**NOVA SCOTIA VETERINARY MEDICAL ASSOCIATION**

**CODE OF ETHICS**

PREAMBLE

The objectives of this Code of Ethics are:

-to maintain the honour and dignity of the veterinary profession in Nova Scotia;

-to provide guidance for decision-making concerning ethical matters to veterinarians,

-to protect and to serve the Public interest

This Code of Ethics is not intended to cover the entire field of veterinary medical ethics and in no way

precludes the Council of the Association, or Committees thereof from considering and dealing with any

form of conduct or actions of veterinarians, although such conduct or actions may not appear to come

within the scope of or precise wording of any part of this Code.

GENERAL DEPORTMENT

1. Exemplary personal conduct is expected of all members of the profession.

2. It is the solemn duty of all members of the Association to deport themselves in accordance with

the spirit of this Code.

3. A veterinarian should commit no act that will reflect unfavourably upon the worthiness of his or

her profession.

4. A member shall exercise generally accepted standards of practice and procedures in the

performance of veterinary services.

PROFESSIONAL DEPORTMENT

5. No member shall use a college degree to which he or she is not entitled or any degree or title

granted by an institution declared unworthy by contemporary institutions of its class.

6. No member shall belittle or injure the professional standing of another member of the

profession or unnecessarily condemn the character of his or her professional acts.

7. It is the strict duty of a member to reply promptly and appropriately to any letter received from

the Association.

8. Any member engaged in private practice who is employed by a lay person or persons (which

includes a company or society) shall conduct himself in a professional manner. Acting at the

direction of an employer in no way relieves the member of his or her professional

responsibilities.

9. It is unprofessional for a member to engage in the practice of veterinary medicine as an

employee, agent, or partner of a person, including a company or a society, who is not a

member, who does not hold a Corporate Permit, or who is otherwise in breach of the Veterinary

Medical Act, or who would be in breach of the Veterinary Medical Act if the person were a

member.

10. No member shall direct an employee to perform a procedure or treatment for which that

employee has not received adequate training.

11. It is unprofessional for a member to render veterinary medicine in a negligent manner, including a manner inconsistent with the exercise of a reasonable degree of care or skill, having regard to all the circumstances, including delegating to or permitting an employee, subordinate, or colleague to render veterinary medicine beyond the ability of such person or the scope of the

duties that may be delegated to such person.

12. It is unprofessional for a member to commit an act or omission punishable by law in Canada or

elsewhere that reasonably affects the confidence of the public or his fellow members in the

member or the veterinary profession.

13. It is unprofessional for a member to breach or fail to comply with any condition, restriction, or

direction imposed upon the member by Council.

14. No member shall fail to prepare and maintain records of all veterinary medical services

rendered by him or her adequate to describe the diagnosis and treatment involved.

15. No member shall conduct veterinary medical practice in or from a vehicle or premises under his

or her control which is not neat, clean and in good repair.

16. No member shall sell, supply, prescribe, or in any way assist in the supplying of a pharmaceutical or biological product to a warehouse, pharmacy or lay outlet, or any other person who intends to resell the product, unless the member is an employee of a manufacturer or distributor of the said product.

VETERINARY/CLIENT/PATIENT RELATIONSHIP

17. No veterinarian shall directly or indirectly, prescribe or dispense a prescription drug or recommend any treatment or procedure unless:

(a) the veterinarian has assumed responsibility for making clinical judgments regarding the health of the animal or group of animals and the need for medical or other treatment and the Client has agreed to follow the veterinarian’s instructions regarding the medical or other treatment of the animal or group of animals; and

(b) the veterinarian must have sufficient current and relevant knowledge of the client’s animals or group of animals, by medically appropriate and timely examinations, interventions or visits to the premises, or through a history and knowledge of prevalence or frequency of occurrence of the pathologic conditions in the herd, so that the veterinarian may make at least a preliminary diagnosis of the medical condition and treatment plan of the client’s animal or group of animals. Recent and sufficient is a matter of the professional judgement of the veterinarian in the individual case. The veterinarian should see the patient as many times as necessary to meet any new medical concerns or conditions that develop.

