinarian will pay for the costs of any required educational programme

Further information will be provided in future NewsBriefs.

Meantime, the Council invites comments on the above principles.

These should be provided to the Registrar by 10 November, so that they can be considered at the next Council meeting on 19 November.

Practising Certificate Renewal 2008

Applications for practising certificates for the 2008/09 practising year will be due at the end of March 2008. Application forms will be sent out mid January and the option of a rebated fee for early payment will continue.

The Council will decide on the level of the 2008/09 practising fee when it meets in November. Unless any significant unexpected expenditure occurs it is expected that the fee will be retained at the 2007/08 levels of \$275 rebated to \$250 for early payment.

Due to recent legislative changes the issue of a practising certificate is no longer automatic upon payment of the required fee. Under the Veterinarians Act 2005, the Council must be satisfied, in the public's interest, that veterinarians meet the practising requirements of the Act. This brings veterinary practice into line with other professions.

The Council has prescribed by notice in the NZ Gazette the minimum practising requirements that applicants for a practising certificate must meet. These relate to:

- ♦ Fitness to Practise. Matters that may bring a practitioner's fitness to practise into question include mental or physical conditions (such as neurological, psychiatric or addictive disorders and physical deterioration due to injury, disease or degeneration); adverse disciplinary findings; formal competence enquiries; criminal convictions and any investigations that may result in disciplinary or criminal proceedings.
- ♦ Competence to Practice. Non recency of practice and/or lack of evidence of professional development activities may bring a practitioner's competence to practise into question. Therefore Council will individually examine the practising certificate applications of veterinarians who have not practised for five consecutive years or are seeking to practise in an area they have not worked in for five consecutive years. In addition Council requires veterinarians to record and report on their professional development activities.

Veterinarians wanting to practise in New Zealand during the 2008/09 practising year must answer all questions in the application form. Failure to do so could jeopardise the issue of their practising certificate.

New Zealand Veterinarian Struck off from New South Wales Register of Veterinarians

On May 14th 2007 the NSW Administrative Decisions Tribunal handed down its decision in NSW Veterinary Surgeons Investigating Committee v Thompson. The Tribunal found veterinary surgeon Andrew David Thompson of Orangeville NSW guilty of serious professional misconduct and ordered that:

- (1) his name be removed from the Register of Veterinary Surgeons ; .
- (2) he may not make any application for the restoration of his name to the NSW Register prior to 10th May, 2011; .
- (3) he pay the applicant's costs of the hearing.

Dr Thompson admitted the charges, acknowledging that he had signed a veterinary certificate in relation to the export of three horses which was false and misleading. Dr Thompson had certified that the blood collected from two of the horses was negative for EVA when this was not the case. In addition he had supplied injectible steroids to a non veterinarian, while being aware of the prohibitions against the supply of anabolic steroids in other than strictly regulated circumstances.

The Tribunal commented that Dr Thompson's conduct was not a minor transgression with consequences restricted to himself and his client. Rather it had enormous ramifications with potential to wreak havoc on the businesses and employment of those engaged in exporting livestock.

The full decision is accessible on the internet site <http://www.austlii.edu.au/au/cases/nsw/NSWADT/2007/107.html>

Dr Thompson is a Massey graduate and had maintained his registration with the Veterinary Council of New Zealand.



Section 50(1)(e) of the Veterinarians Act 2005 provides grounds for the Council to take disciplinary action against veterinarians if they have been struck off or disciplined in overseas jurisdictions.

Dr Thompson has voluntarily removed his name from the New Zealand Register of Veterinarians.

The Council considers every adverse overseas disciplinary finding on an individual basis with the primary consideration of the Council being its obligation under the Act to "protect the public interest by aiming to ensure that veterinarians are competent to practise". For that purpose Council took the view, in this case, that this matter need not be pursued in the New Zealand situation as there was no immediate potential risk to the public interest from the veterinarian concerned wishing to practise in New Zealand. In such circumstances the public interest is protected by the veterinarians concerned being advised that consideration of the adverse findings will be deferred until such time as he or she seeks to practise in New Zealand (either by applying for registration or a practising certificate).