

Saskatchewan Veterinary Medical Association

Bylaw

Approved September 7, 2018



SASKATCHEWAN
VETERINARY MEDICAL
ASSOCIATION

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1.1. Definitions:

Except as may be otherwise specifically provided or unless context otherwise requires, in this **Bylaw**:

- a. “**AAVSB**” means the American Association of Veterinary State Boards;
- b. “**Act**” means *The Veterinarians Act, 1987* as amended, modified, replaced or supplemented from time to time;
- c. “**AVMA**” means the American Veterinary Medical Association;

- d. “**AVMA ABVS**” means the American Veterinary Medical Association American Board of Veterinary Specialties;
- e. “**Bylaw**” means this **Bylaw** of the **SVMA**;
- f. “**Continuing Education Standard**” means the standards of continuing education, including the directions of council for the recording, reporting, auditing and any other requirements relating to continuing education;
- g. “**CVMA**” means the Canadian Veterinary Medical Association;
- h. “**CVMA NEB**” means Canadian Veterinary Medical Association National Examining Board;
- i. “**CO**” means a Certificate of Qualification issued by the **CVMA NEB**;
- j. “**Fee Schedule**” means the fee schedule last approved at the annual general meeting of the **members**;
- k. “**Good Standing**” means:
- i. the **member** has not ceased to be a **member**;
 - ii. the **member** has not received any suspension, expulsion or other similar sanction from the **association**;
 - iii. the **member** is in compliance with all rules, policies, procedures, practice standards, bylaws, licences and other similar regulations of the **association**, including payment of fees;
 - iv. the **member** is not subject to a disciplinary order, or within the last 5 years been subject to a disciplinary order, or if subject to a disciplinary order previously, has complied with all the terms and conditions of the order; and
 - v. the **member** is not subject to criminal charges, or guilty of a criminal offence relevant to, or which would directly or indirectly impact on, the practice of veterinary medicine.
- l. “**Robert’s Rules of Order**” means **Robert’s Rules of Order** as amended, modified, replaced or supplemented from time to time;
- m. “**SVMA**” means the Saskatchewan Veterinary Medical Association, a body corporate existing under the **Act**;
- n. “**VCPR**” means a veterinarian client patient relationship established in accordance with this **Bylaw** or, as applicable, in accordance with the laws of another jurisdiction;

- o. “**Veterinary Technology**” means assisting in the practice of veterinary medicine in accordance with this **Bylaw** and other policies and standards of the **SVMA**; and
- p. “**Voting Members**” means those **members** permitted to vote in accordance with the *Membership Categories and Operational Policies* document of the **SVMA**.

1.2. Interpretation:

Except as may be otherwise specifically provided or unless context otherwise requires, in this **Bylaw**:

- a. the terms “hereto”, “hereof”, “herein”, “hereby”, “hereunder” and similar expressions refer to this **Bylaw** in its entirety and not to any particular provision hereof;
- b. references to an “Article”, “Section” or “Schedule” followed by a number or letter refer to the specified Article or Section of or Schedule to this **Bylaw**;
- c. the division of this **Bylaw** into articles, sections and schedules and the insertion of headings are for convenience of reference only and shall not affect the construction or interpretation of this **Bylaw**;
- d. words importing the singular number only shall include the plural and vice versa, words importing the use of any gender shall include all genders and the neuter;
- e. the words “include”, “includes” and “including” shall be deemed to be followed by the words “without limitation”;
- f. the words “in writing” include readable electronic communications;
- g. the word “or” is not exclusive; and
- h. any reference to this **Bylaw**, means this **Bylaw** as amended, modified, replaced or supplemented from time to time.

1.3. Terms Defined in the **Act**:

Except as may be otherwise specifically provided or unless context otherwise requires, the meanings given to the words in section 2 of the **Act** have the same meanings when used in this **Bylaw**. For convenience words defined in the **Act** and used herein shall be identified by bold, italicized and underlined text, for example: **animal**.

1.4. Rules of Order:

When a matter arises relating to proceedings not covered by a provision of this Bylaw, the matter shall be decided by reference to the most current edition of Robert's Rules of Order. In the event of a conflict between this Bylaw and Robert's Rules of Order, this Bylaw shall apply.

1.5. Interpretation Act:

Where applicable and appropriate (as determined by council), this Bylaw shall be interpreted with reference to *The Interpretation Act, 1995*.

1.6. Applicability to Professional Corporations:

This Bylaw and any SVMA rules, policies, directives, standards or the like pertaining to members providing veterinary medicine services through or in the name of a professional corporation shall apply to the professional corporation.

2.1. Purpose:

The SVMA's purpose is to carry out its objectives and duties, exercise its powers and govern its members in a manner that serves and supports the public and the profession of veterinary medicine.

The objectives of the association are:

- a. the protection of the public;
- b. subject to the Act, in the interest of the public and the profession, to regulate the practice of veterinary medicine;
- c. to encourage and promote the health, humane treatment and usefulness of animals;
- d. to promote, encourage and develop veterinary medicine;
- e. to arrange for and conduct courses of instruction, studies and lectures to promote and increase the knowledge, skill and proficiency of its members; and
- f. to cooperate with associations, societies and organizations having, in whole or in part, objectives similar to those of the SVMA.

3.1. Council General Power:

Subject to the Act and this Bylaw, the council shall control, manage and regulate the affairs of the association.

3.2. Number; Term:

Council shall consist of:

- a. 7 members that are registered veterinarians in accordance with this Bylaw and the *Membership Categories and Operational Policies* document of the SVMA,
- b. 1 member that is a registered veterinary technologist in accordance with this Bylaw and the *Membership Categories and Operational Policies* document of the SVMA, and
- c. 1 person appointed by the Lieutenant Governor in Council in accordance with section 8 of the Act,

Members elected to council shall be limited to two (2) consecutive two-year terms, unless an extension is required for the member to hold the office of immediate past president. Each member of council shall hold office until a successor is duly nominated and elected or until the earlier death, resignation, disqualification or removal. In each case the individual shall be eligible and be nominated and elected in accordance with the Act and this Bylaw.

