

NOVEMBER 2010

BYLAWS OF

THE PRINCE EDWARD ISLAND VETERINARY MEDICAL ASSOCIATION

Preamble:

While the Prince Edward Island Veterinary Medical Association has opted to use the male personal pronoun out of convenience and to facilitate the readability of this document, it is intended that she and he or her and his are completely interchangeable.

1. DEFINITIONS

In these bylaws:

Act

Association

Hospitalization

Licensed Member

Member

Registered

Registrar

Secretary-Treasurer

(a) "Act" means the Veterinary Profession Act;

(b) "Association" means the Prince Edward Island Veterinary Medical Association;

(c) "Hospitalization" means the confinement of a patient in a veterinary facility;

(d) "Licensed Member" means a member licensed by the Licensing Board of the Association to practice clinical veterinary medicine;

(e) "Member" means member of the Association;

(f) "Registered" means duly registered as a member of the Association;

(g) "Registrar" means Registrar of the Association;

(h) "Secretary-Treasurer" means Secretary-Treasurer of the Association.

2. OFFICERS

2.1 The Officers of the Association shall be the President, the Vice-President, the Secretary-Treasurer, and the Registrar.

3. COUNCIL

3.1 The Association shall be governed by a council consisting of the four officers and three other Council members and the Association's representative on the Canadian Veterinary Medical Association council, all to be elected or appointed in conformity with the Act and with these Bylaws.

Qualifications

3.2 No person is eligible to be elected a member of the Council unless he is a regular member of the Association, resident in Prince Edward Island, and unless his fees are fully paid.

4. ELECTIONS

Nomination of candidates for reelection to Council

4.1 The following procedures shall be followed in the nomination of candidates for election to Council:

(a) The Council shall appoint annually a Nominating Committee consisting of at least three members whose duty it shall be to select a list of proposed candidates for election as Council members and as officers and to ascertain the willingness of such proposed candidate to accept nomination;

	(b)	the names of all candidates so nominated shall be placed before a general meeting;
	(c)	the chairman of the meeting shall then call for further nominations from the floor of the meeting;
	(d)	the Chairman of the meeting shall declare nominations closed following three unanswered calls for further nominations;
	(e)	all candidates properly nominated who are in attendance shall be formally presented to the meeting immediately prior to balloting.
Voting procedure	4.2	Voting shall be by secret ballot and every member of the Association is entitled to vote for the number of officers and other Council members to be elected and a ballot marked for any greater number shall be declared void.
Scrutineer	4.3	The meeting shall appoint two persons to act as scrutineer.
Tie ballots	4.4	If two or more candidates for any one office receive an equal number of votes, another secret ballot shall be taken to determine which of those candidates who tied on the first ballot can receive a majority of the votes.
Taking office after election	4.5	New members of the Council shall take office at the conclusion of the general meeting at which they are elected.
Vacancy on Council	4.6	Upon the death, resignation, or removal from Prince Edward Island of a member of the Council the Council shall appoint some other member of the Association to fill the vacancy until the next election.
Suspension from Office	4.7	Any elected Council member may be suspended from office by written notice at the discretion of Council for non-attendance at three or more consecutive meetings of the Council without sufficient excuse for being absent.
	5.	COUNCIL MEETINGS
Meeting s o f Council	5.1	The Council shall hold regular meetings and such special meetings as the interests of the Association may require; special meetings may be called by the President, at his own discretion or on the request of three or more Council members.
Order of Business	5.2	The Council shall prescribe its own order of business.
Notice of meetings	5.3	In the case of regular meetings of Council, two weeks' notice by letter shall be given by the Secretary-Treasurer to all members of Council.
	5.4	In the case of special meetings of Council, all members of Council shall be notified by the most appropriate means as indicated by the degree of emergency of the meetings.
	6.	MANAGEMENT
Management by Council	6.1	Subject to these bylaws and to the will of general meetings of the members of the Association, the Council shall direct and manage the affairs of the Association.
	7.	REMUNERATION
	7.1	There shall be paid to any member of the Licensing Board who is not registered under the Act such stipends and such remunerations for approved travelling expenses as may from time to time be fixed by resolution of the Council.

8. SIGNING OFFICERS
- 8.1 The signing officers of the Association are the Secretary-Treasurer, the President, and the Vice-President.
- 8.2 All cheques and formal documents required to be completed by the Association shall be signed by the Secretary-Treasurer and by the President, but in the absence of the President or on his direction, the Vice-President may sign in place of the President.
9. PRESIDENT
- 9.1 The President shall preside at all meetings of the Council and shall have a casting vote in Council.
- 9.2 The President shall preside at all general meetings of the members of the Association and shall have a casting vote in all matters except election of members of Council.
- 9.3 The President shall be a signing officer of the Association.
- 9.4 The President shall be empowered to call special meetings of the Council and shall call general meetings of the members of the Association when so directed by the Council.
- 9.5 The President shall act as chairman of the Licensing Board meetings and shall have a casting vote in Licensing Board meetings.
10. VICE-PRESIDENT
- 10.1 In the absence of the President or at the request of the President, the Vice-President shall perform the duties of the President and assume the powers normally vested in the President.
11. SECRETARY-TREASURER
- 11.1 The duties and powers of the Secretary-Treasurer are as follows:
- (a) to keep a faithful record of the proceedings of all Council, Licensing Board and general meetings and preserve in proper order all records and documents belonging thereto;
 - (b) to attend to the payment or settlement of all accounts of the Association as authorized or directed by the Council or Licensing Board;
 - (c) to deposit promptly to the credit of the Association in a financial institution all receipts of the Association;
 - (d) to maintain proper books of account together with all vouchers so that they shall be available for audit at any time;
 - (e) to receive all monies and documents to which the association may become entitled from memberships, meetings, conventions, and other approved sources;
 - (f) together with the President or Vice- President, sign all cheques and formal documents required to be completed by the Association;
 - (g) to send by letter, or by publication in the Association's Bulletin, of any proposal or resolution to every member of the association in good

- standing at least thirty days prior to general meetings;
- (h) to notify members of fees payable and of any other requirements that Council or Licensing Board may deem necessary;
- (i) to maintain a current mailing list of all registered members, Licensed members, associates and technicians;
- (j) to receive and present to Council and Licensing Board all applications from new members and associates;
- (k) to account for all monies paid to him and to use such monies as directed by the Council;
- (l) to deliver promptly to his successor in office all books, vouchers, cash on hand, and other property of the Association in his possession or under his control;
- (m) to be responsible for all correspondence related to the business and function of the Association and of Licensing Board.

12. REGISTRAR

Duties and Powers

12.1 The duties and powers of the registrar are as follows:

- (a) to register as a member every person who is entitled to be a member;
- (b) to keep a register of all persons who become members of the Association, or become Associates, and of all animal health technicians employed by such members;
- (c) to prescribe and issue a membership certificate to each new registered member upon payment of the prescribed fees;
- (d) to deposit in the office of the Provincial Secretary, not later than the first day of April of each year, and to publish in such a manner as Council directs, a correct list in alphabetical order according to surnames of members of the Association showing their residence;
- (e) to deliver promptly to his successor in office all books and other property of the Association in his possession or under his control;
- (f) to record and monitor the continuing education courses taken by members and to ensure fulfillment of requirements for licensure as directed by Licensing Board;
- (g) to issue interim licenses as necessary to members of the Association in good standing.

12.2 The Council shall appoint a current member as Acting Registrar when the Registrar is absent or unable to act or when there is a vacancy in the office of the Registrar who shall assume the powers and responsibilities of the Registrar.

13. GENERAL MEETINGS

Section 11 of Act

13.1 General meetings of the members of the Association shall be held in accordance with Section 11 of the Act.

Notice to members

13.2 At least fourteen days prior to the date fixed for a general meeting, a written or printed notice of such meeting shall be mailed or caused to be mailed by the Secretary-Treasurer to every member in good standing of the Association, addressed to him at the Post Office address recorded as his in the register of the Association.

