

August 2, 2016

Ms. Sonja Christopher  
President  
Alberta Association of Animal Owner's Rights  
[Sonja.christopher@yahoo.ca](mailto:Sonja.christopher@yahoo.ca)

Dear Ms. Christopher:

We have reviewed your correspondence sent on behalf of the Alberta Association for Animal Owner's Rights (AAAOR) to various individuals in the Government of Alberta throughout 2015 and to date, and wanted to take this opportunity to provide a fulsome response on behalf of government to the issues you have raised.

#### Scope of Practice and Definition of Veterinary Medicine

The *Veterinary Profession Act* (VPA) sets out which animal health activities may only be performed by a regulated member of the Alberta Veterinary Medical Association (ABVMA). Any animal health activities that are outside of the definition of veterinary medicine in the VPA can be administered by non-members.

Bill 13, *the Veterinary Profession Amendment Act, 2016* (Bill 13), does not change the rights of alternative or complementary animal health providers, as it does not change which animal health activities are regulated by the VPA. As was the case before Bill 13, "veterinary medicine" in the VPA means a medical service performed with respect to an animal and includes *but is not limited to* the following: surgery; obstetrics and ova and embryo collection; and prescribing, compounding, dispensing and selling drugs. If a person is engaging in animal health activities outside of those described in the VPA, they do not need to be a regulated member of ABVMA.

ABVMA has been working towards these amendments since 2011. In preparing amendments for Bill 13, various stakeholders were notified of the government's intent to amend the VPA, including AAAOR. We understand the Professional Governance Unit consulted with AAAOR about the proposed amendments.

#### Requested Legislative Amendments

##### *Request for Changes to the VPA*

You have indicated that legislative amendments would address your concerns that the VPA definition of veterinary medicine is unclear. Possible legislative amendments would include:

1. Creating an exemption for complementary/animal health activities.
2. Clarifying which/if any aspects of alternative/complementary animal health activities should be regulated by the VPA, by amending the definition of veterinary medicine in the VPA.

Since animal health activities that are currently outside of those described in the VPA can be performed by non-members, there is no need for legislative amendments to allow those activities to continue. To make legislative amendments to address animal health activities described in the VPA (including creating an exemption or amending the definition of veterinary medicine), significant consultations with affected stakeholders and the public would need to occur.

We understand your frustration that the previous government may have communicated a willingness to explore the possibility of amending the Act regarding your concerns. You have asked whether this government is interested in pursuing an exemption. We can advise you that at this time, this government does not have plans to create an exemption for alternative/complementary animal health activities, but we will consult with AAAOR and other interested stakeholders if such amendments are brought forward in the future.

#### *Request for New Legislation for Alternative/Complementary Animal Health Services*

In your correspondence, you indicate that your concerns could be addressed by the creation of professional regulatory legislation for alternative/complementary animal health services. As noted above, any animal health activities not regulated by the VPA are currently unregulated. If the government were to proceed with creating new legislation and a new professional regulatory organization, significant consultations would need to occur as it does any time we begin to regulate previously unregulated activities. This consultation would not just be with ABVMA and organizations like AAAOR, but with the public generally. This is because, as you have noted, professional regulatory legislation takes away the ability for animal owners to choose who can engage in the legislated animal health activities, so the government needs to fully understand which of the currently unregulated activities that can be performed by any person would now become regulated and could only be performed by regulated members.

At this time, the government is not planning to create new professional regulatory legislation for alternative/complementary animal health services. If government decides to pursue a new professional regulatory regime in the future, we will be sure to include AAAOR and other interested stakeholders in our consultations.

### Conduct of the ABVMA

The VPA makes ABVMA responsible for regulating the practice of veterinary medicine in Alberta. The government has measures in place to ensure accountability of ABVMA to the Minister, which include annual reporting by ABVMA to the Minister and the appointment of public members to the ABVMA Council and other bodies. In addition, the courts exercise judicial oversight if ABVMA were to exceed their scope of practice; government plays no role in this process.

As you know from the *Pequin* decision you referenced, if ABVMA commences an action against a non-member seeking an injunction preventing them from performing what ABVMA views as veterinary medicine on animals, the matter is heard before the Court. The Court will look at the facts of the activities alleged to contravene the VPA and will determine whether the non-member has been or is practicing veterinary medicine, and if so, if the non-member should be prevented from continuing to do so. Judicial oversight is the mechanism enshrined in the professional regulatory legislation to ensure that the regulatory bodies entrusted with regulating the profession do not act outside of the scope of their legislation.

Please be advised that any concerns about individual staff you have noted in your correspondence are human resource matters that cannot be discussed with you for reasons of privacy and confidentiality.

We trust that the foregoing has addressed the issues you have raised. Please be assured that if there are any changes with respect to what animal health services are regulated under the VPA, AAAOR and other stakeholders will be consulted.

Sincerely,



Gosia Gichy-Weclaw  
Executive Director, Labour Qualifications and Mobility  
Workforce Strategies