If the information the veterinarian has about the animal is not adequate to form a defensible medical judgment, then further information must be sought. If challenged, the veterinarian must justify the diagnosis on the basis of appropriate physical findings and supporting laboratory results. The basis for justification can be obtained by taking a proper history, examining the animal or a representative sample of the animals, collecting timely and relevant information at the place where the animals are kept, examining or evaluating tissue samples, and reviewing medical records including laboratory reports or evaluating other sources of information that are valid and appropriate for the circumstance.

(c) the veterinarian is of the opinion that the prescription drugs or other treatment or procedure, if prescribed, is prophylactically or therapeutically indicated for the animal or group of animals; and

(d) the veterinarian has made the provision for readily available follow-up evaluation in the event of adverse reactions by the animal or group of animals to the prescription drug or other treatment or procedure prescribed or the failure of the treatment regime.

(e) A licensed veterinarian’s prescription may be dispensed by another member if the prescription is current and verifiable. Verification of the prescription is to be confirmed by fax, written script or electronic transmission of a signed document from the veterinarian with a VCPR to the member dispensing the medication to the client. 180423

18. Members shall comply with the common law governing their obligations to their clients and shall obey public regulations and laws governing their acts.

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FEES

19. The charging of fees which are excessive for professional services, prescriptions, or for

dispensed items, shall constitute unprofessional conduct.

20. Fees shall be determined fairly. The veterinarian should tell the client in simple, understandable

terms, the kind of treatment he/she recommends and give an estimate of his/her fee for such

treatment. On the client’s request, the veterinarian must render an itemized statement.

21. Members shall not charge a fee for an unperformed service, except a fee for an appointment

missed without at least 24 hours notice.

22. Members shall not knowingly submit a false or misleading account or charge for professional

services.

CONSULTATIONS

23. The interest of the patient and client shall be the foremost consideration of the member.

Consultation shall be sought if the licensee does not feel competent to deal with a case.

24. When a fellow practitioner is called into consultation by the attending veterinarian, findings and

discussions with the client shall be handled in such a manner as to avoid criticism of the

attending veterinarian by his or her client.

25. Consultations should be conducted in such a spirit of professional co-operation between

consultant and attendant veterinarian as to assure the client’s confidence in veterinary

medicine.

26. Consultants shall not revisit the patient or client or communicate directly with the client without the knowledge of the attendant veterinarian or his office.

27. In no instance and under no circumstances shall a consultant take charge of a case or problem

without the consent of all concerned, particularly when the client’s financial obligations to the

attendant veterinarians have not been adjusted.

TESTIMONIALS & GUARANTEES

28. Members shall not write testimonials as to the virtue of proprietary remedies or foods except to

report the results of properly controlled experiments or clinical studies.

29. It is unethical to guarantee a cure.

30. Members shall avoid the impropriety of employing questionable methods to attract public

attention or boast of possessing superior knowledge or skill in the treatment or prevention of

any disease.

ILLEGAL PRACTICES

31. It is unprofessional to aid in illegal practices of others.

32. Members of the Association shall not encourage or assist any person to practice anywhere in

violation of the laws governing the practice of veterinary medicine.

33. It is the duty of the members of the Association to report illegal practices to the proper

authorities and the Council of the Association

34. No member or employee of the Association shall use the name of the Association in connection

with the promotion of advertising of any commercial product or in any way that would imply the

Association’s endorsement of such a product or service, without written permission from the

Council.

“GOOD SAMARITAN PROVISION”

35. A veterinarian who on his or her own initiative or other than at the request of the owner, gives

humane or emergency treatment without fee to a sick or injured animal shall not be considered

guilty of professional misconduct as a result of his or her acts in the absence of gross negligence.

The veterinarian may euthanize the animal as a humane act to relieve suffering.

