



NEWSLETTER December 2012

CHAIRMAN'S NOTES

Welcome to the end of year Board newsletter. In the mid year newsletter, I mentioned some detail around the amendments to the *Veterinary Surgeons Act* and Regulations. Since then, the new registration fees have been set and will be published in the Tasmanian Government Gazette which can be viewed on line. For those of you happy to read the rest of this newsletter the fees are listed below. It is hoped that the new Act and Regulations will be proclaimed in mid December. I would like to take this opportunity to thank the Tas Division of the AVA (particularly Angela Offord), individual vets and the other Board members for their input into the review of the *Veterinary Surgeons Act* and the Regulations over the last year or so – much longer for some Board members.

Please note that the Board will now be responsible for meeting its own operational expenses with no financial assistance from DPIPWE or income from secondary registrations. As such, the Board needs to build some cash reserves for a 'rainy day'. We will be monitoring this closely over the next few years to ensure we can achieve this target. Once the new Act and Regulations are proclaimed, the Board will be able to legally adjust fees up or down as necessary but is very conscious of the need to keep fees affordable whilst allowing a high standard of Board governance and operation.

Most practices in the south of the State were inspected during year. Overall, the quality of the premises and compliance with Board standards was very pleasing. The main problem highlighted across a number of practices was a shortfall in compliance with the requirements of the *Poisons Act* in relation to storage and recording of S8's. The Board has spent considerable time and effort over the last 3 years on this matter and has included some information on the website as well as emailing/ mailing information sheets out to practices. For anyone who is still unsure of their obligations please have a look at the website or contact Jim Galloway or Mary Sharpe at Pharmaceutical Services Branch, DHHS. Please note that the Board does not administer the *Poisons Act* but takes an active interest in how vets handle S8's in their practices.

Unfortunately, complaints against vets have continued to trickle in since the last newsletter, again often with communication at the heart of the matter. Although the Board does not specifically deal with complaints of a financial nature, please be particularly careful to fully inform clients of likely costs at the outset, but also to up-date them as a case progresses and costs may change.

The appointment of the new Board members for the next 3 year term is imminent and will have been made by the time you receive this newsletter. I wish the new members all the best for the next term.

The Vet Board wishes all Tasmanian vets and their families a merry Christmas, prosperous New Year and complaint free 2013. Please feel free to contact any of the Board members or the registrar at any time if you have any queries.

Neil Leighton (Chairman)

A handwritten signature in black ink, appearing to read 'N. Leighton'.

November 2012

Veterinary Board 2012-2015

In accordance with section 4 of the Act, the Minister for Primary Industries and Water appointed the following Board members for a three year term as from 2 November 2012:

- Dr Neil Leighton (nominee of the AVA)
- Dr Neale Ward (nominee of the AVA)
- Dr Tessa Frazer-Oakley (nominee of the AVA)
- Dr Kevin Ellard (nominee of the secretary DPIPWE)
- Ms Jo Bradley (nominee of the Minister).

At the Board meeting on 29 November the members appointed Dr Neil Leighton as chairman and Dr Neale Ward as deputy chairman.

The Board acknowledges and thanks Dr Malcolm Waterston for his contribution to the Board over the last three years.

Introducing Tessa Frazer-Oakley

I am a Sydney University graduate, a lady vet with children, & a farm, who has worked mainly within Tasmania, in large and small veterinary practices, both city and rural, variously as: Principal, Owner, Assistant, Part-time vet and Locum. Currently I own & operate Penguin Veterinary Centre, a mixed practice in NW Tasmania.

Whilst finding all facets of this career challenging, interesting and rewarding, I admit to a definite fondness for Surgery, Wildlife, & Ongoing Education. I am hoping that during my term on the VBT I find it to be interactive, informative, oriented towards both the expectations & realities of practice, & to the changing demographics and demands of our profession.

Meet the Board/Profession 2013

The Board is planning to hold a *Meet the Board/Meet the Profession* evening forum in Hobart on Thursday 21 March 2013.

Time and venue to be confirmed.

Please note your diaries now!

Forums will also be held in the north and northwest later in the year.

2013 Registration Renewal

Your registration renewal application form and survey is included with this Newsletter.

Please complete and return the renewal form and survey with your registration renewal payment or evidence of payment. If you are faxing the form, please also fax the survey on the reverse side.

VBT 2011-12 Annual Report

The Report was tabled in parliament by the Minister in September 2012. A copy is available on the VBT website.

As at 30 June 2012 there were 300 registered vets (240 primary and 60 secondary). There were 9 specialists holding secondary registration. In 2011, 37.4% of vets were in small animal practice, 28% in mixed, 7% in large animal and 7% in equine.