The member elected to council pursuant to section 3.2.b may exercise rights, hold office and serve as a member of committees to the same extent as other members of the council, but is ineligible to hold office as president or vice-president of the council.

3.3. Resignation:

Any member of council may resign at any time by notice given in writing to the president or vice-president. Such resignation shall take effect at the date of receipt of such notice by the president or vice-president or at such later time as is therein specified.

3.4. Removal:

Any member who is not eligible shall be removed as a member of council without any further act of formality. Except as prohibited by applicable law, the members entitled to vote in an election of council may remove a member of council from office at any time, with or without cause, by ordinary resolution.

3.5. Newly Created Councillorships and Vacancies:

Any newly created councillorships resulting from an increase in the number of members of council or any vacancies occurring in council, may be filled by the affirmative votes of a majority of the remaining members of council. A member of council so elected shall be elected to hold office until the earlier of the expiration of the term of office of the member of council whom he or she has replaced, the date a successor is duly nominated and elected or until the earlier death, resignation, disqualification or removal.

3.6. Fees and Expenses:

Members of council shall receive such fees and expenses as council shall from time to time prescribe.

3.7. Regular Meetings:

Regular meetings of council may be held at such times and at such places as may be determined from time to time by council or its chairperson. No notice shall be required for any such regular meeting except if the purpose of the meeting or the business to be transacted is substantive and not consistent with the routine matters addressed at regular meetings.

3.8. Ad Hoc Meetings:

Ad hoc meetings of council may be held at such times and at such places as may be determined by the chairperson on at least 24 hours' notice to each member of council. Ad hoc meetings shall be called by the chairperson in like manner and on like notice on the written request of any two or more members of council.

3.9. Telephone; Electronic Meetings:

Council meetings or meetings of any committees of council may be held by means of telephonic, electronic or other communication facility that permits all participants to communicate with each other simultaneously and instantaneously.

3.10. Notices:

Whenever notice is required to be given to a member of council, such notice shall be deemed to be given effectively if given in person or by telephone, mail, facsimile, e-mail or by other means of electronic transmission and, subject to Section 3.7 and Section 3.8, shall be delivered 2 weeks

prior to any meeting of council. Attendance by a member of council at a meeting shall constitute a waiver of notice of such meeting.

3.11. Organization:

At each meeting of council, the chairperson or, in his or her absence, another member of council selected by council shall preside. The **registrar -secretary-treasurer** or secretary-treasurer, as the case may be, shall act as or appoint a secretary at each meeting of council. If the **registrar -secretary-treasurer** or secretary-treasurer, as the case may be, is absent from any meeting of council, the person presiding at the meeting may appoint any person to act as secretary of the meeting.

3.12. Quorum:

The presence of a majority of members of council shall be necessary and sufficient to constitute a quorum.

3.13. Majority Vote:

The vote of a majority of the members of council present at a meeting at which a quorum is present shall be the act of council.

3.14. Resolution in Writing:

Unless otherwise restricted by this **Bylaw**, any resolution required or permitted to be passed at any meeting of council or of any committee thereof may be taken without a meeting if all the members of council or the committee, as the case may be, consent thereto in writing and sign the written resolution, which shall be filed with the minutes of proceedings of the committee.

4.1. Offices:

Subject to the **Act**, council shall appoint individuals from council to serve as (i) a president and (ii) one or more vice-presidents. Subject to the **Act**, council shall appoint individuals to serve as (i) a **registrar**, and (ii) a secretary-treasurer, or (iii) a single individual to act as a **registrar -secretary-treasurer**. Council may from time to time designate such other officers as council may determine, including a chief executive officer, one or more assistants to any of the officers so appointed. Council shall specify the duties, responsibilities and remuneration of the officers and employees

of the SVMA. The person appointed as registrar -secretary-treasurer may also hold the office of chief executive officer.

5. Protection of Council and Officers

5.1. Limitation of Liability:

Every member of council and officer of SVMA in exercising his or her powers and discharging his or her duties shall act honestly and in good faith with a view to the best interests of the association and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. Subject to the foregoing, none of (1) the association, (2) council or any member of council, (3) the professional conduct committee or any member of the professional conduct committee, (4) the discipline committee or any member of the discipline committee, (5) any other committee established by council or any member thereof, (6) any officer or employee of the association, shall be liable for any acts, omissions, failures, neglects or defaults of any other of the aforementioned persons.

5.2. Indemnity:

a. The SVMA shall indemnify each member of council, each committee member, each officer of SVMA and each former member of council, committee member or officer of SVMA, against all costs, charges and expenses, including any amount paid to settle an action or satisfy a judgment (“losses”), which are incurred by him or her in respect of any civil, criminal or administrative action or proceeding to which he or she is made a party by reason of being or having been a member of council or officer of SVMA where he or she acted honestly and in good faith with a view to the best interests of the SVMA; or (ii) orders made or enforced pursuant to the Act or this Bylaw.

b. Each such person is so indemnified in respect of such losses whether he or she is acting as a member of council, committee member or officer of SVMA at the time such losses are incurred by him or her or he or she has ceased to be a member of council, committee member or officer of SVMA and includes his or her heirs and legal representatives.

6. Memberships – Veterinary Medicine

6.1. Membership – Veterinary Medicine:

In respect of the practice of **veterinary medicine**, categories of membership are continued or established by the *Membership Categories and Operational Policies* document of the **SVMA**.