ADVERTISING

36. (a) In this section “marketing activity” includes:

i) an advertisement, which is defined as the use of paid space or time, in a public

medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public or a segment thereof, for the purpose of promoting a member’s professional services or goods or enhancing the image of the member;

ii) any publication in any medium or any communication with the public, or with

any client or prospective client in the nature of an advertisement, promotional material, a listing in a directory, a public appearance or any other means by which veterinary services are promoted; and

iii) contact with a prospective client initiated by a member in a manner which can

fairly be regarded as directly or indirectly having for its purpose attracting clients, expanding services, or aggrandizing that member’s professional reputation.

(b) Any marketing activity undertaken or authorized by a member must:

i) be true and objective;

ii) be accurate and verifiable;

iii) not be reasonably capable of misleading the recipient or intended recipient;

iv) not be in bad taste, offensive, self-laudatory, or otherwise contrary to the honour and dignity of the veterinary profession.

In the undertaking of any marketing activity the onus is on the member to ensure that the above requirements are met.

(c) The member or designated member of the facility that undertakes or authorizes any

marketing activity must retain records and copies of any advertisement sufficient to

document the full extent of such activity. Such records and copies must be retained and

made available to the Registrar at his request for a minimum of two years beyond the

termination or cessation of the marketing activity.

(d) Contravention of this section is unprofessional conduct by the member or the designated member of the facility.

37. (a) No member shall advertise to the general public a fee for a veterinary service.

Unacceptable forms of advertising include zero fees, two for one, and discounts. (Jan 2000)

(b) A member shall not enter into an agreement with any person or corporation which

involves the person or corporation directing clients to the member in return for

receiving from the member a portion of the fee paid by the client to the member, or any

financial or other reward, direct or indirect.

(c) The use of comparative statements that include reference to fees, services, products or

facilities shall be considered unprofessional conduct.

NAME OF VETERINARY FACILITY

38. (a) The name of a corporation through which a veterinarian practices veterinary medicine,

or a business or partnership name under which a veterinarian practices veterinarian

medicine shall not contain elements that are in bad taste, offensive, misleading to the

public, contrary to the best interest of the public, or contrary to the honour and dignity

of the veterinary profession.

(b) Such name shall not suggest or imply that someone at the facility practices a speciality

unless there is a member at that facility who has been certified by Council as a specialist

in the discipline, system, or species which constitutes the speciality in question.

(c) A name of a facility or a practise of veterinary medicine shall not contain any word or

words that suggest to the public that the practice conducted in, on or from the facility or

by the member or members conducting the practice of veterinary medicine is limited to

a branch of veterinary medicine, or the performance or application of specific

treatments, operations, procedures, or preparations, unless the practice conducted in,

on or from the facility or by the member or group of members is so limited.

(d) A name of a facility or a practice in veterinary medicine shall not explicitly or implicitly

claim superiority over any other member, facility, or practice of veterinary medicine.

(e) A name of a facility or a practice in veterinary medicine shall not be so similar to the

name of the existing facility or practice in veterinary medicine so as to reasonably cause

confusion to the public.

(f) A facility or practice in veterinary medicine shall not have more than one name, unless

the second name identifies the practice conducted on, in or from the facility or by the

member or members conducting the practice of veterinary medicine as a specialty

practice or an emergency practice.

RECORDS

39. (a) Except as otherwise provided by law or contract, the records generated with respect to

the animal(s) of a client, including documents produced at the veterinary facility, data

and images produced by whatever means, laboratory reports, consultant reports and

any other documents and materials that reasonably contribute to the history of the

animal(s) or the operations of the client are the property of the veterinary facility.

(b) All members having access to the records are obligated to safeguard the confidentiality

of the records.

(c) The designated member of the facility maintaining the records must retain custody of

the records and safeguard their integrity for a period of 7 years after the last treatment

or service provided with respect to the animal(s) or the client’s operation.