Approved Fees

effective 12 December 2012

Annual Renewal \$350 (due 31/1/2013)

New Application for Registration

Annual fee + Application fee

1 Jan – 31 Mar	\$350 + \$110 = \$460
1 Apr – 30 Jun	\$262.50 + \$110 = \$372.50
1 July-30 Sept	\$175 + \$110 = \$285
1 Oct – 31 Dec	\$87.50 + \$110 = \$197.50

Temporary registration (fast track fee)

Payable if registration required within 10 business days of receipt of application = \$70

New Specialist Application \$175 application fee plus registration as a vet

Application for Exemption \$550

Service Charges (incl GST)

Letter of Good Standing:	\$44
Veterinary Roll:	\$110
Late annual fee:	\$55

Payment

Payment may be made by cheque or direct deposit to the Veterinary Board of Tasmania account with the Commonwealth Bank -

BSB # **067 008** Acc # **2800 0964**

Please enter your surname and registration number as reference.

WRITING PRESCRIPTIONS

The Board has received several queries from vets concerning writing prescription for clients who wish to have the prescription medication dispensed elsewhere.

1. An owner can request a prescription from a veterinary surgeon and is legally allowed to have it filled at a pharmacy by a registered pharmacist, including an internet pharmacy, within Australia.
2. A vet can agree to provide a prescription for a bona fide client (if the client intends to have the prescription dispensed in Australia), but a vet is not obliged nor required to provide one.
3. Before you issue a prescription, the Board expects you to have a client-patient relationship that is current, the prescribed dose should be appropriate, appropriate records kept etc.
4. It is recommended that the prescription should be made out on practice letterhead and be completed correctly in accordance with the *Poisons Regulations* (Rr 15 & 41) i.e.: date, name/address of owner, name and quantity of S4/S8 drug to be dispensed, adequate directions for use, number of repeats if any (and intervals if applicable), the vet's name, address and signature, and the words "For animal treatment only".
5. The Board has no objection to you charging a fee - a visit fee or a prescription fee - for this service.
6. Prescriptions for internet supply from overseas should not be issued.

Internet sites located outside Australia may advertise that prescriptions can be filled at reduced prices. Clients should be advised that the prescription cannot be filled by pharmacies located overseas, or by internet sites based in another country*.

You should ask the client beforehand where they intend getting the prescription filled, if they respond within Australia (including an Australian internet pharmacy), then the prescription may be written. It is suggested that you should include a notation on the prescription that it must be filled in Australia.

If the client advises the prescription is to be filled overseas, then you should not provide them with the prescription*. If you have doubts about where it will be dispensed, you are entitled to refuse to write the prescription.

Vets are also reminded of the advice from the Chief Pharmacist to exercise caution if writing a prescription for psychoactive medication i.e. barbiturates, benzodiazepines – see Circular 1633 of August 2011 available on the VBT website.

A sample prescription form will be added to the VBT website shortly.

*The **Australian Pesticides and Veterinary Medicines Authority (APVMA)** at http://www.apvma.gov.au/supply/import.php_states:

- Ordering products over the internet and importation for 'private use': *Individuals should be aware that the importation of unregistered agricultural chemical products or veterinary medicines is an offence without prior written consent from the APVMA and that generally no such consent is issued to individuals for 'private use'.*
- Veterinary medicines: *Individuals must not import veterinary medicines from overseas.*

Request from Birdlife Tasmania

BirdLife Tasmania (formerly Birds Tasmania) is compiling a report on dog attacks on penguins in Tasmania. They have records from around the state, but are aware of other instances for which they have no data.

If you are aware of any instances, please send them any details for date, location, penguins killed and any other details (follow up actions, etc). All contributors will be acknowledged and sent a copy of the final report. Please send your responses to tasmania@birdlife.org.au

Veterinary Surgeons Act 1987* (as amended) and *Veterinary Surgeons Regulations 2012

The *Veterinary Surgeons Act 1987* is amended by the *Veterinary Surgeons Amendment Act 2011* as from 12 December 2012. The *Veterinary Surgeons Regulations 2004* are revoked and replaced by the 2012 regulations on the same day. The Act and Regulations may be viewed (and printed from)

www.thelaw.tas.gov.au

The changes to the *Veterinary Surgeons Act 1987* and Regulations include:

- applying National Recognition of Veterinary Registration in Tasmania;
- providing that the Board may approve fees under the Act;
- changing the due date for the annual renewal fee;
- changes to the definition of 'veterinary services';
- expanding the list of services that are not veterinary services;
- providing that the Board may declare veterinary service standards, including rules of conduct;
- allowing researchers and overseas trained vets who are studying for their National Veterinary Examination to provide veterinary services in certain circumstances; and
- applying legal obligations to veterinary services partnerships (similar to those applying to veterinary services companies).