Order of business

13.3 The order of business at general meetings of the Association shall be as follows:

- (a) reading of the minutes;
- (b) reading of communications;

	(c) reports of committees and auditor's report at the direction of Council;
	(d) unfinished business;
	(e) new business;
	(f) election of members of Council, when applicable.
Procedure	13.4 The procedure to be followed at general meetings shall be based on "Roberts Rules of Procedure."
Quorum	13.5 At any general meeting of the Association twenty percent of the members constitute a quorum.
	14. MEMBERSHIP
Classes of membership	14.1 There shall be the following classes of membership:
	(a) regular - any person admitted to membership according to the Act and Bylaws;
	(b) licensed - any regular member who has a license granted by the Licensing Board in accordance to Section 5(2) of the Act;
	(c) honorary - any person who has rendered outstanding service to the Association or to the veterinary profession in general may, by a two-thirds majority vote of the members present at any general meeting, be elected an honorary member;
	(d) life - any member of the Association who has attained the age of sixty-five years may, by a two-thirds majority vote of the members present at any general meeting, be elected a life member;
	(e) short term - any person eligible for membership in accordance with Section 5(1) of the Act may be granted a short-term membership for a specific time period not to exceed a four-month period. This member is not eligible to hold office.
	(f) retired - any member is eligible for a fifty per cent reduction in membership fees who is over 55 years of age and fully retired from the practice of veterinary medicine
Application Forms	14.2 An applicant for membership in the Association shall complete such application forms as may be required by the Council and shall include thereon all information as is requested on the form.
Admission to membership	14.3 The Council shall conduct enquiry of any application for membership in the Association to ascertain if the applicant qualifies for membership according to Section 5 of the Act.
Enquiries re applicants	14.4 The Council may conduct enquiry of an applicant for membership in the Association by written communications and by meeting with the applicant.
Time and place of meeting applicant	14.5 If the enquiry of an applicant for membership in the Association is conducted by meeting with the applicant, the time and place of such meeting shall be set by the Council.
Continuing education standards	14.6 The Council shall encourage all members of the Association to maintain a standard of continuing education equivalent to that required by licensed members.
Admission to membership	14.7 The Council shall admit to membership in the Association any applicant entitled to admission according to the findings of the Council and who pays the admission and annual fees prescribed in Section 15 of these bylaws.

Restricted rights

14.8 No honorary or life members shall be entitled to vote or hold office in the Association unless such person is also a regular member of the Association.

Classes of Associates

14(A) ASSOCIATES

14(A).1 There shall be the following class of associates:

- (a) Academic - any person who make application for academic association; and
 - (i) is a faculty member at the Atlantic Veterinary College;
 - (ii) is a graduate of a veterinary school not accredited by the Canadian Veterinary Medical Association at the time of his graduation;
 - (iii) does not hold a certificate of qualification from the National Examining Board of the Canadian Veterinary Medical Association;
 - (iv) solemnly declares his willingness to uphold the honour and dignity of the profession and
 - (v) pays the prescribed fee.

Application form

14(A).2 An applicant shall complete such application forms as may be required by the Council and shall include thereon all information as is requested on the form.

Admission

14(A).3 The Council may conduct enquiry of an applicant by written communication and by meeting with the applicant to ascertain if the applicant qualifies as an associate according to these bylaws.

Restricted Rights

14(A).4 Associates shall have the right to attend all meetings of the Association but no associate shall be entitled to vote or hold office in the Association.

Payment of fees

14(A).5 Subject to the approval of a general meeting of the members of the Association, annual associate fees shall be fixed by the Council.

Suspension by Council

14(A).6 Every associate shall, on or before the first day of October in every year pay to the Secretary-Treasurer the associate fee fixed by Council for the upcoming year.

14(A).7 Where an associate does not pay the prescribed fee on or before the first day of January of the year for which it is payable, his association may be suspended by Council.

Admission Fee

15. MEMBERSHIP FEES

Annual registration fees

15.1 Any applicant for membership in the Association shall at the time of his application pay to the Secretary-Treasurer an admission fee of twenty-five dollars.

Membership card

15.2 Subject to the provisions of Section 8 of the Act and to the approval of a general meeting of the members of the Association, annual registration fees shall be fixed by the Council and when fixed are payable by members of the Association.

Reduction in Fee

- 15.3 Every member of the Association shall, on or before the first day of October in every year pay to the Secretary-Treasurer the annual registration fee; upon request the Registrar shall forthwith issue to the person from whom such fee is received a membership card for the year in respect of which such fee is paid.
- 15.4 Where a person is registered after the 1st day of May in any year, one-half of the regular registration fee is payable.
- 15.5 No fee is payable by honorary or life members for their honorary or life membership in the Association.
- 15.6 Subject to the provisions of Section 8.4 of the Act, the penalty for late payment of membership dues will be fixed by council.

Duties and powers

16. LICENSING BOARD

- 16.1 The following are the duties and powers of the Licensing Board:
- (a) to enforce practice standards bylaws;
 - (b) to ascertain that the applicant is a member in good standing with the Prince Edward Island Veterinary Medical Association;
 - (c) to examine the personal and professional background of applicants for eligibility to obtain a license;
 - (d) to ascertain the fitness and competence of applicants to practice clinical veterinary medicine;
 - (e) to encourage licensed members to avail themselves of professional journals and texts;
 - (f) to review all continuing education courses attended by members, to ascertain if such courses are pertinent to member's area of clinical activity; to request the member to report to the Licensing Board with evidence of having attended such courses;
 - (g) to inspect the facilities used by Licensees;
 - (h) to ensure compliance with the standards prescribed for such facilities by these bylaws;
 - (i) to appoint an inspector or inspectors for the purpose of determining and ensuring compliance with these bylaws;
 - (j) to grant or to refuse to grant licenses for the practice of clinical veterinary medicine in accordance with the Act and bylaws.

Application forms

- 16.2 An applicant for a license to practice clinical veterinary medicine shall complete such application forms as may be required by the Licensing Board and shall include thereon all such information as is requested on the forms.

Examinations

- 16.3 The Licensing Board may require an applicant for a license to take such examinations as it may deem advisable to determine the educational background and qualifications of the applicant and all other professional experience and training that will assist in determining the competence of the applicant.

16.4 The Licensing Board may enter into an agreement with any school of veterinary medicine with respect to the setting and marking of examinations under this section; any mark established by a school of veterinary medicine pursuant to such agreement shall be deemed to be the mark fixed by the Licensing Board, unless the Licensing Board otherwise determines.

16.5 A member of the Association shall make application to the Licensing Board to practice clinical veterinary medicine.

General License

16.5(1) if an applicant makes application to carry on the practice of clinical veterinary medicine and the applicant can prove to the satisfaction of the Licensing Board:

- (i) that he is a member in good standing of the Association ;
- (ii) that he possesses;
 - a) a certificate of graduation from a Canadian university accredited by the Canadian Veterinary Medical Association before 1984 and had a general license at the time of the signing of the Mobility Agreement for Veterinarians and has maintained a general license; or
 - b) a certificate of qualification from the National Examining Board of the Canadian Veterinary Medical Association;
- (iii) that he complies with all other requirements and meets all other qualifications prescribed by the Act and these Bylaws;

and if he pays to the Secretary-Treasurer the license fee prescribed by these Bylaws,

then the Licensing Board may issue a General License to practice clinical veterinary medicine.