7. Memberships – Veterinary Technology

7.1. Memberships – Veterinary Technology:

In respect of the practice of **veterinary technology**, categories of membership are continued or established by the *Membership Categories and Operational Policies* document of the **SVMA**.

7.2. Permitted Veterinary Technologist Practices:

Subject to any limitations, conditions or restrictions imposed by council, **registered veterinary technologist members** in the Active, Provisional, Short Term and Student categories (as established under the *Membership Categories and Operational Policies* document of the **SVMA**), under the direction and supervision of a veterinarian licensed in the Full, Life, Limited, Short-term or Educational categories (as established under the *Membership Categories and Operational Policies* document of the **SVMA**) may assist in the practice of **veterinary medicine** by:

- a. administering a drug, medicine, appliance or other application or treatment of whatever nature for the prevention or treatment of bodily injury or disease of **animals**, or
- b. performing a surgical or dental operation on an **animal**.

Notwithstanding the forgoing, a **registered veterinary technologist member** shall not make a diagnosis or determine any course of treatment.

8. Continuing Education

8.1. Continuing Education:

- a. Council may establish, manage, arrange for or approve courses of instruction and training in the science and practice of **veterinary medicine**.
- b. Each member is required to accumulate the required number of hours of continuing education per year as prescribed by council in the *Continuing Education Standards and Operational Policies* document and shall comply with all conditions including recording, reporting, auditing and any other requirements as described in the *Continuing Education Standards and Operational Policies* document.

- c. Failure to maintain the minimum required number of hours of continuing education per year as prescribed by council in the *Continuing Education Standards and Operational Policies* document may result in any of the following:
- (1) a loss of **Good Standing**,
 - (2) the member being struck from the register, and
 - (3) a levy of penalty fees as set out in the **Fee Schedule**.

9. Meetings of Members

9.1. Annual Meeting:

An annual meeting of the **members** of the **association** shall be held at least once in every calendar year, and not more than 15 months after the last preceding annual meeting, at such time and place as council may decide.

9.2. Special Meeting:

A special meeting of the **members** of the **association** shall be held, at such time and place as council may decide, following either:

- a. a resolution of council; or
- b. a written demand signed by at least 25 **Voting Members** delivered to council, which written demand shall be accompanied with particulars of the business to be considered at such special meeting of the **association**.

If council fails to call a special meeting of the **members** of the **association** within 90 days of delivery of the written demand referred to in Section 9.2.b, the special meeting may be convened by the **members** who requested it, provided this **Bylaw**, modified as necessary to apply to such **member**s convening the meeting (for example the giving of notice, the chairing of meetings and so on), is complied with.

9.3. Notice of Meeting:

Notice of the time and place of the meeting of the **members** of the **association**, together with notice of the business to be transacted at the meeting, shall be sent not less than 10 days nor more than 50 days before the meeting. The **registrar** shall mail, or cause to be mailed, such notice to every

member of the association, addressed to such member to the address currently on record with the association.

9.4. Voting and Attendance Rights:

Only members who are Voting Members shall be entitled to vote on a matter requiring a vote and to which such members are permitted to vote. Only members whose membership includes a right to attend a meeting of the members of the association shall be permitted to attend at a meeting of the members of the association. Council may in its sole discretion permit any other person to attend the meeting as a guest.

9.5. Quorum:

A quorum for any meeting of the members of the association shall be 20 Voting Members present in person or by proxy. If within 30 minutes from the time appointed for the meeting a quorum is not present, the chairperson present may adjourn the meeting to a fixed time and place and no other business shall be transacted at such meeting.

9.6. Chairperson:

The president shall chair at all meetings of the members of the association or, in his or her absence, the vice-president or, should he or she be absent, the Voting Members of the meeting shall appoint as chairperson a member of council present at such meeting.

9.7. Proxy:

A Voting Member may, by instrument in writing, appoint the registrar or another Voting Member as his or her proxy. An original signed instrument, or notarially certified copy, appointing a proxy shall be deposited with the registrar before the meeting of the members of the association at which the person named in the instrument proposes to vote, and in default thereof the instrument of proxy shall not be accepted and deemed invalid. The notice calling the meeting of the members of the association may specify a time not exceeding 48 hours (excluding Saturdays, Sundays and holidays) before which time proxies to be used at the meeting must be deposited with the registrar. An instrument appointing a proxy may be in the following form, or in any other form which council may approve:

| | |
|---|---|
| <p>I _____ [Name], of _____ [Municipality], in the Province of _____, being a Voting Member of the Saskatchewan Veterinary Medical Association hereby appoint _____ [Name], of _____ [Municipality], in the Province of _____, as my proxy to vote for me and on my behalf at the meeting of the members of the Saskatchewan Veterinary Medical Association to be held on _____ [Date].</p> | |
| <p>Dated _____</p> | <p>_____ Signature of voting member</p> |

9.8. Matters Transacted other than by Meeting:

Without in anyway detracting from the requirements to hold annual or special meetings of the **members** of the **association**, if council, in its sole discretion, determines that any matter may or should be transacted by means other than a meeting of the **members** of the **association**, council may conduct a vote by mail, email or other electronic means. No less than 10 days nor more than 50 days before the cut-off voting date (defined below), the **registrar** shall deliver to the **Voting Members**:

- a. the text of the resolution,
- b. all information council deems appropriate with respect to the matter;
- c. the date and time specified by council for the receipt and closing of voting by mail, email or other electronic means (the “cut-off voting date”).

Any votes not received on or before the cut-off voting date shall not be accepted and deemed invalid. Votes received by at least 20 **Voting Members** shall be quorum for the purposes of conducting a vote by mail, email or other electronic means. Immediately following the cut-off voting date, one or more scrutinizers appointed by council shall count the votes and provide the results of the vote to the **registrar** who shall notify all **Voting Members** in writing within 30 days of being so advised.

