



Veterinary Industry Regulation Issues.

Veterinarians across Australia are regulated state by state under veterinary practice acts. There are varying degrees of harmonisation and at this stage WA and the NT do not have mutual recognition of registration. The state boards are governed by a voluntary network under the Australasian Veterinary Boards Council which acts by

- providing a forum for communication and discussion of areas of mutual interest and policy development;
- providing the framework for public and industry confidence in veterinary standards;
- assuring and promoting educational standards in the accreditation of veterinary schools, the National Veterinary Examination and specialist accreditation.

The South Australia Veterinary Board has recently left the AVBC which is an issue for our profession that I would like to speak to.

The VNCA has recently started a voluntary national registration scheme which the AVA support.

<https://www.vnca.asn.au/avnat/>

There are other providers of animal health services which the AVA would like to see educated as regulated as per our policy below.

Regulation of animal health service providers

Ratification Date: 07 Dec 2018

Policy

All animal health service providers, including veterinarians, paraprofessionals and non-veterinary animal health providers should be appropriately regulated to ensure adequate animal welfare and consumer protection.

Definitions:

Veterinary paraprofessional:

A person to whom particular aspects of professional tasks can be delegated, under the responsibility and direction of a veterinarian. The tasks for each category of veterinary para-professional should be defined by the states'/territories' veterinary board depending on qualifications and training, and in accordance with need. (Adapted from the OIE definition.¹). For the purposes of this policy, veterinary paraprofessionals include veterinary nurses and veterinary technicians.

Animal health provider:

An animal health provider provides their services independently. Non-veterinary animal health providers provide their service without direct supervision or control of a registered veterinarian.

Veterinary Nurse:

A veterinary nurse is a veterinary paraprofessional (as defined above) with a minimum qualification of a Certificate IV in Veterinary Nursing in the Animal Care and Management Training Package (ACM40112). Particular aspects of professional tasks can be delegated to them under the responsibility and direction of a veterinarian, some of these are defined by regulations in some states'/territories' veterinary legislation. Some nurses undertake further training at a Diploma level in specific areas of practice.

Veterinary Technician:

Veterinary technicians have completed a bachelor's degree in veterinary technology. Some work in veterinary practices as veterinary paraprofessionals (as defined as above) while others work in the wider veterinary or animal industries. In veterinary practices they frequently fill similar roles as veterinary nurses, sometimes in more senior roles. Some veterinary technology degrees incorporate the Cert IV qualification.

Background

Regulatory Acts requiring veterinarians to be registered to practise were enacted in all jurisdictions early in the 1900s. These Veterinary Acts were introduced to address serious animal welfare issues and fraudulent or incompetent acts by unqualified persons.

Recent changes in Australia have seen an increase in animal health service provision performed by people who are not veterinarians, and as such not regulated. At the same time, the public expectations for animal welfare have significantly increased, with demands for better standards of care for both production and companion animals. There is real concern that the lack of adequate regulation is leading to poor animal welfare outcomes, does not adequately protect consumers, and puts at-risk Australia's favourable biosecurity status. This concern extends to both businesses and individuals who are not regulated, and making financial gain working with animals. While there are state based animal welfare laws that address cruelty to animal complaints, there is no real ability to address competency issues for many of those working with animals.

Presently in Australia, all veterinarians are registered and regulated. The Veterinary Practice Acts in each state and territory are based on protections for animal welfare and consumer protection. They allow for complaints to be investigated about the competency and professional conduct of veterinarians. All Acts except for Victoria include restricted veterinary acts which can only be performed by registered veterinarians providing further consumer and animal welfare protections. The AVA's position as to what should be included in these restricted acts can be found in the restricted acts of veterinary science policy. Some paraprofessionals are already regulated through the veterinary practice legislation in some states to perform some professional tasks under the direction/supervision and/or control of a veterinarian. For instance, veterinary nurses and equine dentists in Western Australia, and welfare/wildlife carers who are licensed to use barbiturates to euthanase wildlife in Queensland.

Recommended model of regulation

Veterinarians

All veterinarians are regulated through veterinary practice acts that are harmonised across the states and include appropriate restricted acts of veterinary science.