Limited License

16.5(2) if an applicant makes application to carry on the practice of clinical veterinary medicine limited to one or more species, or specific disciplines of veterinary medicine; or

if the Licensing Board deems it advisable to so limit a license;

and the applicant can prove to the satisfaction of the licensing Board:

- (i) that he is a member in good standing of the Association;
- (ii) that he will carry on the limited practice of clinical veterinary medicine;
- (iii) that he possesses;
 - a) a certificate of graduation in veterinary medicine from a Canadian university accredited by the Canadian Veterinary Medical Association before 1984; or

b) a certificate of qualification from the National Examining Board of the Canadian Veterinary Medical Association;

- (iv) that he complies with all requirements and meets all other qualifications prescribed by the Act and these Bylaws; and
- (v) in the case of limitation to a specific discipline, the applicant meets the Licensing Board's requirements for a recognized specialist in such a discipline; and if he pays to the Secretary-Treasurer the licensing fee prescribed by these bylaws,
- then the Licensing Board may issue a Limited License to practice clinical veterinary medicine limited to such specific species or disciplines and the licensee is bound and limited in his practice of clinical veterinary medicine thereby.

Academic License

16.5(3)A. if an applicant makes application to carry on the practice of clinical veterinary medicine at the Atlantic Veterinary College and the applicant can prove to the satisfaction of the Licensing Board:

- (i) that he is a member in good standing of the Association;
- (ii) that he has an academic appointment in the Atlantic Veterinary College with payment by the university at salary of rank;
- (iii) that an indemnity agreement must be signed between the University of Prince Edward Island and the Prince Edward Island Veterinary Medical Association for graduates from non-accredited veterinary schools who do not hold a certificate of qualification from the National Examining Board of the Canadian Veterinary Medical Association;
- (iv) that he complies with all other requirements and meets all other qualifications prescribed by the Licensing Board and the Act and these Bylaws; and
- (v) that he will carry on the practice of clinical veterinary medicine only within the Department in which he holds his professional appointment and to the extent required by his appointment at the Atlantic Veterinary College;

and if he pays to the Secretary-Treasurer the license fee prescribed the these Bylaws,

then the Licensing Board may issue an Academic License to practice clinical veterinary medicine limited to the extent required by the applicant's academic appointment at the Atlantic Veterinary College; and the applicant is not eligible for reciprocity with the other provinces under the Reciprocity Agreement.

Cancel Academic License

16.5(3)B. the academic license of a member expires with the termination of the appointment for which it was granted,

Educational License

except in the event of a promotion within the Atlantic Veterinary College.

- 16.5(4)A. if an applicant makes application to carry on the practice of clinical veterinary medicine as the result of an appointment as an intern or resident at the Atlantic Veterinary College and the applicant can prove to the satisfaction of the Licensing Board:
- (i) that he is a member in good standing of the Association;
 - (ii) that he will practice clinical veterinary medicine only as required by the terms and conditions of his internship or residency programme at the Atlantic Veterinary College;
 - (iii) that an indemnity agreement must be signed between the University of Prince Edward Island and the Prince Edward Island Veterinary Medical Association for graduates from non-accredited veterinary schools who do not hold a certificate of qualification from the National Examining Board of the Canadian Veterinary Medical Association;
 - (iv) that he will receive remuneration for veterinary services only by way of a fixed stipend or salary;
 - (v) that he complies with all other requirements and meets all other qualifications prescribed by the Act and these Bylaws; and if he pays to the Secretary-Treasurer the license fee prescribed by these Bylaws, the Licensing Board may issue an Educational License to practice clinical veterinary medicine to the extent required by the applicant's training programme at the Atlantic Veterinary College; and the applicant is not eligible for reciprocity with the other Provinces under the Reciprocity Agreement.

Cancel Educational

- 16.5(4)B. the Educational License of a member expires with the termination of the Licensee's appointment in the internship or residency programme for which it was granted.

Short Term License

- 16.5(5)A. if an applicant makes application to carry on the practice of clinical veterinary medicine for a limited period of time not to exceed four months and the applicant can prove to the satisfaction of the Licensing Board:
- (i) that he is a member in good standing of the Association;
 - (ii) that he has a temporary appointment by the Atlantic Veterinary College, or a licensed member, or by the consent of the Licensing Board to perform specific clinical veterinary services solely for a short-term, special purpose;
 - (iii) that he is sponsored by a licensed member of the Association who undertakes, prior to the commencement of the short-term practice, to execute an agreement in favour of the Association agreeing to accept liability for the short-term licensee, both in relation to the Association and the clients with whom such short-term licensee comes into contact;
 - (iv) that the sponsor will be responsible for continuing after the applicant leaves Prince Edward Island any veterinary care started in Prince Edward Island by the applicant;

- (v) that he will receive remuneration for veterinary services only by way of a fixed stipend or salary;
- (vi) that he complies with all other requirements and meets all other qualifications prescribed by the Act and these Bylaws;

and if he pays to the Secretary-Treasurer the license fee prescribed by these Bylaws,

then the Licensing Board may issue a Short Term License to practice clinical veterinary medicine.

Terms for Short Term License

- 16.5(5)B. the Short Term License terminates:
- (i) if the applicant no longer meets the conditions under subclauses 16.5(5)A.[i] to 16.5(5)A.[iv] inclusive, or
 - (ii) if the Licensing Board cancels the Short Term License because the short term licensee ceases to hold the qualifications he had at the time of application or it is discovered that he did not have such qualifications; or
 - (iii) if the Licensing Board in its discretion deems cancellation of the Short Term License to be in the best interests of the provision of quality clinical veterinary medicine, or if the reputation of the profession and standards of professional conduct and ethics so required, or
 - (iv) four months after the license is actually issued, whichever occurs first.

Interim License

- 16.5(6)A. if an applicant makes application to carry on the practice of clinical veterinary medicine under either a General, Limited, Academic, Educational, or Short Term License and the applicant can prove to the satisfaction of the Registrar:
- (i) that he is a member in good standing of the association;
 - (ii) that his application for license is complete as prescribed by the Act and these Bylaws for the category of license being requested;
 - (ii) that he complies with all other requirements and meets all other qualifications prescribed by the Act and these Bylaws; and if he pays to the Secretary-Treasurer the License fee prescribed by these Bylaws,

the registrar may issue an Interim License to practice clinical veterinary medicine under such terms and conditions as the Licensing Board may set from time to time.

Cancel Interim License

- 16.5(6)B. the Interim license of the member expires:
- (i) at the time of the next Licensing Board meeting, or
 - (ii) 90 days after it was issued,

whichever is less.

Consultants

- 16.6 Any licensee may invite as a consultant on a case any veterinarian from another province, state, territory, or country, who is in that province, state, territory or country, licensed or registered as a veterinarian and authorized to practice clinical, veterinary medicine, but the writing

		licensee must give to the Council notice of the invitation in advance of the arrival of the consultant in the province and the name and address of the consultant and the reason for inviting the consultant.
Standards for facilities	16.7	The facilities in which the practice of clinical veterinary medicine is carried on shall comply with the standards prescribed in these bylaws for such facilities, and where such facilities do not comply with this subsection, the license of the member or members owning or carrying on the practice of clinical veterinary medicine therein may be suspended by the Licensing Board and in the event that after notice has been given by the Licensing Board to bring the facilities up to standard, the facilities have not been brought up to standard within six months of the date of such notice, such licenses may be cancelled by the Licensing Board.
Emergency Service	16.8	Every licensee shall be responsible to ensure 24-hour emergency service: <ul style="list-style-type: none"> (a) within the limits of the license of such a licensee, and (b) acceptable to the Licensing Board, and <p>where such emergency service is to be provided by another licensee, written verification of such an affiliation may be requested by the Licensing Board, and</p> <p>where such licensee fails to comply with this subsection, the license of such licensee may be suspended by the Licensing Board.</p>
	16.9	The Licensing Board shall consider an application for license at the next scheduled licensing board meeting following receipt of said application by the registrar.
License fee	17.	LICENSE FEE
	17.1	Each applicant for a license must pay to the Secretary-Treasurer a fee of one hundred dollars before a license to practice clinical veterinary medicine may be issued by the Registrar.
Examination fee	17.2	Each applicant for a license who is required to undergo an examination must pay to the Secretary-Treasurer a fee; the costs to the Licensing Board of conducting such examination shall be included in such fee; the fee may be fixed by the Licensing Board, and shall be not less than two hundred and fifty dollars.
Attendance required	18.	CONTINUING EDUCATION
	18.1	Every licensee shall in every two calendar-year period attend and participate in not less than twenty hours of continuing education courses in veterinary medicine.
Approved by Council	18.2	The continuing education courses referred to in subsection (1) must be such as are approved or sponsored by the Council.
Notice of participation	18.3	Licensees shall keep a record of all C/E programs attended and will certify annually that they have attained the required continuing education.
Suspension of membership or license		

18.4 Licensing board can request verification of attendance at continuing education programs by the licensee. Where a licensee fails to take the amount of courses prescribed in subsection (1), the Licensing Board may suspend the license of such licensee for a period of time not exceeding two months, but if the licensee is suspended on these grounds on two or more occasions, the Licensing Board may cancel the license of such licensee.

