Interim Suspensions

What is the concept?

The *Veterinarians* *Act* currently includes interim suspension provisions related to matters of incapacity or wellness. More specifically, under the Act, a Board of Inquiry (appointed by the Executive Committee) may require a licensed member to submit to physical and mental examinations by a qualified person, and if the licensed member refuses or fails to submit to such examinations, the Board of Inquiry may order that the licensed member’s licence be suspended until he or she complies. In addition, when a Board of Inquiry reports its findings to the Executive Committee and the Executive Committee refers the matter to the Registration Committee to hold a hearing, the Executive Committee may suspend the licensed member’s licence until the determination of whether or not the licensed member is impaired becomes final.

There are currently, however, no provisions in the *Veterinarians* *Act* related to interim suspensions when a case is referred to the Discipline Committee.

Although they are extremely rare, the College has encountered cases that might warrant an interim suspension as a member’s continued practice could pose a serious risk to animal(s) and the public.

Why is the College Considering Changes to this Concept?

Provisions related to interim suspension allow for an agile response where a member’s conduct presents a serious risk and exposes, or is likely to expose, his or her client(s) or any animal(s) to harm or injury. The College has encountered cases, albeit rarely, that warrant an interim suspension where a member’s continued practice poses serious risk to animals and the public and where there is a gap between when the regulator learns of a serious risk to the public until the conclusion of a hearing.

It is recommended that this authority is important for the College to have and to exercise in rare and extraordinary cases where it is warranted for the protection of the public.

What is Proposed?

Interim suspension - Discipline
It is proposed that the College’s Investigations and Resolutions Committee may make an interim order directing the Registrar to suspend or impose terms, conditions or limitations on a member’s licence if,

(a) it is of the opinion that the conduct of the member exposes or is likely to expose any animal(s) or his or her client(s) to serious harm or injury; and

(b) an allegation has been referred to the Discipline Committee.

If such an order is made, the College must prosecute the matter expeditiously and the Discipline Committee must give precedence to the matter.

It is proposed that an interim suspension may not be made unless the member has been given notice of the Committee’s intention to make the order and provided time to make written submissions to the Committee. In extraordinary circumstances an interim suspension may be made without notice to the licensed member, if there are reasonable and probable grounds to believe that urgent intervention is needed.

**Interim Suspension – Incapacity**

It is proposed that current College authorities related to interim suspensions with respect to incapacity remain in the Act.

**Next steps:**

All perspectives shared during the legislative reform consultations will be compiled into a report and shared with the College Council. The report will also be available online.

*Please note: This is not a final consultation. Legislative reform discussions are in the early stages. The College and Council welcome your feedback on the initial concepts.*