

Date: 16th October 2005

Copy: Equestrian Diary/veterinary act amend

Sliding down a steep sand and pine needle laden slope high in the backcountry west of Turner Valley I knew the stride it happened. The mare's head came up, she chomped angrily on the straight bar snaffle bit and her back hollowed out so dramatically I could easily have shut my eyes and imagined sagging into a bouncing hammock.

Fancy's already had therapeutic back and muscle work earlier this summer when she first walked into my yard, and after that occasionally when those still weak muscles threatened to revert to old pain patterns and go into spasm. This, though, was a definite tweak and she definitely was not happy. I dismounted, sighed, slackened the girths, and walked out four miles.

My usual whiz kid healer's decided to go into another business, so I started networking through trainers I respect for their viewpoints. Tina Schneider's name came up repeatedly, and who operates through her own company In Hand Equine Therapy (and about whom I've also previously heard excellent feedback). Tina specializes in performance horses; she qualified at the B.C. College of Equine Therapy (www.equinetherapy.ca or tel@250-542-5953) and which has a two-year waiting list for applicants. Tina though also has a reputation for being formidably booked up and, of course, I needed to get back up into the mountains like yesterday.

Elise Nelson, former manager at Kestrel Ridge, recommended Hilary Haliburton (tel@261-0800 or email at jhhaliburton@shaw.ca) who kindly altered her Monday work schedule dramatically at short notice to help out. Hilary's speciality is sports massage for horses (she also qualified at the B.C. college and her original practice was in the nearby Kelowna) and her strong fingers worked on pressure points and knots for well over an hour. It didn't help that Fancy doesn't easily trust new humans and initially held herself as stiffly as a Douglas fir tree trunk before, finally, with outrageous grimacing and yawning, she dropped her head and gave a huge sigh. Horses really do talk sometimes, just not in our language.

In human vernacular I've been hearing of disquiet regarding a proposed amendment to update the definition of veterinary medicine in the Veterinary Profession Act (VPA). On contacting MLA Ted Morton's office I was faxed his office's update on this amendment.

"The proposed amendment," Mr Morton's standard letter reads, "simply clarifies the definition of veterinary medicine." The letter rebuts concerns that retailers, ranchers or university researchers may not be able to continue their work "because Section 2(2) of the VPA lists activities that can be carried out by people who are not veterinarians."

His letter continues: “The Alberta Court of Appeal has said that the definition of veterinary medicine currently used in the legislation is unclear. As a result Human Resources and Employment (HRE) wrote the proposed new definition after consulting with organizations such as the Alberta Veterinary Association and associations representing beef, pork, chicken, turkey and egg producers.”

Sue Borland is a journalist who contributes to the equestrian news website Alberta Equine (www.albertaequine.com or tel@780-). On 6th October she wrote a news item which mentioned that horse owners might like to be aware of possible ambiguities contained in the amendment in which the current definition of a practicing veterinarian would be clarified and expanded - there are nine detailed - and which might therefore carry legal implications in the future for anyone practicing animal care who is not a qualified veterinarian.

SIDEBAR>>THE AMENDMENT

Carolyn Schmidt is and has been involved in many horse activity organizations at board levels, has qualified with EAGALA and works for PrePaid Legal Services; she is married to Equine Canada Level Two coach Lauren Schmidt and contributes to their Sunwest Equine Services (north of Edmonton). She admits to being worried that by expanding “the definition of a veterinarian” that alternative medicine and other peripheral horse related professions could, in the future, thus be affected adversely. These could include “advice given in feedstores, any person giving any medical advice (such as treating a minor cut) or a trainer or coach “from advising clients on the purchase of an animals as this could be construed as diagnosing a condition.”

“It could,” she believes, “even impact 4-H, who would be limited in what they could teach.” “

“Under the letter of the law,” she remarked, “many people could, in fact, be prosecuted as it leaves us liable.”