19. STANDARDS OF VETERINARY FACILITIES

19.1 The facilities in which the practice of clinical veterinary medicine is conducted shall:

- (a) be of good construction and permanent in nature; the facility and grounds shall be neat, clean and in good repair and the facility shall be adequately heated, lighted, ventilated and screened; emergency lighting, clearly marked emergency exits and fire extinguishers shall be available;
- (b) Have any signs and letterhead conforming to ethical standards;
- (c) Carry fire, liability and malpractice insurance;
- (d) Have adequate parking facilities adjacent to the facilities for the convenience of clients
- (e) Be directed and supervised by a licensed veterinarian
- (f) Have associated with the practice of clinical veterinary medicine, a number of professional and lay personnel adequate for the care of patients, and;
 - (i) All such personnel shall be attired in clean and neat garments and shall present a neat appearance
 - (ii) Lay personnel of a practice of clinical veterinary medicine shall not decide the course of treatment for any patient;
 - (iii) All personnel shall be informed of potential health hazards involved with veterinary practice such as potential health hazards associated with radiology, anesthesia, dentistry, biological, hormones, and zoonotic diseases.
- (g) Have adequate storage facilities for equipment and supplies.
- (h) Have adequate facilities for the storage, safekeeping and preparation of drugs in accordance with Federal and Provincial laws, and practice certain procedures including:
 - (i) Labeling drugs being dispensed with the name of the hospital or Doctor, the date, the name of the patient and owner, the name, quantity, strength and DIN of the drug of the drug and the Instructions for use, and
 - (ii) Under normal circumstances, dispensing drugs in child-proof containers,
 - (iii) Narcotics and control drugs must be kept in a locked cabinet of adequate design and construction to assure the reasonable security of the drugs contained therein.
- (i) Have a library which includes:
 - (i) Current reference texts and professional journals which reflects the scope of practice of the facility;
 - (ii) A current edition of the Prince Edward Island Veterinary Medical Association Act and Bylaws;
 - (iii) A recent edition of A Compendium of Pharmaceuticals and Specialties (Canadian edition);
 - (iv) A copy of the (Canada) Narcotic Control Act, Schedule and Narcotic Control Regulations;
 - (v) A copy of Schedule F and G, of the (Canada) Food and Drug Act;
 - (vi) A copy of the current Prince Edward Island Pharmacy Act
- (j) The facility,

- (i) is self-contained,
- (ii) has a separate and distinct entrance directly from the street or, if the facility is in a building containing more than the facility, directly from a common lobby, hallway or mall.
- (k) the facility has, and appears to have, the practice of veterinary medicine as its primary purpose.
- (l) the facility is not, and does not appear to be, associated with or operated in connection with another enterprise.
 - (i) Standards (l) and (m) do not prohibit the providing of ancillary services in the facility which are incidental and subordinate to the professional services provided in the facility.
- (m) the facility is not located in, and has no direct public access to, a commercial establishment,
 - (i) where animals are bought or sold,
 - (ii) providing animal food or other goods or services used principally by, with or for animals.

Records

19.2 Client and patient records shall be kept by each licensee and shall be retained and shall include:

- (a) client's name, address and telephone number, if any;
- (b) identification of patient;
- (c) history of patient;
- (d) diagnostic tests used and results;
- (e) diagnosis and prognosis;¹⁸
- (f) treatment.

19.3 The records required under this section shall be:

- (a) legibly written or typewritten;
- (b) kept in a systematic manner;
- (c) each entry shall be identified with the initials or code of the veterinarian responsible for the procedure;
- (d) records required in this section may be maintained in any electronic medium that provides a visual display of recorded information if;
 - (i) the recorded information is able to be printed promptly and
 - (ii) any changes in the recorded information are clearly indicated or marked as changes
- (e) records shall be maintained by a licensee for a minimum of five years from the date of the last entry in such records.

19.4 LARGE ANIMAL RECORDS MANAGEMENT.

19.4.1 Regulation states that the records shall be:

- (a) Legibly written or type written
 - (i) So that the record can be read and interpreted to avoid misunderstanding (s) which may be detrimental to the animal or group

(ii) Changes should be made by a single line through the content or similar technique to ensure legibility. All changes should be initialed and dated.

(b) Records should be kept in a systematic manner

(i) The record may include photographs, logs relating to the storage location of digital media (video, pictures, ultrasound, radiographs), laboratory data, communications (correspondence, phone logs), laboratory data, certificates, estimates, waivers, protocols, consent forms, and surgical/anesthetic monitoring sheets.

(ii) The record must contain patient identification (age, breed, sex) and client information which includes name, phone/cell number, address, and alternate contact.

(iii) Each entry in the record is to be dated.

(iv) Identified after each entry in the record should be the name, signature or initials of the veterinarian responsible for the entry. Entries made by non-veterinary staff should be recorded with the name or initials of the employee.

(v) Records must be retained for a period of at least five years from the time of the last entry.

(c) Electronic records

(i) It is the responsibility of the member to ensure that all legal requirements and professional expectations for record keeping are met, regardless of the system selected for creation storage and management.

(ii) If electronic records are utilized, it is the responsibility of the member to ensure that adequate security provisions are in place.

(d) Itemized minimum requirements

(i) Individual or herd/stable identification (including breed and sex where applicable)

- (ii) If individual advice is given the name, tattoo, ear tag number, color, or other distinguishing features of the animal should be recorded.
- (iii) The client's name, phone/cell number, address, and alternate contact.
- (iv) Date of each service.
- (v) A history of the presenting complaint.
- (vi) The relevant information regarding the particular assessment, investigation (including laboratory tests and results), and treatments prescribed.
- (vii) A note of any professional advice regarding the individual or herd, as well as an indication as to whom the advice was given if other than the owner.
- (viii) A complete record of all written prescriptions and drugs that the member has prescribed and/or dispensed.
- (ix) A copy of any report prepared by the member in respect to the individual or herd.
- (x) The withholding time of respective drugs prescribed or dispensed.

19.4.2 Surgical and anesthetic logs

- (a) The following must be entered into the surgical log alone or in combination with the surgical log for each surgery performed.
 - (i) The date of the procedure.
 - (ii) The identification of the client.
 - (iii) The age, breed, sex, estimated weight, and identity of the patient.
 - (iv) Name dose and route of all anesthetic agents, antibiotics, and other pharmaceuticals.
 - (v) The nature of each procedure.
 - (vi) Pre- and post-anesthetic condition.
 - (vii) Any special circumstances relating to the procedure itself or where it was performed.

19.4.3 Drug prescription

- (a) A member who prescribes a drug shall make a written record showing,
 - (i) The name and address of the owner of the animal or group of animals for whom the drug is prescribed.
 - (ii) The name, strength and quantity of the drug prescribed.
 - (iii) The directions for use.
 - (iv) The date the drug is prescribed.