1. National Recognition of Veterinary Registration (NRVR)

Tasmania has joined New South Wales and Victoria with national recognition of veterinary registration (NRVR).

1.1 Tasmanian vets visiting NSW and Victoria

Tasmanian registered veterinary surgeons who hold primary registration in Tasmania and maintain their residency and registration in Tasmania but travel to work in New South Wales and Victoria on a part-time or locum basis do not require secondary registration in those two states.

1.2 Interstate vets visiting Tasmania for locum/short term placements

Similarly, visiting interstate registered veterinary surgeons and veterinary specialists who undertake short term visits or locum placements in Tasmania are no longer required to hold secondary or short term specific purpose registration for their practice in Tasmania. Their interstate registration is automatically 'recognised' for the purpose of practising in Tasmania.

This means that the Board will not be involved in checking their registration details and in fact will not be aware that they are working in Tasmania. However these visiting vets will be subject to the Tasmanian Board's disciplinary processes if a complaint is received about their actions.

The implication for veterinary practices is that if you are employing a locum from another State or Territory, it is your responsibility to verify their identity and ensure that they hold current registration with their respective State or Territory registration Board. Further, any conditions, limitations or restrictions placed on an interstate registration will also apply in Tasmania. It is recommended that an employer should sight a copy of a locum's current registration certificate and check their status via the relevant Board's online register.

Interstate vets are reminded that while working in Tasmania, irrespective of their State or Territory of registration, they must comply with the obligations, requirements and conditions as set out in Tasmanian legislation.

1.3 Temporary, non-practising or honorary registrations

Tasmania does NOT recognise interstate temporary, non-practising or honorary registrations.

1.4 New Zealand vets

NRVR does not extend to New Zealand registered vets, unless they also hold primary registration in another Australian State or Territory. As has previously been the case, visiting vets from New Zealand will need to apply for primary registration in Tasmania if they wish to work here, even for a short period.

1.5 When does an interstate vet need to apply for registration in Tasmania?

Once an interstate registered vet takes up permanent residence in Tasmania, they are required to apply for registration with the Veterinary Board of Tasmania. In practical terms, if an interstate registered vet moves to a permanent or ongoing position in Tasmania, they can commence working immediately in Tasmania under NRVR, but must lodge their application for registration as soon as practicable.

2. Approved fees

The Board is now responsible for its expenses 'incurred in the administration of the Act' and has the authority to set the fees under the Act.

The annual registration (renewal) fee for 2013 is \$350 and the fee for new registrants continues to be pro-rata of the annual fee depending on when the application made, together with a fixed application fee of \$110. Other changes include an increase in the fee for a Letter of Good Standing to \$44 (including GST) and the imposition of a late fee of \$55 for late renewals. The list of approved fees is set out in full on the VBT website.

3. Annual registration fees due 31 January 2013 (in future 31 December)

The Act previously provided that the annual registration fee was not due until 1 March. The Act now provides that the annual fee must be paid before 1 January. Given that the renewal notices have only been sent out in mid- December, an extension will be granted to **31 January 2013**. Any renewals not received by that date, and which require 'chasing up' may incur a late fee of \$55 (incl GST) or else the registration may be cancelled and a fresh application for registration would be required.

4. Definition of 'veterinary services'

The new definition in the Act provides:

veterinary services means services that form part of the practice of veterinary surgery, and includes, but is not limited to including, the following services:

- (a) the examination of, or attendance on, any animal for the purposes of diagnosing the physiological or pathological condition of the animal, including testing or imaging for diagnostic purposes;
- (b) giving advice based on a diagnosis referred to in paragraph (a), including prescribing treatment, drugs, medications or medical appliances;
- (c) performing medical or physical treatment of animals;
- (d) performing surgical procedures on animals;
- (e) administering an anaesthetic to any animal;
- (f) conducting pregnancy testing of any animal;
- (g) carrying out, by manual operation or use of instrumental appliances, any procedure on an animal for artificial breeding purposes –

but does not include any prescribed services*;

5. Non-veterinary 'prescribed' services* –regulation 4

The new 2012 Regulations prescribe a number of services that may be carried out by non-vets (subject, of course, to the *Animal Welfare Act*). The previous list has been expanded. Some are practical, such as foot trimming and ear tagging while others clarify the limitations placed on non-vets who undertake quasi-veterinary functions. For example, the regulation makes it clear that while the "filing or rasping of horse teeth without the use of power tools" may be performed by a non-vet, any equine dentistry that involves the use of power tools must only be performed by a vet.