Dr Clay Gellhaus, Deputy Registrar of the Alberta Veterinary Association who has been extensively involved with the new definition, expanded his viewpoint in a telephone conversation. “We were told that our scope of practice, our definition of medicine and surgery was too limited.”

“In the 1905 legislation,” he continued, “the original definition ‘included anything done by a veterinarian’.”

These days, he expanded, veterinarians are multi-tasking in many different areas, “thousands almost.” The new definition resulted as “our 1984 definition that we currently use didn’t stand up in court, in disciplinary actions, so [with the

new definition] everything we do is included. It's defined on a Canada-wide basis, to allow vets to move across Canada."

SIDEBAR>>The current 1984 definition of the act defines "veterinary medicine" as a medical service performed with respect to an animal and includes the following:

- i) surgery**
- ii) obstetrics and ova and embryo collection**
- iii) prescribing, compounding, dispensing and selling of drugs.**

Alberta Human Resources and Employment (under Minister Mike Cardinal) wrote in a letter dated 11th October to all government MLAs that, "The Proposed amendment will not affect those veterinary activities the Veterinary Profession Act currently allows to be performed by non-veterinarians." The VPA (and its definition) is readily available on the internet and states clearly nine current exclusions, including for example farriers, those dehorning (such as ranchers and farm workers) and university researchers . This list does not currently include equine dentists (there is a potentially precedent setting case in the Court of Appeal between the Alberta Veterinary Medical Association and Louis Pequin) , chiropractors, acupuncturists, herbalists or massage therapists, ergo there could be a substantial impact on horse owners' treatment options.

To voice your concerns, for rural areas around Cochrane the MLA for Foothills and Rockyview is Ted Morton (telephone 216-2768) or for Cochrane the MLA is Janis Tarchuk (tel@.). Mr Adrian Pritchard, Manager of Professions and Occupations, is the government representative working within Minister Mike Cardinal's Human Resources and Employment offices (tel@ or access at www.gov.ab.ca/hre).

THE END

(xi) conduct that harms the integrity of the profession;

(o) “unrestricted veterinarian” means an individual who holds a certificate of registration and an annual certificate to engage in the practice of veterinary medicine under this Act and whose class or category of registration is not designated by the regulations as restricted;

(p) “veterinary medicine” means a medical service performed with respect to an animal and includes the following:

(i) surgery;

(ii) obstetrics and ova and embryo collection;

(iii) prescribing, compounding, dispensing and selling drugs.

RSA 2000 cV-2 s1;2002 c26 s2

Part 1

Scope of Practice

Exclusive scope of practice

2(1) Except as otherwise provided in this Act, no person except a registered veterinarian or permit holder shall engage in the practice of veterinary medicine.

(2) Subsection (1) does not apply to the following:

(a) a technologist practising under the direction or control of an unrestricted veterinarian and in accordance with the regulations;

(b) a person who is engaged in trimming hooves, shoeing and applying or using corrective procedures or devices specifically for gait and stance modifications in animals;

(c) a person or the person’s employee who is engaged in the treatment of the person’s animals or animals of the person’s employer;

(d) a person who is engaged in the examination or preventive or therapeutic treatment of farm animals using non-surgical procedures

in return for the performance of similar services by the owner of the animals;

(e) a person or the person's employee who is engaged in the treatment of farm animals that the person rents or leases from or custom feeds for the owner of the animals, if the owner consents;

(f) a person who is engaged in dehorning cattle, sheep or goats, in docking pigs, sheep or horses or in castrating cattle, sheep, goats, pigs, horses or any other animal prescribed in the regulations made under section 3;

(g) a person who is using an animal in research at a university, if the research is carried out using acceptable veterinary procedures and the use of the animal has been approved by an appropriate animal care committee of which at least one member is a registered veterinarian;

(h) a person who gives assistance in a time of urgent need, if the assistance is given without hire, gain or hope of reward;

(i) the carrying out of the practice of a profession or occupation under the authority of any other enactment.