19.4.4 Controlled substances

- (a) A member who dispenses a controlled substance shall keep a controlled substance register in which the following is entered,
 - (i) The date of dispensing.
 - (ii) The name of the owner and animal for which the drug was dispensed.
 - (iii) The name, strength, and quantity given.
 - (iv) The balance at hand of the respective drug.

19.4.5 Withholding time

- (a) A member who dispenses any drug to an animal intended for use in food production shall record the following in the animal or herds individual record,
 - (i) The name, dose, and strength of the drug being prescribed.
 - (ii) The name of the owner and animal/group for which the drug was prescribed.
 - (iii) The container the drug is allotted in shall be labeled with the following:
 - (a) The name of the drug
 - (b) The drug's DIN
 - (c) The concentration of the drug
 - (d) The expiry date

- (iv) The published withdrawal time for any approved drug prescribed.
- (v) The established withdrawal time for unapproved drugs deemed essential for use in the patient. If no withdrawal time is established, the practitioner shall record a mandatory 6 month withdrawal time and advise the owner that the withdrawal time may be substantially longer than the recommended time (the mechanism for this is still being worked out by the CFIA).
- (vi) The name of any drug prohibited for use in food producing equines (see Annex 1)

19.4.6 Disclaimer

- (a) Any member who examines a horse is advised to provide a disclaimer related to the scope of the examination of the animal in question (see examples below)
 - (i) I hereby certify that I have examined the above described horse on this day and found no significant signs of disease, injury or physical abnormalities, except for those recorded.
 - (ii) This examination is intended to assist the prospective buyer. Should the buyer wish to obtain warranty covering matters such as exact height/age, freedom from vices, **the non-administration of drugs** prior to the examination, the horse's breeding performance record or the horse's continued soundness, the buyer should seek such warranty from the seller as these matters are not the responsibility of the veterinarian.

Clinic or
hospital basic facility

19. 5 When facilities are used for the examination, treatment or hospitalization of animals:

- (a) all floors of the animal hospitalization area shall be of water-impervious material, and shall be well drained.
- (b) all interior walls of the facilities shall be tiled, enameled or painted so that they can be easily cleaned.
- (c) all working surfaces of the facilities shall be of such construction as to permit disinfection and proper cleanliness.
- (d) facilities should be clean at all times.
- (e) refuse shall be stored in closed containers at the facilities and not be allowed to accumulate unduly.
- (f) equipment and space for biopsies and necropsies shall be available in the facilities and be used routinely, where such procedures are indicated.

- (g) parenteral fluids shall be available in the facilities. (h) hospitalized animals shall be seen at the facilities by a professional staff member at least twice daily.
- (i) hospitalized animals shall be fed at the facilities an adequate diet.
- (j) an area shall be provided at the hospital facility where hospitalized animals may be exercised daily if indicated.
- (k) in-patients shall be bathed or groomed at the facilities as frequently as need be.
- (l) patients shall be kept under regular observation at the hospital facilities by lay staff during the working day.
- (m) hospitalized patients and hospital premises shall be checked as required at night.
- (n) the following basic equipment shall be available in large-

Clinic or hospital basic equipment

Animal or small-animal facilities.

- (i) otoscope, ophthalmoscope, stethoscope and thermometer;
- (ii) biologics refrigerator;
- (iii) a working steam sterilizer of sufficient size for syringes, instruments, surgical packs, etc. must be present in the facility. A gas sterilizer may be present, but it is not a substitute for the steam sterilizer.
- (iv) Sterilized materials must be labeled with the date of sterilization and the name or initials of the person who performed the sterilization.
- (v) X-ray and other laboratory facilities shall be readily available if they do not exist on the premises.

Surgical equipment

- (o) adequate surgical equipment shall be available in large and small-animal hospital facilities in order to properly perform the procedures that are being done at the hospital in a separate and distinct area exclusively for surgery.
- (p) surgical procedures shall be carried out by approved aseptic techniques.

Aseptic techniques

Small animal facility

19.6 The following separate rooms shall be provided in facilities used in a small-animal practice:

- (a) examination and treatment room;
- (b) surgery room;
- (c) hospitalization facilities with individual animal housing units,
- (d) waiting room for the convenience of patients; and
- (e) isolation facilities.

Ambulatory practice

19.7 Certain minimum standards shall be observed in all vehicles Associated with a veterinary facility:

- (a) all vehicles and equipment associated with facilities shall be clean, neat, and in good repair;
- (b) clean coveralls or other outer garments shall be available for each call outside the hospital;
- (c) footwear shall be cleaned and disinfected after each professional call;

- (d) syringes, instruments, intravenous apparatus and parenteral medication shall be sterile or sterilized for each procedure;
- (e) obstetrical sleeves should be used for all rectal and vaginal procedures;
- (f) adequate refrigeration is required in the vehicles;
- (g) X-ray and other laboratory facilities shall be readily available if they do not exist on the premises;
- (h) adequate equipment shall be available in order to properly perform procedures that are being done;

Anesthetic 19.8 In every hospital certain minimum anesthetic equipment shall be readily available and certain procedures shall be practiced including:

- (a) the maintenance of an anesthetic log for all general anesthetic procedures containing client and patient identification, pre-anesthetics and anesthetics used, procedures performed and remarks;
- (b) all necessary equipment and materials to administer pre-anesthetic, local anesthetic, injectable general anesthetic and gaseous anesthetic including a gaseous anesthetic machine, oxygen supply and endotracheal tubes;
- (c) a respiratory or cardiac monitor;
- (d) equipment to prevent and alleviate hypothermia during and post surgery;
- (e) a gas scavenger system to remove waste gas;
- (f) specific narcotic antagonists for narcotics on the premises.

Radiology 19.9 In every hospital certain minimum radiology equipment shall be readily available and certain procedures shall be practiced including:

- (a) the maintenance of a radiographic log that contains owner and patient identification and exposure parameters;
- (b) equipment and facilities meeting all provincial and federal standards and adequate to produce diagnostic radiographs;
- (c) protective equipment including:
 - (i) a collimator
 - (ii) at least two protective aprons (minimum 0.5 lead equivalent) long enough to cover the wearer's knees;
 - (iii) at least two pairs of gloves or mitts (minimum 0.5 lead equivalent) with cuffs;
 - (iv) monitoring badges from the Radiation Protection Division, Health and Welfare Canada for all persons working in the area of radiology;
 - (v) the permanent marking of all radiographs with the clinic name, date and patient identification
 - (vi) at least two thyroid protectors.

19.10 Laboratory

- (a) The facility contains,
 - (i) functioning microscope, microscope slides and cover slips,

- (ii) centrifuge and centrifuge tubes,
- (iii) microhematocrit centrifuge, microhematocrit capillary tubes and tube sealant,
- (iv) refractometer,
- (v) urinalysis test strip or tablet reagents, or both,
- (vi) staining solutions and chemicals for blood, urine and cytology examinations,
- (vii) forms or other method for recording laboratory test results
- (viii)(viii)

The centrifuges required by items (ii) and (iii) may be the same if the machine is suitable for both types of functions.

- (b) The following investigation procedures can be performed within the facility or there is evidence of an arrangement that such procedures are performed by a diagnostic laboratory or there is a suitable combination for the performance of such procedures,
 - (i) hematology,
 - (ii) biochemistry,
 - (iii) immunology,
 - (iv) cytology,
 - (v) microbiology,
 - (vi) histopathology,
 - (vii) parasitology.

20. INSPECTION

Supervision & certification of standards

20.1 The Licensing Board shall oversee, and upon request certify that the standards of each practice are being observed by veterinarians engaged in the practice of clinical veterinary medicine.

Submission to inspection

20.2 For the purpose of certification and enforcement of these bylaws, all licensees having premises where veterinary practice is performed shall submit, upon notification, to an inspection by the Licensing Board representatives.

Inspection, frequency

20.3 Inspections shall be performed at least once every 3 years or more frequently as deemed necessary by the Licensing Board.