The following is the full list of services not included in the definition of veterinary services (**bold** indicates an addition or change to the previous list):

- (a) tail docking of lambs that are 6 months old or less;
- (b) mulesing of lambs that are 6 months old or less;
- (c) deworming that does not involve oesophageal intubation (stomach tube);
- (d) castration of oxen, sheep or goats that are 6 months old or less;
- (e) castration of pigs that are **2 months** old or less;
- (f) sexing chickens;
- (g) debeaking chickens;
- (h) removal of horn, horn core and associated skin in **goats**, or oxen or sheep, that are 6 months old or less;
- (i) removal of horn or antler buds from any species before the formation of horn or pedicels (antler bases);
- (j) removal or partial removal of antlers or horns from any species, provided that no vascular or other living tissue is removed with the antler or horn;
- (k) filing or rasping of horse teeth without the use of power tools;**
- (l) shoeing of horses;**
- (m) non-invasive massage;**
- (n) collection of faecal samples;
- (o) collection of milk samples;
- (p) collection of blood samples at the direction of a registered veterinary surgeon;
- (q) administration of veterinary medicines, **in accordance with the label approved under the Agvet Code of Tasmania** in relation to that medicine, by subcutaneous or intramuscular injection, oral administration (except oesophageal intubation) or application to any external body surface;
- (r) anaesthetising and sedating of –**
 - (i) fish of the class Osteichthyes; or**
 - (ii) sharks, rays, lampreys or other cartilaginous fish of the classes Chondrichthyes and Agnatha;**
- (s) giving of advice on the nutrition and management of animals;
- (t) foot trimming;
- (u) ear tagging, ear marking or ear tattooing of any species;**
- (v) branding of any species;**
- (w) examination for pregnancy by the external application of ultrasound scanning in any species;
- (x) artificial insemination, provided that the semen is introduced via the vagina and cervical canal.

6. Veterinary Service Standards

The new section 5B of the Act provides that the Board may declare veterinary service standards which may specify the standards of service, and may specify the rules of conduct of a veterinary surgeon.

The Act is further amended to provide that a vet is guilty of misconduct in a professional respect if he or she contravenes or fails to comply with any provision of a veterinary service standard. The Board will be working on updating the existing standards in the next year.

7. Exemption from the operation of section 11 – regulation 5

It is an offence under section 11 of the Act for a non-vet to practise veterinary surgery or provide a veterinary service. The Act contains some exemptions – for example, a veterinary student working under instruction from, and in the presence of, a vet. It also allows for ‘prescribed’ cases. Regulation 5 prescribes two categories of persons who are exempted from the offence provision of s11.

7.1 National Veterinary Exam candidates

An overseas trained vet studying for his or her National Veterinary Exam (NVE) is allowed to practise as a veterinarian without being registered, provided they are working in a private practice under the direct supervision of a registered veterinary surgeon. The regulation has been amended to require the person to seek approval from the Board prior to commencing work, and to ensure that any work is carried out in the presence of the supervising vet. The NVE candidate must be studying for the final clinical NVE exam.

7.2 Research and teaching

Students and scientists at a licensed research institution (for example, the University of Tasmania), may provide a veterinary service for the purposes of teaching or research, if the work is part of a research project approved by an Animal Ethics Committee. The researchers must be either trained and assessed as competent by a registered veterinary surgeon in a particular technique required for a research project and be acting under the authority of that veterinary surgeon; or be supervised by and providing the veterinary service in the presence of a registered veterinary surgeon. In either situation, the vet must be nominated by the licensed institution.

8. Veterinary services entities

As foreshadowed in the July newsletter, the Act has been amended to require veterinary services partnerships, as well as veterinary services companies, to notify the Board of particulars of their office(s) and the partners’ details. A veterinary services partnership is defined as ‘a partnership that carries on a business, all or part of which consists of the provision of veterinary services’.

The Board is required to keep a list of all veterinary service entities (i.e. companies and partnerships).

A veterinary services company or partnership that is not on the list must not provide veterinary services.

There are no fees associated with the notification of a veterinary services entity.

For those **companies** that have not yet provided an update and for **all partnerships**, please complete and return the form on the VBT website under ‘Veterinary Services Entities’.

The preceding summary of the changes to the Act is not meant to be a definitive list of the changes. It is recommended that vets should obtain a copy of the Act and Regulations from the legislation website www.thelaw.tas.gov.au or from the Government Printer – Print Applied Technology.

VBT website:
<http://www.dpiw.tas.gov.au> > Biosecurity> Veterinary Board of Tasmania
or ‘Google’ Veterinary Board of Tasmania