

May 28, 2015

Dianne Millette
Registrar
Physiotherapy Alberta College and Association
Suite 300 Dorchester Building
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Edmonton, Alberta, T5J 1N3
Fax: 780.436.1908

Dear Ms. Millette,

Thank you for your quick response to my letter of 25th of May 25, 2015. However, our questions and points remain unaddressed and I was hoping you could provide specific feedback on these issues.

Our understanding is that the Veterinary Para-Professional amendment is not being brought forward at this time. It has not been dismissed completely from being brought forward to the government in the future.

Therefore, it is still appropriate and important that Alberta animal owners receive answers to our three questions.

1. Why does your College say that physiotherapy on animals is the practice of veterinary medicine and falls under the VPA when, by the definition of veterinary medicine in the province of Alberta, and by the ruling of the court case of the AVMA v. Pequin (see attached), it does not?
2. Why, if you believe regulation to be essential, would you ask that a Veterinary Para Professional membership be created by the AB.VMA and then be optional?
3. How is it in the public's best interest for the regulation of physiotherapy / rehabilitation practice on animals to be governed by a profession that does not fully understand the sciences underlying the practice of physiotherapy and rehabilitation?

Thank you for providing us with your College's position statement on the practice of animal rehabilitation. The Alberta Association of Animal Owners' Rights (AAAOR) is concerned that your organization has been misled by the Alberta Veterinary Medical Association (AB.VMA) and you are not aware that the courts have refuted their position on what constitutes veterinary medicine, and their position that non-vet complimentary health care for animals needs be regulated by a legislated governing body.

Justice Bielby ruled that animals have economic value and therefore, their health and welfare cannot be compared to human health care. If my neighbor drove over my dog and killed it, say, they would not be charged with "manslaughter". That's because animals are considered property.

Regarding the link you provided on the position of your College,

http://www.physiotherapyalberta.ca/physiotherapists/other_good_to_know_information/animal_rehabilitation, do you not realize your position – like the position taken by the AB.VMA -- has been rejected outright by the courts. In other words, the ABVMA has no authority to pressure your College to regulate physiotherapists who help animals.

Our animals are our property and we have the right to look after our property. We have the right to make final decisions regarding their health which includes accessing complimentary care for our animals without needing supervision from the ABVMA. The court ruling is clear.

Unbelievably, the AB.VMA feels the law is wrong and is choosing to ignore the law and mislead the public and news media of their opinion. By requiring your members to follow the position the ABVMA is “above the law” you are infringing on the rights of animal owners to freely access care for their animals. This is unfortunate and it is wrong. Certified animal rehabilitation services provided by physiotherapists do NOT require vet referral or vet supervision.

I am faxing you the precedent-setting court case of *AVMA v. Pequin* for you to review. You'll see that the points I am making are backed by law. Take special note when Justice Bielby states, “[57] ...the Association [ABVMA] has no authority to grant itself a wider jurisdiction than that accorded by the provincial legislature...”

I'm trying to understand whether you have simply been misled by the ABVMA, or whether you are part of the problem. Do you endorse the ABVMA's professional misconduct -- or do you endorse the rights of animal owners who have the law on their side? Forgive me for being persistent, but I would really appreciate if you could answer our three original questions.

Could you also please acknowledge receipt of this letter and the faxed copy of the court case?
Thank you.

Sincerely,

Sonja Christopher

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Response on next page...

(The following is the email response sent by the Registrar of Physiotherapy Alberta College and Association, Ms. Millette, on **May 28, 2015**.)

Hello Ms. Christopher:

My final comments on your e-mails follow:

We do not have the authority to regulate any aspect of animal health as our jurisdiction is limited to human health.

The AVMA has never pressured us into any position.

If you wish to discuss this further I suggest you do so with government representatives.

Dianne Millette

Dianne Millette, PT, MHSc.

Registrar

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Original letter sent by AAAOR, dated May 25, 2015, on next page...

May 25, 2015

Dianne Millette,
Registrar
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Dear Ms. Millette,

As Registrar of the Physiotherapy Alberta College and Association, I would like some clarification from your College regarding certified animal rehabilitation services provided by physiotherapists in the province of Alberta.

I am the President of the Alberta Association of Animal Owners' Rights (AAAOR). AAAOR represents animal owners in Alberta who believe healthy animals are a direct result of empowered, knowledgeable animal owners who can access certified non-vet animal health care providers without the extra cost of being required to pay for vet referral or supervision. We absolutely encourage collaboration with vets, but this should be the choice of the animal owner, and the animal owner should not have to be burdened (financially or with a time delay) to find a vet in Alberta that is willing to collaborate with a physiotherapist of the owner's choice that is duly certified in animal rehabilitation. Two court decisions have already supported the fact that animal owners have the right to independently choose care options from certified non-vet complementary therapists, just as we do for our children.