Paraprofessionals

Paraprofessionals (see definitions) should be regulated under the veterinary practice acts. Registration of paraprofessionals has been recommended by the OIE Performance of Veterinary Services (PVS) Evaluation Report of Australia.² This should include obligations and responsibilities for both the paraprofessional and the supervising veterinarian. Complaint investigation should be able to be heard both against the paraprofessional and the supervising veterinarian based on the context of the complaint. It is important that the qualification and training for all paraprofessionals are of an appropriate standard, determined by the veterinary boards in consultation with the veterinary profession (and the OIE standards which are presently in development).

Licensed non-veterinary animal health providers

For non-veterinary animal health providers there should be an assessment undertaken to determine which are performing tasks that are higher risk, and/or of a higher quality that would allow for a licencing system to be established. This licencing should be through a governmental agency and should include veterinary input into complaints that relate to animal health care. They should not be licenced to perform tasks that are determined to be restricted acts of veterinary science.

Unregistered non-veterinary animal health providers

For all other non-veterinary animal health providers legislation needs to be introduced which includes a code of conduct that applies to all unregistered animal health service providers and allows for complaints to be heard against the providers. This model is already in place in human health legislation (Public Health Acts)³ where there is a code of conduct that applies to anyone providing a health service who is unregistered.⁴ Complaints for these human health providers can be made to the Health Care Complaints Commission, who can investigate, and if deemed appropriate the practitioner prohibited from continuing to offer the service.

The intention of the code is to set out the minimum practice and ethical standards with which unregistered animal health service providers are required to comply. The code of conduct informs consumers what they can expect and the mechanisms by which they may complain about the conduct of, or services provided by, an unregistered animal health service provider. The key aspects of the code should be that the unregistered animal health provider:

- must provide animal health services in safe and ethical manner
- must not provide animal health services that are outside of their experience or training, or that they are not qualified to provide.
- must not mislead or deceive their clients as to their competence or ability to provide treatment.
- must recognise the limitations of the treatment they can provide and refer clients to another animal health provider or a registered veterinarian in appropriate circumstances.
- must recommend to their clients that additional opinions and services be sought, where appropriate.
- must encourage their clients to inform their veterinarian (if any) of the treatments their animals are receiving.
- must ensure that appropriate first aid is available to deal with any misadventure during any procedures being carried out by them on animals
- must obtain appropriate emergency veterinary assistance in the event of any serious misadventure during a procedure on an animal.
- must adopt standard precautions for infection control
- must not dissuade clients from seeking or continuing with treatment by a registered veterinary practitioner
- should communicate and co-operate with colleagues and other animal health service providers, veterinarian and government agencies in the best interests of their clients and their animals.
- must not practise under the influence of alcohol or drugs
- must not practise with certain physical or mental conditions
- must not financially exploit clients
- be required to have an adequate clinical basis for treatments
- must keep appropriate records
- must keep appropriate insurance
- must not use, sell or supply schedule 4 or 8 pharmaceuticals without proper authorisation.



The agency who investigate the complaint needs the power to:

- issue an order prohibiting the person from providing animal health services for a period of time
- issue an order placing conditions on the provision of health services
- provide a warning to the public about the provider and their services.

References

OIE World Organisation for Animal Health,

http://www.oie.int/index.php?id=169&L=0&htmfile=glossaire.htm#terme_paraprofessionnel_veterinaire
Accessed 14th October 2017

OIE Performance of Veterinary Services (PVS) Evaluation Report on Australia

http://www.oie.int/fileadmin/Home/eng/Support_to_OIE_Members/docs/pdf/FinalReport_PVS_Australia.pdf Accessed 29th October 2017

NSW Government Public Health Act 2010

<https://www.legislation.nsw.gov.au/#/view/act/2010/127/part7/div2> Accessed 12th December 2017

NSW Health Code of conduct for unregistered health professionals

<http://www.health.nsw.gov.au/phact/Pages/code-of-conduct.aspx> Accessed 12th December 2017

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The Australian Veterinary Association Ltd (AVA)

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