



Veterinary Council Update December 2013

The Veterinary Council extends its warm wishes for a Happy Christmas and relaxing break. Special thanks to those vets who have supported the Council's work during the year. **The office will close at 5pm on Friday 20 December and reopen on Monday 6 January 2014.** For any urgent matters, please email janet.eden@vetcouncil.org.nz.

1. VCNZ election results

The votes to elect three veterinarians to membership of the Veterinary Council were counted on 28 November.

The number of votes recorded for each candidate was:

Jeff Grimmett, 500
Scott McDougall, 421
Ian Robertson, 458
Madhuri (Marjorie) Singh, 206
Nick Twyford, 484
Julie Wagner, 438

Congratulations to Jeff Grimmett, Nick Twyford and Ian Robertson who the independent Returning Officer has duly declared elected to the Veterinary Council.

Of the 2687 vets who were sent voting papers only 912 voted giving a 34% voter turn out, compared to 37% in 2010 and 43% in 2007

Thank you to those who showed their support for this democratic method of appointment.

2. VCNZ Veterinary Advisor vacancy

The Council has created a new Veterinary Advisor position at its Wellington offices to provide professional advice and support to Council staff, veterinarians and members of the public on professional standards issues and assist in meeting its strategic communication and professional standards objectives.

A full time role is envisaged, but some flexibility may be available.

Click [here](#) for the role description and direct any inquiries to the CEO/Registrar janet.eden@vetcouncil.org.nz , 04 473 9600 or 021 651 203.

Applications (including a cover letter and CV) should be sent to her before 5pm Friday 17 January 2013.

3. Annual Practising Certificate (APC) Renewal online

To practise as a veterinarian in New Zealand you must be registered and hold a current practising certificate. The practising year starts on 1 April. To avoid adverse consequences your APC application and payment must be received before your current practising certificate expires.

In the past the Council has posted out hard copy APC application forms to veterinarians in early February. These needed to be completed and posted back with payment by late February to qualify for an early payment discount; and by late March to ensure a new practising certificate was able to be issued before the previous one

expired. This is a costly exercise and delays are invariably encountered due to the shortcomings of 'snail mail' and vets not informing us of address changes.

To reduce costs and promote prompt renewal, veterinarians will, in 2014, be invited to renew their practising certificates online.

We will send an email in early February to the email address we have recorded for you. This will include instructions and a unique user ID to access and use the new online system. **Please make sure we have your current email address, preferably not a shared one.** Contact vet@vetcouncil.org.nz to check your current email address or advise changes.

Online renewal will be available during the 'bulk' APC renewal process in February and March. Online APC applications can only be paid via Credit Card or Bank Transfer (Direct Credit).

If you wish to pay by cheque, or are unable to use the online system, you will need to download a hardcopy application form which will be available [here](#) from late January, complete and post it to us with the relevant fee before the expiry date.

It is your professional responsibility, not your employer's, to renew your practising certificate.

Please make renewing your practising certificate a priority

By renewing your practising certificate the Council is confirming to the public that you are competent and fit to practise. It is illegal to practise as a veterinarian without holding a practising certificate. Those who do, risk prosecution, a fine of up to \$10,000 and lack of indemnity cover.

In a recent New Zealand Health Practitioners Tribunal (HPDT) decision, a dental technician was found guilty of practising without an APC. His had lapsed on 31 March 2013 and because he was late submitting his application a new certificate was not issued until 20 days later. During this 20 day period he worked as a dental technician. The Tribunal censured and fined him and he was also required to pay costs. A full copy of the decision can be found [here](#).

To date the Veterinary Council has not mounted any similar prosecutions, but has come close to doing so in relation to a small number of vets who consistently submit late applications, despite reminders. In light of the recent HPDT decision the Council is likely to take a much less lenient view in the future.

Please make it a priority to apply for your APC in the New Year before your current one expires on 31 March 2014.

4. Requirements for employers bulk paying the APC fees of their employees

Similar authorities to the Council do not accept bulk payments made by employers; instead requiring practitioners to make individual payment and claim back from their employer. This is because:

- it is the individual practitioner's responsibility to renew their practising certificate
- the task of matching payments to APC applications is very time consuming when the information submitted by employers is incorrect
- the task of matching payments is complicated when online renewal is offered, unless employers make payment to the Council before the online renewal

option is made available. Otherwise double payment by employers and veterinarian employees is an issue, with the accompanying need for refunds.

We therefore prefer that veterinarians take individual responsibility for applying and paying for their practising certificate application and claim back, if relevant, from their employer.