10. Committees

10.1. Legislated Committees:

Council shall establish committees as are required from time to time by the **Act**. Without limiting the generality of the foregoing, and subject to the **Act**, the following committees are established

- (1) professional conduct committee, and

(2) discipline committee.

Subject to the Act, council shall appoint, on an annual basis, such number of members and non-members to the professional conduct committee and the discipline committee, in each case as council determines in its sole discretion, provided that each committee shall consist of at least three members and no member shall at the same time be appointed to both the professional conduct committee and the discipline committee. Upon the establishment of a legislated committee, council shall:

- a. establish the charter or terms of reference for the committee, and make the same available to any member upon request to the registrar in writing,
- b. accept recommendations of appointment to the committee from members, and appoint members to the committee, as council in its sole discretion determines,
- c. appoint the chairperson, vice-chairperson, or any other designations, of the committee,
- d. establish the term of appointment of committee members, and
- e. establish the remuneration to be paid to committee members.

A legislated committee shall be responsible to council. Council may remove any member or non-member of a legislated committee for sufficient cause, including repeated absences from committee meetings. Council may request a legislated committee to provide reports to council or the members of the association at any meeting of the members of the association.

10.2. Non-Legislated Committees:

Council may establish committees to carry out the objectives of the association and, subject to the Act, delegate to such committees any power of duty of council on terms and conditions that council may determine. Upon the establishment of a committee, council shall:

- a. establish the charter or terms of reference for the committee, and make the same available to any member upon request to the registrar in writing,
- b. accept recommendations of appointment to the committee from members, and appoint members to the committee, as council in its sole discretion determines,
- c. appoint the chairperson, vice-chairperson, or any other designations, of the committee,
- d. establish the term of appointment of committee members, and
- e. establish the remuneration to be paid to committee members.

A non-legislated committee shall be responsible to council. Council may remove any member or non-member of a non-legislated committee for sufficient cause, including repeated absences from committee meetings. Council may request a non-legislated committee to provide reports to council or the **members** of the **association** at any meeting of the **members** of the **association**.

11. Practice Standards

11.1. Practice Standards:

The Saskatchewan Veterinary Medical Association Practice Standards are incorporated into and form part of this **Bylaw**, with the same force and effect as if included in the main body of the bylaw.

12. Code of Professional Ethics

12.1. Code of Professional Ethics:

In furtherance of the **SVMA**'s purpose and objectives set out in Section 2.1, this **Bylaw** provides a code of professional ethics with which all **members** shall comply.

12.2. General Principles:

- a. A **member** shall provide competent veterinary medicine with compassion and respect for **animal** welfare and human health.
- b. A **member** shall maintain independence, impartiality and accountability in carrying out professional duties and shall follow acceptable professional procedures using current professional and scientific knowledge and offer consultation or referral when indicated. **Members** are to refer to the *Conflict of Interest and Steering* document for added guidance.
- c. A **member** shall, in the provision of appropriate patient care, be free to choose whom to serve.
- d. A **member** shall respect the rights of clients, colleagues, and other health professionals, and shall maintain the confidentiality of medical information within the confines of applicable law.
- e. A **member** shall obey all applicable laws, regulations, practice standards and this **Bylaw** and shall also recognize a responsibility to seek changes to laws and regulations which are contrary to the best interests of the patient and public health.
- f. **Members**, individually and collectively, shall uphold the integrity of the veterinary profession and must maintain the trust of their clients and society through exemplary standards of clinical practice and conduct including competence, accountability, honesty, fairness, compassion and confidentiality.

- g. A **member** shall continue to study, apply, and advance scientific knowledge, make relevant information available to clients, colleagues, and the public and maintain a commitment to continued education.
- h. The responsibility of the veterinary profession extends beyond individual patients and clients to society in general. **Members** are encouraged to make their knowledge available to their communities and to provide their services for activities that protect public health and environmental health.
- i. No **member** shall sell, give, administer or distribute medications which:
 - (i) have expired or have been returned to him;
 - (ii) have not been properly stored, handled or labelled;
 - (iii) are listed under the *Prescription Drug List* of the *Food and Drug Regulations* made under the *Food and Drug Act*, or under the *Controlled Drugs and Substances Act* and regulations made under this **Act**, and a valid **VCPR** does not exist.
- j. A **member** must not establish a **VCPR** for the primary purpose of facilitating sales of pharmaceuticals and biologicals when, due to geographic separation, the **member** is unable to attend the premises or **animals** within a reasonable period.
- k. **Members** shall not sell or supply a pharmaceutical or biological product to any other person, group, or company who intends to resell the product. This does not apply to the sale or supply of pharmaceutical and biological products to other licensed veterinarians.
- l. A **VCPR** may not be established by telephone or electronic means alone.

12.3. **Member responsibilities to animals:**

- a. **Members** shall first consider the needs of the patient: to relieve disease, suffering or disability while minimizing pain or fear.
- b. **Members** must provide veterinary care that is appropriate and adequate. **Members** shall consider the needs of the patient, the welfare of the client and the safety of the public when recommending treatment options.
- c. **Members** shall follow acceptable professional procedures using current professional and scientific knowledge. Complementary, alternative, integrative, non-traditional or other novel modalities shall be held to the same standards as traditional science based **veterinary medicine**.
- d. **Members** shall practice within their own area of competence and refer cases responsibly.