Inspection fee

20.4 An inspection fee to cover the costs of each inspection may be levied by the Association and is payable by the person so levied.

21. DISCIPLINE AND COMPLAINT PROCEDURE

Jurisdiction of Council

21.1 The Council has jurisdiction to discipline members of the Association, subject to Section 9 of the Act.

Jurisdiction of Licensing Board

21.2 The Licensing Board has jurisdiction to discipline licensees subject to Section 6) of the Act.

Complaints

21.3 Council has jurisdiction to investigate complaints.

Complaints committee

- 21.4 (a) Complaints Committee, chaired by the Registrar, will be established as a Committee of Council.
- (b) Council shall appoint five members to the Committee one of whom shall be a non-veterinarian; and the rest are from amongst the members of the PEIVMA. Other than the

Registrar, Council members may not serve on the Complaints Committee.

- (c) The Quorum for the Complaints Committee is set at three members independent of the chairperson.
- (d) Members of the Committee shall hold office until their successors are appointed or until any hearings which are in process are completed.
- (e) The Council may, at any time, remove any member of the Committee or appoint a new or additional member.

Eligibility to file a complaint

21.5 The following persons are eligible to file a complaint with the council:

- (a) any applicant for registration or license;
- (b) any person registered under the Act; and
- (c) any person who is or was a client of a member of the Association who wishes to complain about the services, fees, or professional activities of a member of the Association, but only if such services, fees or professional activities affected such client directly and personally.

Filing a complaint

21.6 Any person eligible to make a complaint may file a complaint respecting an action, inaction, decision or policy of the Licensing Board, the Council or any officer, official or member of the Association.

Form of a complaint

21.7 Every complainant shall file a complaint on a form prescribed by the Council setting forth therein such information as is requested on the form and shall file the completed form with the Registrar of the Association.

Mediation by Registrar

21.8 The Registrar, upon receipt of a written complaint against a member signed by one or more persons, shall attempt to mediate the complaint immediately, if possible.

- 21.8 (a) The Registrar, upon receipt of a written complaint against a member or former member signed by one or more persons shall attempt to mediate the complaint immediately with the complainant, if possible;
- (b) If the Registrar is in conflict or named in the complaint he will notify Council, who will then appoint a member who is not on Council to oversee the complaint.

Preliminary investigation by Committee

21.9 If, in the opinion of the Registrar, the mediation attempt is unlikely to be successful, the Registrar will refer the complaint within ten (10) working days of notice of the initial complaint to the Complaints Committee which will conduct a preliminary investigation.

Notification of Preliminary Investigation

21.10 When a preliminary investigation is to be made, the Registrar shall give notice in writing, by registered mail, to the member who is subject of the complaint, and any other members named in the complaint, and such notice shall include a copy of the complaint.

Representation by subject of complaint

21.11 The subject of the complaint will be given 30 days following receipt of the notice of the preliminary investigation, in which to submit in writing to the Committee, any explanations or

representations the subject of the complaint may wish to make concerning the matter.

Powers of complaint Committee

- 21.12 (a) The Committee may proceed with the investigation if the subject of the complaint fails to respond within the time specified by the Committee.
- (b) The Committee may make such inquiries as it deems necessary in order that it is able to conduct a thorough investigation into the allegations.
- (c) The Committee will examine, or make every reasonable attempt to examine, all records, and other documents related to the complaint in a timely fashion.
- (d) The Committee may attempt mediation.

Termination of Investigation

- 21.13 The Complaints Committee may terminate an investigation at any time if it is of the opinion that
- (a) the complaint is frivolous or vexatious, or
- (b) there is insufficient evidence of unskilled practice of the profession or unprofessional conduct.

Notice of Termination

21.14 On terminating an investigation, the Complaint Committee shall Direct the Registrar to serve on the subject of the complaint and on the complainant, if any, a notice that the investigation has been terminated.

- 21.14 (a) On terminating an investigation, the Complaint Committee shall direct the Registrar to serve on the subject(s) of the complaint and on the complainant, if any, a notice that the investigation has been terminated within ten (10) working days of the decision, by registered mail.
- (b) Further, in every case of a decision under subsection 21.14 (a), the notice thereof to the member(s) and the complainant must include:
- (i) the reason for the decision; and
- (ii) instructions on the right, and how to apply, for a review of the decision.

Appeal by Complainant

21.15 A complainant who is served with a notice under subsection (21.14) may, Secretary Treasurer of the PEIVMA within 30 days of receipt of the notice under subsection (21.14) appeal that decision to the Council.

Decision on Appeal

21.16 On an appeal under section (21.15) or referral of a complaint by the Complaint's Committee, the Council shall determine whether:

(a) the complaint is frivolous or vexatious, or

(b) there is insufficient evidence of unskilled practice of the profession or unprofessional conduct, or

(c) the complaint shall proceed to a hearing of Council.

Referral of Complaint

21.17 If the Committee, or Council after an appeal, determines that there is cause for a hearing, the Committee will refer the complaint, on the prescribed form, to the Secretary-Treasurer of the Association.

Notice of Hearing

21.18 Upon referral of the complaint by the Complaints Committee, the Secretary-Treasurer shall notify the President of the complaint and shall within fourteen days of receipt by the Secretary-Treasurer notify the subject of the complaint and complainant of the time and place of the hearing.

Hearing Date	21.19 The President shall prescribe a date for a hearing to review the complaint; the hearing shall be held within thirty days of the referral of the complaint by the Complaints Committee.
Right to be heard	21.20 The complainant may attend the hearing in person with or without counsel at the complainant's expense and may call witnesses such persons as he may deem advisable for the purpose of supporting his cause, and any member of the Association who is the subject of a complaint shall be given notice of the hearing and may appear in person with or without counsel at the member's expense, and may call as witnesses such persons as he may deem advisable for the purpose of protecting or defending himself in relation to the complaint.
Representation of Council	<p>21.21 The Council may be represented at any hearing by counsel and may call as its witnesses any persons whom it thinks could assist in determining the truth of any allegation, or otherwise assist in reviewing the complaint on its merits.</p> <p>21.22 The Council shall within thirty days from the date of its hearing on a complaint render a decision on such complaint and shall notify the complainant and such other persons as the Council may deem advisable of the decision.</p>
Reprimand	21.23 The Council may reprimand any member of the Association who as a result of a hearing under this section appears to have justified the reprimand; the Council may publish in the Association minutes a record of the reprimand and its reasons therefore.
Discipline for unethical practices	21.24 The Council may discipline any member of the Association after a hearing under this section for unethical practices as determined under the "Rules of Professional Ethics" prescribed by the bylaws.
Powers of Council if charge proven	<p>21.25 If a charge set forth in a complaint is proven, the Council may in addition to, or as an alternative to 21.24:</p> <ul style="list-style-type: none"> (a) restrict the privileges of the member for such a period as they see fit; (b) suspend the member's registration in the Association for such period as they see fit; or (c) remove his name from the register of the Association for such a period as they see fit; (d) require a member to undertake remedial action such as retraining courses or compulsory competency evaluations for such a period as they see fit; (e) require the member to practice under the supervision of a designated member for such a period as they see fit; (f) report the name and details of the discipline action to any relevant discipline database of which PEI Veterinary Medical Association is a member. (g) direct the Registrar to notify the current employer or partners of the member, and such other members who work with the member, if deemed necessary by Council.
Reinstatement after payment of fees	21.26 A member whose name has been removed from the register for non-payment of fees may make application for reinstatement in writing to the Registrar subject to a reinstatement penalty as set

by council and after paying to the Secretary-Treasurer all arrears of fees due to the Association; such person may, at the discretion of the Council, be reinstated to the registration of the Association after such payment and his name entered in the register.

22. CEASING OF PRACTICE

22.1 Where a member of the Association ceases to practice in the province, he shall forthwith notify the Registrar that he has ceased to practice.