However, for the 2014/15 APC renewal, we will continue to accept cheques and bulk direct credit payments in situations where employers wish to pay the APC fees of **10 or more veterinarians** renewing online. This is subject to payment being made to the Council's BNZ bank account 02-0506-0072992-000 **before 29 January 2014** and an excel spreadsheet with the names, registration numbers and amounts direct credited for each veterinarian being provided to vet@vetcouncil.org.nz on the same day as the bulk payment is made (or cheque provided). If payment is not made, and/or the details not provided to us by 29 January the veterinarians renewing online will need to make individual payment and claim back from their employer.

Employers wishing to pay the APC fees of **10 or more veterinarians**, who cannot meet the above 29 January timeframe, will need to advise their vets that the online APC renewal option is not available to them and that they need to download and complete a hard copy of the APC application which will be available [here](#) in late January. In such circumstances we require the employer to send the completed hard copy APC forms to us at the same time payment is made under cover of an excel spreadsheet with the names, registration numbers and amounts paid (with this spreadsheet also to be emailed to vet@vetcouncil.org.nz).

5. Changes to Continuing Professional Development (CPD) compliance monitoring

On 1 April 2011 the Council's new compulsory CPD framework, which has been prescribed as a minimum practising standard by Notice in the New Zealand Gazette, took effect. At the same time this [Guidance Document](#) was provided to all veterinarians.

This provides for CPD compliance monitoring to commence in late 2013/early 2014 to inform veterinarians CPD declarations in their APC applications for the 2014/15 practising year.

Because of the practical difficulties of compliance monitoring over the summer holiday period Council has recently decided to amend the CPD year to start on 1 July with the first (pilot) compliance audits to take place in August/September 2014, to inform consideration of the CPD declarations veterinarians make in their applications for an APC in February/March 2015.

Changing the start date of the CPD year to 1 July allows more time for CPD audits to be completed before the annual practising certification process. If necessary veterinarians will have more opportunity to take appropriate remedial action following an audit of their CPD, prior to applying for an APC for the following practising year.

We have appointed suitably qualified CPD Auditors who will receive appropriate training prior to commencing the first audits.

We are updating the Guidance Document which will be available on our website in the New Year.

6. Recent Judicial Committee case

The VCNZ Judicial Committee recently found charges of professional misconduct against a veterinarian established - in that he administered a non-standard dose of Ketoprofen to a race horse without the reasonable care and skill expected of veterinarians and took an obstructive approach to legitimate investigation by the Complaints Assessment Committee (CAC).

The penalties were censure, supervisory conditions on practice and payment of 50% of the costs and disbursements incurred by the Judicial Committee and CAC.

Click [here](#) for the Judicial Committee decision and [here](#) for its penalty decision.

7. Minimum practising standards checklists

Section 26(1) of the Veterinarians Act requires the Council to be satisfied that veterinarians satisfy minimum practising requirements before recertifying their right to practise through the issue of an annual practising certificate (APC).

Minimum practising standards (MPS) are issued under section 75(i) of the Veterinarians Act and set out the minimum performance and conduct standards veterinarians are expected to meet and may be measured against.

To date Council has prescribed MPS in relation to:

- Fitness to practise
- Competency – including recency of practise
- Continuing professional development
- Professional requirements - the Code of Professional Conduct (“the Code”)

Currently veterinarians are required to declare, as part of their APC application, that they are aware of and comply with the requirements of the Code.

To better inform this annual declaration, and remind veterinarians of the key requirements, the Council has developed the following Minimum Practising Standards checklists which detail the standards considered most necessary to protect the public interest:

- Records (linked to the Code and VCNZ Competence Standards)
- Informed consent (linked to the Code)
- Animal Welfare (linked to the Code and Animal Welfare Act)
- Emergency Care (linked to the Code)
- Veterinary Medicines (Linked to the Code and ACVM Performance Standards)
- Certification (linked to the Code)
- Professional Standards (Linked to the Code)
- Biosecurity (Linked to the Code and Biosecurity Act)

These will be added to over time (e.g. infection control) and extended to non clinical areas of practice.

Click [here](#) to access the checklists.

The checklists also:

- Provide the basis for veterinarians to monitor their own practice
- Provide clear information to practice owners on the required standards
- Summarise the standards by which VCNZ can evaluate a veterinarian’s conduct and performance

- Provide the basis for proposed future compliance monitoring of APC declarations by VCNZ
- Assure the public that standards are in place and monitored

Veterinarians are encouraged to use the checklists to undertake a voluntary self assessment of their compliance with the Code. CPD points will be able to be claimed if the completed checklist is retained with their other evidence of CPD activity.