- e. Regardless of practice ownership, the interests of the patient, client, and public require that all decisions affecting diagnosis, prognosis, and recommendations for treatment of patients be made by a **member** who is licensed in accordance with the **Act** and the **Bylaw** to practise **veterinary medicine**.
- f. **Members** shall not allow their medical judgment to be influenced by agreements by which they stand to profit through referring clients to other providers of services or products, nor should their judgment be influenced by contracts or agreements made by their practice, **associations** or societies. **Members** are to refer to the *Conflict of Interest and Steering* document for added guidance.
- g. In emergencies, **members** have an ethical responsibility to provide essential services for **animals** when necessary to save life or relieve suffering, regardless of whether a client agreement is in place or not, including if a client agreement was previously in place and subsequently terminated. Such emergency care may be limited to euthanasia, relief of suffering, or to stabilization of the patient for transport to another source of **animal** care.
- h. **Members** shall communicate with each other to ensure the health and welfare of any **animal** or group of **animals**.
- i. **Members** shall strive to improve their knowledge and skills, and to collaborate with other professionals in the quest for knowledge and professional development.
- j. Humane euthanasia of **animals** is an ethical veterinary procedure and shall be offered as a treatment option should it be requested by a client.
- k. No **member** shall perform cosmetic ear cropping on an **animal** for the purpose of having the **animal**'s appearance conform to a breed standard or tradition.

12.4. **Member** responsibilities to clients:

- a. **Members** must be open and honest with clients and respect their needs and requirements. **Members** shall be honest, fair, considerate and compassionate.
- b. **Members** shall provide independent and impartial advice and inform a client of any conflict of interest. Communications with clients shall not contain false, deceptive, or misleading statements or claims. **Members** are to refer to the *Conflict of Interest and Steering* document for added guidance.
- c. **Members** may choose whom they will serve. Both the **member** and the client have the right to establish or decline a Veterinarian-Client-Patient Relationship.

- d. **Members** shall strive to communicate effectively with clients and ensure informed owner consent is obtained before treatments or procedures are carried out. The decision to accept or decline treatment and related costs should be based on adequate discussion of clinical findings, diagnostic techniques, treatment, likely outcome and estimated costs.
- e. A decision to consult or refer shall be made jointly by the attending veterinarian and the client. Attending veterinarians shall honour a client's request for referral. **Members** are to refer to the *Guidelines for Veterinary Case Referral* document for added guidance.
- f. **Members** are entitled to charge fees for their professional services. Fees must be fair and based on the professional services rendered. Regardless of the fees that are charged or received, the quality of service must be maintained at or above the professional standard as set by the **association**.
- g. **Members** shall keep clear, accurate and detailed client and medical records.
- h. **Members** and their associates shall protect the personal privacy of clients. **Members** shall not reveal confidences unless required to by law or unless it becomes necessary to protect the health and welfare of other individuals or **animals**.
- i. **Members** shall address client complaints in an appropriate and timely manner.
- j. **Members** shall take all reasonable steps to prevent harm to patients. Should harm occur, this information shall be immediately disclosed to the client.
- k. No **member** shall guarantee a cure.

12.5. **Member responsibilities to the profession:**

- a. **Members** have a responsibility to maintain the integrity and dignity of the profession and be worthy of the trust and respect of colleagues, clients, other health professionals, and the public.
- b. **Members** shall be honest, fair, considerate, and compassionate. **Members** shall follow acceptable professional procedures using current professional and scientific knowledge.
- c. **Members** shall not slander or injure the professional standing or reputation of other **members** in a false or misleading manner. However, **members** shall report to the council, the **registrar** or the professional conduct committee any unprofessional conduct by **members**.
- d. **Members** shall view, evaluate, and treat all persons in any professional activity or circumstance in which they may be involved, solely as individuals base on their own personal abilities, qualifications, and other relevant characteristics.

- e. **Members** who are impaired or whose performance is adversely affected by physical or mental health conditions shall not act in the capacity of a veterinarian or **veterinary technologist** and shall seek assistance from qualified organizations or individuals. Colleagues of impaired **members** or non-members should encourage those individuals to seek assistance and to overcome their impairment.
- f. **Members** having supervisory authority over another **member** shall make reasonable efforts to ensure that the other **member** conforms to accepted standards of conduct and practice.
- g. If there is evidence that the actions of a **member** have clearly and significantly endangered the health or safety of a patient, all **members** have a responsibility to act.
- h. **Members** shall strive to improve their veterinary knowledge and skills and are encouraged to collaborate with other professionals in the quest for knowledge and professional development.
- i. **Members** shall use only the title of the professional degree that was awarded by the educational institution where the degree was earned. It is unethical for **members** to identify themselves as **members** of a recognized specialty organization if such certification has not been awarded and maintained.
- j. It is unethical to place professional knowledge, credentials, or services at the disposal of any nonprofessional organization, group, or individual to promote or lend credibility to the illegal practice of **veterinary medicine** or **veterinary technology**.
- k. It is unethical for **members** to use or permit the use of their names, signatures or professional status in connection with the sale, resale, marketing or other promotion of a product, drug or other item used in the practice of **veterinary medicine** in a manner which violates those directions or conditions specified by the manufacturer to ensure the safe and efficacious use of the product.
- l. **Members** shall recognize a responsibility to give generally held opinions of the profession when interpreting scientific knowledge to the public. When presenting an opinion that is contrary to the generally held opinion of the profession, this shall be clearly indicated.
- m. Every general practice **member** who is engaged in the practice of **veterinary medicine** and who serves the public on a fee-for-service or *pro bono* basis must be insured under a contract of professional liability insurance with a company that is licensed to do business in Saskatchewan that provides a minimum coverage of one million dollars (\$1,000,000) for each occurrence. This insurance must be in place prior to providing any medical advice or service to a client or a patient.
- n. When called in an emergency as a substitute in the absence of a fellow practitioner, the **member** shall turn back the client to the original veterinarian on his return unless the client specifically requests the contrary.