23. PROSECUTIONS

23.1 The Association shall commence all prosecutions for violations of the Act or these bylaws.

Amend Bylaws

24. AMEND BYLAWS

24.1 Any member desiring the Council to amend these bylaws must give written notice of such proposed amendments to the Secretary-Treasurer at least six weeks prior to the first general meeting of the fiscal year, and the Council shall cause the proposed amendment to be considered at that general meeting

Decision on a complaint

25. RULES OF PROFESSIONAL ETHICS

Preamble

25.1 The honour and dignity of the veterinary medical profession lies in its obedience to a just and reasonable code of ethics set forth herein as a guide to the members. The object of this code, however, is more far-reaching for exemplary professional conduct not only to uphold honour and dignity, but also enlarges our sphere of usefulness, exalts our social standards and promotes the science we cultivate. Briefly stated, our "Code of Professional Ethics" is the foundation of the individual and collective efforts of veterinarians. It is based on Canadian Veterinary Oath taken at time of graduation and on the Golden Rule: As a member of the veterinary medical profession, I solemnly swear that I will use my scientific knowledge and skills for the benefit of society. I will strive to promote animal health and welfare, relieve animal suffering, protect the health of the public and environment, and advance comparative medical knowledge. I will practise my profession conscientiously, with dignity, and in keeping with the principles of veterinary medical ethics. I will strive continuously to improve my professional knowledge and competence and to maintain the highest professional and ethical standards of myself and the profession. CVMA 2004

25.1.2 The veterinarian should first of all be a good citizen and a leader in movements to advance community welfare; he should commit no act that will reflect unfavourably upon the worthiness of his profession.

Conduct of a gentleman

25.1.3 Conduct characterizing the personal behaviour of a person to deport themselves in accordance with the spirit of the profession shall be the conduct required of a member.

Deportment

25.1.4 It is a solemn duty of all members of the Association to deport themselves in accordance with the spirit of this code.

25.1.5 Veterinarians by virtue of their education, experience and in the context of a veterinarian/client/patient relationship, are in a position to observe occasions of animal abuse and/or neglect. Veterinarians have a moral obligation to report suspected cases of abuse and/or neglect to the appropriate humane agencies as outlined on the PEIVMA website under 'abuse reporting'.

Code not exhaustive

25.1.6 This code is not intended to cover the entire field of veterinary medical ethics. Professional life is too complex to classify into a set of rules, one's duties and obligations to his clients, colleagues, and fellow citizens.

25.1.7 VETERINARIAN/CLIENT/PATIENT/RELATIONSHIP

25.1.7.1 An appropriate veterinarian/client/patient/relationship exists when: (a) the veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, and the client (owner or caretaker) has agreed to follow the instructions of the veterinarian; and when (b) there is sufficient knowledge of the animal(s) by the veterinarian to initiate a general or preliminary diagnosis of the medical condition of the animal(s) by virtue of examination of the animal(s) and/or by medically appropriate and timely visit(s) to the premises within the previous 12-month period; and when (c) the practising veterinarian is readily available for follow up in case of adverse reactions or failure of the regimen of therapy.

25.1.7.2 Prior to the dispensing of prescription drugs a veterinarian/client/patient relationship must be recognized, (as defined through points 25.1.7.1.(a)-(c).

25.2 PROFESSIONAL CONDUCT

Use of degree to which not entitled

25.2.1 No member shall use a college or university degree to which he is not entitled or any degree or title granted by an institution declared unworthy by contemporary institutions of its class.

Berating professional standing of another

25.2.2 No member shall belittle or injure the professional standing of another member of the profession or unnecessarily condemn the character of his professional acts.

Adherence to the law

25.2.3 Members shall comply with the law governing their obligations to their clients and shall obey without fault the official public regulations and laws governing their acts.

False certificates of health

25.2.4 The issuing of false certificates of health on public documents and careless compliance with official regulations that the veterinarian is entrusted to enforce are deemed violations of professional honesty.

Accepting fee from seller when acting for buyer

25.2.5 When employed by the buyer to inspect an animal soundness, it is unethical to accept a fee from the seller; the acceptance of such a fee is prima facie evidence of fraud. On the other hand, it is deemed unethical to criticize unfairly an animal about to be sold. The veterinarian's duty in this connection is to be a just and honest referee.

Assisting laymen to diagnose, etc.

25.2.6 No member shall willfully place his professional knowledge, attainments, or services at the disposal of any lay body, organization, group or individual by whatever name called, or however organized, for the purpose of encouraging unqualified groups and individuals to diagnose and prescribe for the ailments and diseases of animals. Such conduct is especially reprehensible when it is done to promote commercial interest and monetary gain. Such deportment is beneath the dignity of professional ethics and practice; it can be harmful to both the welfare of the animal-owning public and the veterinary profession; it violates principles of human or public functionaries.

Cosmetic surgery

25.2.7 It is considered unprofessional conduct for a veterinarian in Prince Edward Island to perform cosmetic surgery on any animal. Cosmetic surgery is defined as non-therapeutic surgical procedures (i.e. of no medical benefit) which are performed purely to alter the appearance of an animal. Surgery performed due to injury or for reasons of animal health is not considered to be cosmetic surgery.

The following are examples of cosmetic surgery:

- (a) Tail docking in the canine, equine and bovine species
- (b) Tail nicking and setting in the equine species
- (c) Ear cropping in the canine species.

25.4 EMERGENCY SERVICE

25.4.1 When called in an emergency as a substitute for a fellow practitioner in his absence, it is the veterinarian's duty to render the necessary service and then turn the patient over to his colleague upon his return.

Radical changes in treatment

25.4.2 In making emergency calls upon a patient already under treatment, it is unethical to institute radical changes in the

treatment previously prescribed in such a way as to attract unusual attention.

Advice by consultant limited

25.4.3 When in the course of his authorized official duty, it is necessary for a veterinarian to render service in the field of another veterinarian, it will be considered unethical to offer free or compensated service or advice other than that which comes strictly within the scope of his official duty.

25.5 HOLDING OUT

25.5.1 (a) No member shall publish, display, distribute or use, or permit, directly or indirectly, the publication, display, distribution or use of any advertisement, announcement or similar form of communication related to the member's professional services or ancillary services or to a member's association with or employment by, any person, except as permitted by Part 25.5.

(b) In this Part, "ancillary services" means boarding, grooming, funeral services and sales of foods, supplies and other goods and services used by or with animals that is provided by a member whether as part of, or separately from, his or her practice of veterinary medicine.

25.5.2(1) Except as provided in Part 25.5, a member may communicate factual, accurate and verifiable information that a reasonable person would consider relevant in the choice of a veterinarian (including the availability of ancillary services) that:

- (a) is not false, misleading or deceptive by the inclusion or omission of any information;
- (b) is readily comprehensible, dignified and in good taste;
- (c) contains no testimonial or comparative statements;
- (d) contains no information in respect of a fee or price; and
- (e) contains no reference to a specific drug, appliance or equipment.

(2) Despite clause 25.5.2(1)(d), a member may display or distribute within the veterinary facility where he or she practices a fee schedule stating the fee for some or all professional services (or ancillary services) or an explanation of the basis for the calculation of such fees, or both.

(3) The location and size of a displayed fee schedule permitted by subsection (2) shall be such that it cannot be read by a person outside the veterinary facility.

25.5.3 (1) A member shall not cause or permit, directly or indirectly, his or her name to appear in any communication offering to the public any product or service other than the member's professional services and ancillary services.

(2) A member shall not be associated with the advertising or promotion of any product or service other than the member's professional services and ancillary services.