The Council has decided that from 2015 as part of the APC renewal process veterinarians will be asked to formally declare compliance with each of the standards considered to be most important for protecting the public interest and asked to complete the checklists and file these with their CPD records. At this time CPD compliance monitoring of a certain percentage of the profession will be extended to include consideration of the completed checklists.

From this group a number of veterinarians will be selected and visited by a VCNZ agent to confirm compliance with MPS.

Guidance on what to do in the event of noncompliance with minimum practising standards is set out in the Council *Policy on Compliance with Professional Standards*.

8. Providing scripts to clients

A reminder about your professional responsibilities to comply with a client's request for a written script instead of dispensing the product yourself. Where there has been a consultation and you have proposed treatment with a veterinary or human medicine, the client is entitled to ask you for a written script to take away and have the product dispensed by a different trader.

There have been recent reports of traders not being able to fill scripts because of missing information; in some cases it is claimed deliberately so.

The Council would take a very dim view of veterinarians deliberately omitting information from written scripts with the intent of preventing the dispenser from filling them.

9. VCNZ and NZVA Update Veterinary access to non-consented human medicines

This is an update on VCNZ and NZVA's [previous communications](#) about the Ministry of Health's advice to wholesalers and pharmacists that they cannot supply non-consented human medicines to veterinarians.

VCNZ and NZVA are continuing to work closely with the Agricultural Compounds and Veterinary Medicines (ACVM) Group of the Ministry for Primary Industries (MPI) to review the options and progress possible solutions for veterinarians.

It is important to remember that veterinarians are still able to access consented human medicines.

We have also received confirmation from the Ministry of Health that veterinarians can continue to use s29 medicines that are already in their possession for the treatment of patients. However veterinarians cannot sell or supply s29 medicines to other veterinarians or veterinary practice (or anyone other than a client whose animal needs them).

Why is VCNZ involved in this issue?

VCNZ involvement in this issue stems from its function of ensuring that vets comply with legal and professional requirements and its public interest role.

Extent of the problem

While this situation is of significant concern to those veterinarians using s29 medicines, only a small number of practitioners have provided feedback that they will be affected by this change.

Provet has confirmed that it has most of the s29 medicines in this [list](#) in stock in its Brisbane centre. These can be imported by veterinarians who go through the ACVM approval process.

Discretionary Use of Human Medicines

We remind veterinarians that in considering the use of any human medicine the Code of Professional Conduct requires them to determine if there is a registered veterinary medicine that will adequately achieve the intended effect and use that in preference. Further detail and an explanation of the 'cascade principles' which need to be worked through in determining whether an unconsented human medicine is needed is set out in the Council's [Statement on the Discretionary Use of Human and Veterinary Medicines](#)

Non-consented human medicines “held in anticipation”

Of particular concern to some veterinarians is the lack of access to Dopram and injectable Phenobarbital, because these products are generally held 'in anticipation of use' and as such do not meet current ACVM Act criteria for import.

Currently, when considering applications made by veterinarians to import unregistered products in special circumstances, MPI ACVM must consider whether the product is intended for use on animals under the care of the veterinarian making the application (i.e. not to be held in anticipation). MPI ACVM has in response to concerns raised agreed to consider special circumstances applications to import these two products in anticipation of use so that veterinarians have them on hand. Applications must be able to demonstrate the therapeutic rationale for using the product and why none of the other options set out in the [decision flowchart](#) are appropriate. MPI ACVM will review this situation in the New Year.

Refer to the previous VCNZ [communication](#) and [ACVM Information Requirements for Special Circumstances Approval](#) for further detail on the ACVM approval process.

Injectable Phenobarbital

As Injectable Phenobarbital is a controlled drug (the only s29 medicine that is a controlled drug that we are aware of) anyone ordering it into the country requires an import licence from the Ministry of Health as well as seeking special circumstances approval from ACVM.

In order to provide the profession with practical advice, a Council member is currently going through the process of sourcing injectable Phenobarbital. In the next update we will provide information on the importing process including the cost and time taken to access it.

Dopram

For those who have contacted VCNZ about access to Dopram we will contact you in mid-January to address the concerns you have raised. For those who use Dopram

but have not yet contacted VCNZ yet, please email michelle.hawes@vetcouncil.org.nz by Friday 10 January 2014.

Future communication

NZVA in its role of helping, informing and representing veterinarians will be issuing extra guidance for its members in the coming weeks.

Early in the New Year we intend to inform the profession about the process for sourcing injectable Phenobarbital and any other developments in this area.

It is important that if you rely on s29 medicines for your patients that you are looking into the options available to you and allow time to access them.

If you have any queries about access to s29 medicines please do not hesitate to contact either NZVA or VCNZ.