- o. Other than as the result of a direct referral, when a **member** is engaged by a client seeking a second opinion on a case, including **animal** welfare cases, previously dealt with by another veterinarian, the **member** providing the second opinion shall inform the original veterinarian of his findings unless the client specifically requests the contrary.
- p. Any **member** may ask for and shall receive the advice of council when he has any question as to the interpretation or application of the code of ethics.
- q. When the **registrar** makes a written demand for information wherein a specific response deadline is imposed, the **member** may be fined not less than \$25.00 for each day past the deadline it takes for the **member**'s acknowledgement to reach the **registrar**. In addition, the matter may be referred to the professional conduct committee for consideration as an act of unprofessional conduct.

12.6. **Member** responsibilities to the public:

- a. **Members** shall concurrently seek to ensure the protection of public health and general **animal** health and welfare, while carrying out their professional duties toward a specific patient. **Members** shall also consider the impact of their actions on the environment.
- b. The responsibilities of the veterinary profession extend beyond individual patients and clients to society in general. **Members** are encouraged to make their knowledge available to their communities and to provide their services for activities that protect public health and environmental health.
- c. **Members** shall obey all applicable laws, regulations, bylaws and practice standards. **Members** shall be honest and fair in their relations with others, and shall not engage in fraud, misrepresentation, or deceit. **Members** shall report illegal practices and activities to council, the **registrar**, the professional conduct committee or to other proper authorities.
- d. **Members** may promote or advertise products and services, but it is unethical to employ false, deceptive, or misleading statements or claims. **Members** are to refer to the *Advertising and Public Education* section of the *General Standards and Operational Policies* document for added guidance.

12.7. **Member** responsibilities to the veterinary team:

- a. **Members** must work together and with others in the veterinary team and business, to co-ordinate the care of **animals** and the delivery of services.
- b. **Members** shall ensure that tasks are delegated only to those who have the appropriate competence and registration.

- c. **Members** shall maintain minimum practice standards.
- d. **Members** shall treat their colleagues with dignity and as persons worthy of respect.

13. Veterinary Client Patient Relationship

13.1. Veterinarian Client Patient Relationship:

- a. The **VCPR** is the basis for interaction among veterinarians and their clients and patients.
- b. No **member** shall diagnose, recommend a course of treatment, prescribe medications, or perform any medical or surgical procedure on an **animal** without the formation of a valid **VCPR**, defined as follows:
 - i. the veterinarian has assumed responsibility for making medical judgments regarding the health of the **animal** and the need for medical treatment, and the client, owner or other caretaker has agreed to follow the instructions of the veterinarian;
 - ii. the veterinarian has sufficient knowledge of the health, environment and need for care of the **animal** (s), acquired by virtue of:
 - A. personally examining the **animal** (s); or
 - B. making medically appropriate examinations and timely visits to the premises where the **animal** is kept, thereby obtaining sufficient knowledge to initiate a general or preliminary diagnosis of the medical condition of the **animal**; or
 - C. where medically appropriate, through history taking, including details of any presenting complaint and a review of previous medical records obtained as soon as possible after the first encounter; and
 - iii. the veterinarian is readily available or has arranged for emergency coverage for follow-up care in case of adverse reactions or failure of the treatment regimen.

13.2. Included Requirements of the Veterinarian Client Patient Relationship:

The **VCPR** includes but is not limited to:

- a. obtaining informed consent;
- b. charging fair fees and providing an estimate of costs;
- c. providing for follow-up care;

- d. creating, maintaining and safeguarding medical records;
- e. meeting the required standard of skill and knowledge;
- f. avoiding conflict of interest; and
- g. meeting practice standards.

13.3. Terminating the Veterinarian Client Patient Relationship:

A **VCPR** is terminated when:

- a. the condition is reasonably resolved;
- b. care is transferred to the client;
- c. care is transferred to another veterinarian;
- d. care is transferred to another competent person or body;
- e. the requirements of Section 13.1.b have not been met; or
- f. the client has been informed in writing, delivered either in person or by registered mail, that the veterinarian and/or veterinary practice will no longer provide service to the client.

14. Prescribing and Dispensing Pharmaceuticals, Biologicals or Other Medicines

14.1. Veterinarian Client Patient Relationship; Prerequisite to Prescription:

- a. Authorization to Prescribe: A veterinarian **registered** as a Full, Life, Limited, Short-term or Educational **member** (as established under the *Membership Categories and Operational Policies* document of the **SVMA**) shall not prescribe drugs listed on the *Prescription Drug List* without the formation of a **VCPR**.
- b. Exception for Rabies Vaccines: Notwithstanding section 14.1.a, a **VCPR** is required to prescribe rabies vaccine.
- c. Clarification: For clarity, a **member** that is not **registered** as a Full, Life, Limited, Short-term or Educational member shall not prescribe drugs.

14.2. Dispensing of Drugs and Other Medicines:

- a. Authorization to Dispense: A veterinarian **registered** as a Full, Life, Limited, or Short-term member (as established under the *Membership Categories and Operational Policies* document of the **SVMA**) is authorized to dispense pharmaceuticals, biologicals (including killed or modified live vaccines) or other medicines, including drugs listed on the *Prescription Drug List*.
- b. Dispensing without a **VCPR**: A veterinarian **registered** as a Full, Life, Limited or Short-term member (as established under the *Membership Categories and Operational Policies* document of the **SVMA**) may, without a **VCPR** and on receipt of a written prescription, dispense drugs prescribed by another **member**, or veterinarian **registered** and licensed in accordance with the laws, bylaws and regulations of their jurisdiction, and in every case only when the conditions set forth in the *Operational Policies for Prescribing and Dispensing Pharmaceuticals in Saskatchewan* are met.
- c. Clarification: For clarity, a **member** that is not **registered** as a Full, Life, Limited or Short-term member shall not dispense drugs.

15. Professional Standards, Complaints, Investigations and Disciplinary Matters

15.1. Ceasing Good Standing:

Members who cease to be in **Good Standing** may have membership privileges revoked or suspended until such time as council is satisfied that the **member** has met the definition of **Good Standing**.