(d) Upon authorization from the client who is in good standing for the release of

information, the designated member of the facility holding the records must

i) ensure the release of the information within a reasonable time. (Council resolves that a reasonable time to transfer records upon request is one business day),

ii) release the information in the form of a copy, a transcript or a summary certified to be complete and accurate, and

iii) if requested, allow the client to access the originals of the records for viewing at

a mutually convenient time and location.

(e) A member may charge a reasonable administrative fee and may charge a client the

disbursement costs of producing copies of records requested by the client.

CONFIDENTIALITY

40. (a) Each member shall maintain the confidentiality of information exchanged or obtained

and records kept in the course of the veterinary/client/patient relationship.

(b) Notwithstanding subsection (a) above, or any other section of this Code of Ethics, the

information exchanged or obtained and the records kept, must be released to

i) any party that has an urgent requirement for the information to ensure the

well-being of an animal,

ii) any party that legitimately requires the information to ensure public health or

safety,

iii) the NSVMA for the purpose of an inspection, investigation or inquiry,

iv) any government agency or its designate as required by law,

v) such person as authorized by court order or subpoena,

GENERAL

41. Members shall not issue certificates, documents or any other information containing false

information or untruths.

42. When employed by a buyer to inspect an animal’s soundness, it is unethical to accept a fee from the seller; the acceptance of such a fee is prima facie evidence of fraud. On the other hand, it is deemed unethical to criticize unfairly an animal about to be sold. A veterinarian’s duty in this connection is to be a just and honest referee.

43. No member shall wilfully place his/her professional knowledge, attainments or services at the

disposal of any lay body, organization, group or individual by whatever named called or however

organized, for the purpose of encouraging unqualified groups and individuals to diagnose and

prescribe for the ailments and diseases of animals. Such conduct is especially reprehensible

when it is done to promote commercial interest and monetary gain. Such deportment is

beneath the dignity of professional ethics and practice. It can be harmful to both the welfare of

the animal, the public, and the veterinary profession. It violates principles of humane animal

care. It may cause great economic loss and endanger public health, and is therefore contrary to

sound public policy.

44. It shall constitute unprofessional conduct for a member to violate the Veterinary Medical Act,

Regulations pursuant to the Veterinary Medical Act, the By-Laws of the Nova Scotia Veterinary

Medical Act, or the Code of Ethics or the Standards of Practice of the Nova Scotia Veterinary

Medical Association. Such breaches constitute unprofessional conduct notwithstanding that

such conduct was motivated by similar or like breaches by another member of the Association.

45. No member of the Nova Scotia Veterinary Medical Association shall perform cosmetic surgery

on an animal for the purpose of having the animal’s appearance conform to a breed standard or

tradition. Cosmetic surgery is defined as non-therapeutic surgical procedures, which alter the

appearance of an animal for purely cosmetic purposes. Surgeries due to injury or for reasons of

animal health are not considered to be cosmetic surgery.

Examples of cosmetic procedures include:

tail docking in the equine species

tail docking in the bovine species

tail docking in the canine species

tail docks in newborn puppies

dewclaw removal in newborn puppies

tail alteration (nicking / setting) in the equine species

ear cropping

46. No Member of the Nova Scotia Veterinary Medical Association shall perform the elective and non-therapeutic Partial Digital Amputation (PDA), commonly known as declawing or onychectomy, of domestic cats.

The NSVMA views elective and non-therapeutic PDA as ethically unacceptable.

However, the NSVMA does recognize that appropriate medical therapy may necessitate PDA surgery, but is limited to biopsy of a nail or phalanx or surgery to treat the following:

a. neoplasia of nail bed or phalanges,

b. severe or irreversible trauma,

c. immune-mediated disease affecting nail bed,

d. paronychia (inflammation or infection),

e. onychodystrophy (abnormal formation),

f. onychogryphosis (hypertrophy and abnormal curvature),

Definitions: onychomadesis (sloughing), onychomalacia (softening), onychomycosis (fungal infection), or onychoschizia (splitting).

The revised wording of Section 46 takes effect on March 15, 2018.