- (3) Despite subsections (1) and (2), a member may be associated with the advertising of a product or service and permit his or her name to appear in a communication offering to the public a product or service in a printed publication intended to be read principally by veterinarians.
- 25.5.4. A member shall not participate directly or indirectly in a system in which another person steers or recommends clients to a member for a professional service or an ancillary service.
- 25.5.5 A member shall not contact or communicate with, or attempt to contact or communicate with, any person in order to solicit patronage of professional services or ancillary services.
- 25.5.6 (1) Despite Section 25.5.5, a member may:
- (a) send written communications, consistent with Section 25.5.1(a), generally to persons not known to need professional services or ancillary services but who might in general find the availability of such services useful
 - (b) distribute to his or her regular clients general information about animal health, preventive medicine and recent developments in veterinary medicine; and
 - (c) inform his or her regular clients, in writing or by telephone, about health maintenance procedures that are due to be carried out, including a due date for immunization.
- (2) For the purposes of subsection (1):
- (a) a person is a regular client of a member if:
 - (i) the person uses the professional services of the member regularly and with reasonable frequency; and
 - (ii) the person has not requested the transfer the records for the person's animal to another member;
 - (b) a person who uses the professional services of a member who is in the employment of another member shall be deemed to be a client only of the employer member.
- (3) A communication authorized by clause (1) (a) shall be clearly and prominently marked "advertisement" on each page.
- 25.5.7 (1) The name used by a member in the practice of veterinary medicine shall be the same as the name in which the member is entered in the register.
- (2) A member may name the veterinary facility in which he or she carries on an independent or private practice of veterinary medicine with a designation approved by the Council.
- (3) The designation under subsection (2) shall contain:

- (a) a geographical reference appropriate to the location of the facility or the surname of a member who is or was associated with the practice;
- (4) The Council shall not approve the designation if it is of the opinion that the proposed designation:
 - (a) is inconsistent with subsection (3);
 - (b) is improper or unfitting; or
 - (c) may tend to be confused with the designation of another veterinary facility.

25.5.8 Letterhead and signs

Letterhead

25.5.8.1 (a) subject to subsection (b) the letterhead of a member should be modest, announcing at most, name, title, address, telephone number, office hours, and a preference for a specified species;

Announcement of limited practice

(b) if a member has a limited license the member may announce on his or her cards or letterhead that the practice is so limited, but such cards and letterhead must also indicate that he or she is a member of the veterinary profession and thus distinguish him or her from groups of irregular practitioners who are not eligible to membership in the Association;

Display signs on facilities

(c) If a member is also a member of a professional veterinary group, such designation may be designated on the letterhead and cards of the member.

25.6 TESTIMONIALS and GUARANTEES

Testimonials

25.6.1 Members of the Association shall not write testimonials as to the virtue of proprietary remedies or foods except to report the results of properly controlled experiments or clinical studies; such reports shall only be given publicly through a veterinary journal or at a meeting of a veterinary association.

Guarantees

25.6.2 It is unethical to guarantee a cure.

Attracting public attention

25.6.3 Members of the Association shall avoid the impropriety of employing questionable methods to attract public attention or boast of possessing superior knowledge or skill in the treatment of any disease.

25.6.4 Where a corporation in which a member or the spouse of a member holds shares, or by which a member is employed, contravenes the provisions of s. 25.5 of these Bylaws, such contravention may be considered by the Association as unethical conduct on the part of the member who holds or whose spouse holds such shares or who is so employed by the corporation.

25.7 ILLEGAL PRACTICES

Illegal practices, aiding

25.7.1 It is unprofessional to aid in illegal practices of others.

Assisting in illegal conduct

25.7.2 Members of the Association shall not encourage or assist any person to practice anywhere in violation of the laws governing the practice of veterinary medicine.

Reporting illegal practices

25.7.3 It is the duty of members of the Association to report illegal practices to the proper authorities and the Council of the Association.

Pharmacists

25.8 Licensed pharmacists should be recognized by members of the veterinary profession and their services should be utilized; but any pharmacist, unless he is also qualified as a veterinarian, who assumes to diagnose and prescribe for such animals or for the handling of contagious and infectious diseases of animal, should be denied such recognition and support, since his activities may be viewed as prejudicial to the public interest, contrary to laws governing veterinary medical practice, and in violation of provincial and federal laws made and provided for the control of animal diseases.

Use of Association's endorsement

25.9 No member or employee of the PEI Veterinary Medical Association shall use the name of the Association in connection with the promotion or advertising of any commercial produce or commercial service or in any way that would imply Veterinary Medical Association endorsement of such a product or service without written permission from the Council.

26. CONFLICT OF INTEREST

- 26.1 (a) In this Part, "related person" means a person connected with a member by blood relationship, marriage or adoption, and
- (i) persons are connected by blood relationship if one is the child or other descendent of the other or one is the brother or sister of the other;
 - (ii) persons are connected by marriage if one is married to the other or to a person who is connected by blood relationship to the other; and
 - (iii) persons are connected by adoption if one has been adopted, either legally or in fact, as the child of the other or as the child of a person who is so connected by blood relationship, except as a brother or sister, to the other.
- (b) A member has a conflict of interest where the member, or a related person, or an employee or employer of the member, directly or indirectly,
- (i) enters into any agreement, including a lease of premises, under which any amount payable by or to a member or a related person is related to the amount of fees charged by the member; or
 - (ii) receives, makes or confers a fee, credit or other benefit by reason of the referral or transfer of an animal or a specimen from or to any other person.

- (c) Despite clause (2)(a), a member may enter into a partnership agreement with another member under which the drawings, interest or remuneration of the partners is related to the amount of fees charged by them.
- 26.2
- (a) In this section:
 - "employee" includes an agent;
 - "employer" includes a principal.
 - (b) A member has a conflict of interest who performs a veterinary service in the course of employment by any person, other than another member, except a service provided to the member's employer or in accordance with subsection (d).
 - (c) For the purposes of the exceptions set out in subsection (b):
 - (i) a member who performs a veterinary service for an animal shall be deemed to perform the service to the owner of the animal which received the service; and
 - (d) A member will not be in a conflict of interest only by virtue of the fact that he or she practises veterinary medicine as:
 - (i) an employee of the Crown in right of Canada or of Prince Edward Island or an agency of the Crown;
 - (ii) an employee of the Atlantic Veterinary College of the University of Prince Edward Island;
 - (iii) an employee of an individual, partnership or corporation selling food or drug products for use in food producing animals if, in the course of the employment:
 - (a) the member performs professional services related only to the employer's products and only for an established customer of the employer and at the customer's farm or similar establishment, and
 - (b) the member takes all reasonable steps to notify the normally attending veterinarian of the member's proposed visit and the reasons for it so that the normally attending veterinarian can discuss the matter with his or her client, and, if desirable, arrange to meet the member before or at the visit;
 - (iv) an employee of the personal representative of a deceased member or the guardian of an impaired member for a reasonable period of time after the member's death or the commencement of the member's impairment to settle matters.
- 26.3
- (a) A member has a conflict of interest if the member or a partner or associate of the member:
 - (i) inspects or assesses an animal on behalf of both the seller and the buyer of the animal; or
 - (ii) being regularly engaged by the seller or buyer of an

animal, inspects or assess an animal on behalf of the other party to a sale.

- (b) Despite subsection (a), a member, or a partner or associate of the member, may inspect or assess an animal on behalf of both the buyer and the seller of the animal or, where one or more of them are regularly engaged by the seller or buyer of an animal, any of them may inspect or assess an animal on behalf of the other party to a sale if, before accepting engagement by the second party, he or she:
- (i) informs both parties of the conflict of interest and of the circumstances giving rise to it;
 - (ii) informs both parties that no information received by the member, or a partner or associate of the member, in connection with the transaction can be treated as confidential so far as the other party is concerned; and
 - (iii) after informing the parties under clauses (i) and (ii), obtains the consent of both parties to inspect or assess the animal on behalf of both of them, which shall be in writing unless it is impracticable to obtain the consent in written form.

26.4 A member found to be in a conflict of interest under the provisions of these Bylaws or who acts in contravention of these Bylaws may be considered by the Association to be guilty of improper and unprofessional conduct.