15.2. Professional Incompetence and Professional Misconduct:

Without limiting the **Act**, including sections 24 and 24.1 of the **Act**, the following acts, failures to act, or omissions are examples of professional incompetence or professional misconduct, in each case as determined in accordance with the **Act**, this **Bylaw** and any other bylaws, standards, policies and procedures of the **SVMA**:

- a. failure to exercise a reasonable degree of care and skill in the practice of **veterinary medicine** or **veterinary technology**;
- b. demonstration of a lack of knowledge, skill, or judgment in the practice of **veterinary medicine** or **veterinary technology** in the carrying out of any duty or obligation undertaken in the practice of **veterinary medicine** or **veterinary technology**;

- c. contravention of applicable laws, this **Bylaw** and any other bylaws, standards, policies and procedures of the **SVMA**;
- d. conduct that harms, or may be perceived to harm, the public, the **association** or the professions of **veterinary medicine** or **veterinary technology** or **animals**;
- e. abandonment of the care of an **animal** without cause and without giving the client an opportunity to engage the services of another veterinarian;
- f. failure to provide council, a special committee appointed by council, or the professional conduct committee with any information requested, or failure to appear before these bodies after being served with a notice pursuant to the **Act** or the bylaws of the **association**;
- g. knowingly giving a false certificate respecting **animal** health or disease status or **animal** soundness;
- h. engaging or assisting in the practice of **veterinary medicine** while impaired by alcohol or drugs;
- i. impersonation of another veterinarian or **veterinary technologist**;
- j. providing a professional service, or providing a combined, aggregated or amount of professional services, that is not justifiable on any reasonable grounds;
- k. violating any of the terms and conditions established under the **Act**, this **Bylaw** or any other bylaws, standards, policies and procedures of the **SVMA**;
- l. prescribing drugs or other medicines for any purpose other than medical or therapeutic purposes;
- m. charging, or causing to be charged, fees for a service that has not been rendered;
- n. makes, or knowingly permits to be made, false or misleading statements in an account for payment for services rendered;
- o. actions, failures of action, or omissions where the discipline committee considers that action, failure of action or omission as unbecoming, improper, unprofessional or discreditable.

15.3. Procedures for Complaints:

- a. Any person may make a complaint that a **member** has committed an act of professional incompetence or professional misconduct.
- b. If the **association**, the **registrar** or any member of council receives a written complaint that a **member** has committed professional incompetence or professional misconduct, that person

shall forthwith deliver a true copy of such written complaint to the professional conduct committee and the member.

15.4. Procedures for Inspection or Investigation by Practice Standards Committee:

- a. Subject to, and in accordance with, the Act, this Bylaw and any other bylaws, standards, policies and procedures of the SVMA, the practice standards committee may inspect practices by taking any actions it considers necessary.
- b. Subject to, and in accordance with, the Act, this Bylaw and any other bylaws, standards, policies and procedures of the SVMA, the practice standards committee may regulate its own business and manners of proceeding.
- c. The practice standards committee shall recommend to council for approval an inspector or inspectors to carry out inspection of practices in accordance with the Act, this Bylaw and any other bylaws, standards, policies and procedures of the SVMA.
- d. The practice standards committee shall arrange for inspection of member's facilities, premises and records in respect of the practice of veterinary medicine. Member's facilities, premises and records in respect of the practice of veterinary medicine shall not be inspected more than once in a 4-year period, except council may direct an inspection of a member's facilities, premises and records in respect of the practice of veterinary medicine more than once in a 4-year period (i) on the establishment of a new practice, (ii) expansion or renovation of an existing practice (iii) upon the sale of all or part of an existing practice, (iv) on receipt of a written complaint, (v) subsequent to a report of the discipline committee, (vi) renewal of facility registration, or (vii) for any other purpose council may reasonably determine in its sole discretion.
- e. Upon completion of an inspection, the inspector shall:
 - i. immediately upon completion of the inspection, review the results of the inspection with a person designated by the practice owner(s), and
 - ii. provide the completed inspection form to the practice standards committee.
- f. No later than 10 days from the date of the inspection, the designated person shall complete an "action plan" for correction of deficiencies noted during the inspection and submit this plan to the practice standards committee.
- g. The practice standards committee shall submit to the association a summary report on the outcome of practice inspections at the end of each calendar year.
- h. Every practice owner shall pay in full to the association the practice registration fee set forth in the Fee Schedule in advance for the year following by November 30th.

- i. Every (i) newly established practice, (ii) expanded or renovated existing practice, (iii) practice changing ownership, (iv) or re-inspected practice shall pay in full to the association the practice inspection fee set forth in the Fee Schedule.
- j. Council may cause the closure of a facility and impose a penalty against any Veterinarian of Record operating a facility in violation of the Act, this Bylaw and any other bylaws, standards, policies and procedures of the SVMA.

15.5. Procedures for Investigation by Professional Conduct Committee:

- a. Subject to, and in accordance with, the Act, this Bylaw and any other bylaws, standards, policies and procedures of the SVMA, the professional conduct committee may investigate complaints by taking any actions it considers necessary.
- b. Subject to, and in accordance with, the Act, this Bylaw and any other bylaws, standards, policies and procedures of the SVMA, the professional conduct committee may regulate its own business and manners of proceeding.
- c. Subject to abeyance of an investigation because of an agreement for alternative dispute resolution in accordance with section 15.7 of this Bylaw, within 90 days of receipt by the professional conduct committee of a written complaint, or within such further period as provided by council, the professional conduct committee shall provide its written report to the discipline committee as required by section 20(3) of the Act.