I have recently received information regarding the position of your College, which is of concern to our members. The following quote is what the Registrar, Dr. Darrell Dalton, of the Alberta Veterinary Medical Association (AB.VMA) wrote in an email to a Calgary CBC reporter on May 19, 2015 regarding the proposed vet act amendments being put forward to the government in the near future by the AB.VMA. One of the future amendments includes regulation of Veterinary Para Professionals as animal health technologists.

"The decision to ask for an additional membership category was the result of the College and Association of Chiropractors of Alberta and the Physiotherapist Association of Alberta requesting that we do so. Each of these Colleges have members that have taken additional training to be qualified to work on animals. However, both colleges recognize that this is the practice of veterinary medicine and thus falls under the VPA, and that they are incapable of regulating their members or dealing with complaints from the public when they are working on animals. Hence, they have logically asked us to be the regulating body. This membership category would be only open to regulated professionals of another College, and registered with the AB.VMA. Registration would not be mandatory."

My first question to you is:

1. Why does your College say that physiotherapy on animals is the practice of veterinary medicine and falls under the VPA, when by legal definition it does not?

Perhaps you are not aware of the precedent setting Alberta court case of AVMA v. Pequin (AB.VMA was formerly known as AVMA) in which the court decided the AB.VMA cannot pick and choose what they think is veterinary medicine under the VPA, but that it must be clearly defined within their act. The following summarizes the decision of AVMA v. Pequin, a decision that was upheld by the Supreme Court of Canada. Justice Bielby states:

"The statues creating these professional monopolies, sanctioned by law, access to which is controlled and which protect their members in good standing who meet the required conditions against any competition, must however be strictly applied. Anything which is not clearly prohibited may be done with impunity by anyone not a member of these closed associations."

The current definition of veterinary medicine in the VPA is: surgery; obstetrics and ova and embryo collection; prescribing, compounding, dispensing and selling drugs. It does not include physiotherapy or any modalities commonly associated with physiotherapy such as acupuncture, massage, laser therapy, etc. Having this knowledge, do you still agree with the AB.VMA's statement that physiotherapy on animals is the practice of veterinary medicine and falls under the VPA, even if it directly contradicts the court ruling backed by the Supreme Court of Canada?

It also concerns animal owners that your College has requested the AB.VMA to govern and discipline physiotherapists engaging in animal rehabilitation because your College is unable to regulate these members under your legislative act. Thus my second question is:

2. If you believe regulation to be essential, why would you ask a Veterinary Para Professional membership be created by the AB.VMA and then be optional?

Animal owners have no concerns with physiotherapists certified in animal rehabilitation becoming Veterinary Para Professionals -- as long as we can still access these certified therapists without paying for vet referral, ongoing vet supervision or the reliance on a veterinarian knowing what is appropriate for treatment and what is not by each Para Professional.

We believe that physiotherapists engaged in animal rehabilitation have the greatest depth of knowledge and skills regarding the application of physiotherapy / rehabilitation and hope that you realize that two court decisions, AVMA v. Pequin and R. V. MacKinnon, ruled that non-vet complimentary animal therapists are not required to have legislated governing bodies.

Our third and last question is:

3. How is it in the public's best interest for the regulation of physiotherapy / rehabilitation practice on animals to be governed by a profession that is not trained in the sciences underlying the practice of physiotherapy and rehabilitation?

AAAOR prides itself on providing factual and verifiable information to Alberta animal owners. Before disseminating any information to our members and the public, please confirm the information the AB.VMA provided the Calgary CBC reporter about the position of the Physiotherapy Alberta College and Association is indeed correct. We also appreciate getting clarification and answers regarding the questions outline in this letter.

If you need more information before responding, please let me know which documentation you require and I will forward it to you. I would also appreciate confirmation that you have received this letter, otherwise I will fax it to you.

Warm regards,

Sonja Christopher

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Response on next page...

(The following is the email response sent by the Registrar of Physiotherapy Alberta College and Association, Ms. Millette, on **May 25, 2015**.)

Dear Ms. Christopher:

Thank you for your message.

In reply, Physiotherapy Alberta has jurisdiction to regulate our members who are involved in human health care, not in the care of animals. We have had discussions from time to time with the AVMA about regulatory matters including the concept of para professional regulation. I am aware that that policy proposal regarding para professional regulation will not be advanced and that there will be no further discussion. I understand that this has been communicated to you and your association so this should not be new information at this time.

The joint Physiotherapy Alberta/AVMA position statement stands as found on our website at:

http://www.physiotherapyalberta.ca/physiotherapists/other_good_to_know_information/animal_rehabilitati
[on](#)

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