15.6. Procedures for Hearings by Discipline Committee:

- a. Subject to, and in accordance with, the Act and this Bylaw and any other bylaws, standards, policies and procedures of the SVMA, the discipline committee may regulate its own business and manners of proceeding.
- b. In the event that the professional conduct committee recommends that the discipline committee hear and determine a complaint, the discipline committee shall conduct a discipline hearing in the manner set forth in the Act.
- c. The date for a discipline hearing shall be no later than 6 months from receipt of the written report of the professional conduct committee, or such further period as provided by council.
- d. The discipline committee shall make its order or orders within 2 months of the date of the discipline hearing, or within such further period as provided by council.

15.7. Procedures Regarding Veterinary Technologists:

- a. Investigation: If council receives or becomes aware of a matter or complaint that a **veterinary technologist** has committed an act of professional incompetence or professional misconduct, it may appoint an ad hoc committee to investigate and review the complaint to determine whether (1) the complaint should be heard and decided by a discipline committee established under Section 15.6.b, or (2) no further action be taken with respect to the matter under investigation. The ad hoc committee shall consist of at least two members of the professional conduct committee and at least one **member registered** as a **veterinary technologist**. The ad hoc committee shall exercise the same powers and follow the same procedures established for the professional conduct committee by the **Act** and this **Bylaw**.
- b. Discipline Hearing: Upon the ad hoc committee constituted under Section 15.6.a referring the matter to a discipline committee, council shall appoint an ad hoc committee to conduct a discipline hearing and decide whether the **veterinary technologist** is guilty of professional incompetence or professional misconduct. The ad hoc committee shall consist of at least three persons appointed by council, at least two of whom shall be members of the discipline committee and at least one **member registered** as a **veterinary technologist**. The ad hoc committee shall exercise the same powers and follow the same procedures provided by the **Act** and this **Bylaw** and shall have the same disciplinary powers to deal with the **veterinary technologist** as are provided by the **Act** for **members** of the **association**.

15.8. Alternative Dispute Resolution:

At any time during an investigation by the professional conduct committee, or an ad hoc committee constituted under Section 15.6, and with the consent of the **member** who is the subject of the investigation, the **member** and the professional conduct committee may refer the matter to any form of alternative dispute resolution, provided that the alternative dispute resolution advances and meets the interests of the public, the complainant (if any), the profession and the **member** who is the subject of the investigation.

- a. Satisfactory Conclusion: Upon conclusion of such alternative dispute resolution process, if the matter has been resolved, the professional conduct committee shall take no further action with respect to the matter.
- b. Unsatisfactory Conclusion: Upon conclusion of such alternative dispute resolution process, if the matter has not been resolved, the professional conduct committee shall:
 - i. if the investigation has not been concluded, continue with the investigation in accordance with the **Act**, or
 - ii. if the investigation has been concluded, make a written report to the discipline committee in accordance with subsection 20(3)(a) of the **Act**.

16. Registration of Facilities

16.1. Registration:

All facilities where *veterinary medicine* is being practiced shall be *registered* with the *association*. For the purpose of this section “facilities” includes practices operating out of a mobile unit.

16.2. Veterinarian of Record:

Each application to register a facility must identify a “Veterinarian of Record” who is responsible for the practice of *veterinary medicine* within the facility. Notice of any change of the “Veterinarian of Record” shall forthwith, but in any event no later than 10 days, be delivered to the registrar.

16.3. Renewal:

Each facility shall submit an application for renewal and the fee set forth in the *Fee Schedule* by November 30th of each year.

16.4. Suspension or revocation of facility registration:

Council may withhold, suspend or revoke the registration of a veterinary facility or assess a fine:

- i. when it has been determined by council that the Veterinarian of Record has failed to meet all the minimum facility standards as provided with the *Act*, this *Bylaw* or any other bylaws, standards, policies and procedures of the *SVMA*,
- ii. when the Veterinarian of Record set forth in the application ceases to be responsible for management of the *registered* facility and no substitution of the responsible Veterinarian of Record has been made by application, or
- iii. when the Veterinarian of Record’s license to practise *veterinary medicine* has been revoked or suspended in accordance with the *Act*, this *Bylaw* or any other bylaws, standards, policies and procedures of the *SVMA*.

17. Other

17.1. Advance Notice of Bylaw Amendments:

Any member desiring to propose an amendment to this Bylaw shall give notice of such proposed amendment in writing to the registrar at least twelve (12) weeks prior to a general or special meeting convened for the purposes of considering such amendment.

17.2. Seal:

The association shall have a seal, which shall be in the custody of the registrar.

17.3. Fiscal Year:

Unless the council otherwise determines, the fiscal year of the association shall end on the 31st day of December in each year.

17.4. Signing Documents:

Unless the council directs otherwise, deeds, transfers, assignments, contracts, obligations, certificates and other instruments may be signed on behalf of the association by any officer of the association. In addition, council may from time to time direct the manner in which and the person or persons by whom any particular instrument or class of instruments may or shall be signed. Any person authorized to sign a document may affix the corporate seal to that document.

17.5. Canadian Veterinary Medical Association:

- a. The representative of the association to the council of the Canadian Veterinary Medical Association shall be elected at the annual general meeting of the association. The terms of office of the representative shall be determined by the bylaws of the Canadian Veterinary Medical Association.
- b. The representative of the association to the council of the Canadian Veterinary Medical Association, shall be, for the duration of the term of the representative's office, an ex officio member of council, provided that the representative shall not be entitled to vote at any meeting of council, nor be entitled to any remuneration for the services that may be rendered by him in the capacity as ex officio member of council but shall be entitled to receive reasonable traveling expenses as may be approved by council.

17.6. University Senates:

The representatives of the association to the Senate of the University of Saskatchewan and the Senate of the University of Regina shall be elected by a general meeting of the association. The terms of office of the representatives shall be determined by the Universities.

17.7. Western College of Veterinary Medicine:

The representative of the association on the advisory council of the Western College of Veterinary Medicine shall be appointed by the council of the association.