

IN THE MATTER OF THE VETERINARY PROFESSION ACT,
RSA 2000, c V-2, AS AMENDED;

AND IN THE MATTER OF A HEARING INTO THE CONDUCT
OF DR. SEAN ARCHIBALD, A MEMBER OF THE ALBERTA
VETERINARY MEDICAL ASSOCIATION;

AND IN THE MATTER OF A REFERRAL BY THE ALBERTA
VETERINARY MEDICAL ASSOCIATION COMPLAINTS
DIRECTOR IN ACCORDANCE WITH S. 41.1(3)(b) OF THE
VETERINARY PROFESSION ACT

PROCEEDINGS HELD IN EDMONTON, ALBERTA
JULY 12, 2019

**DECISION AND REASONS FOR SANCTIONS OF THE HEARING TRIBUNAL OF THE
ALBERTA VETERINARY MEDICAL ASSOCIATION (ABVMA)**

Take notice that the Hearing Tribunal of the Alberta Veterinary Medical Association (ABVMA) held a public hearing in to the conduct of Dr. Sean Archibald regarding allegations of unprofessional conduct. Pursuant to this hearing, the Alberta Veterinary Medical Association Hearing Tribunal is issuing its reasons for its decisions.

Further take notice that a hearing was held on July 12, 2019 commencing at 9:30 A.M. at the offices of Parlee McLaws, LLP, 1700 Enbridge Centre, 10175-101 Street, Edmonton, Alberta

This Hearing was originally scheduled for June 20, 2019. This hearing date was adjourned two days prior to June 20, 2019, at Dr. Archibald's request, so he could be better prepared for the Hearing Tribunal.

Those Present at the Hearing were:

Hearing Tribunal members

Dr. Lloyd Keddie-Chair person

Ms. Elizabeth Hak, public member

Dr. Jen Willans

Dr. Navjot Gosal

Other participants

Dr. Sean Archibald

Ms. Adrienne Staley (Dr. Archibald's counsel)
Ms. Karen Smith (ABVMA Counsel)
Dr. Phil Buote (ABVMA Deputy Registrar/Complaints Director)

The Hearing Tribunal heard from the following witnesses:

Dr. Phil Buote, ABVMA Deputy Registrar/Complaints Director
Dr. Sean Archibald
Dr. Margaret Fisher

The following documents were accepted as Exhibits at the Hearing:

1. Notice of Hearing
2. Notice to attend
3. Disclosure Documents
4. Photo package
5. Statutory Declaration
6. Letter from Dr. Archibald to ABVMA September 30
7. Email from Dr. Phil Buote to Dr. Sean Archibald (October 30, 2018)
8. Email from Dr. Margaret Fisher to Dr. Sean Archibald
9. ABVMA PIPS
10. Dr. Sean Archibald's Addiction Assessment (January 29, 2018)
11. 2019 VPE's
12. PIPS Inspection Checklist
13. X-Ray Technique Chart
14. Screen shot of PC Desktop and Controlled Drug Log Spreadsheet
15. Certificate of Compliance Radiation Protection Program
16. Fillip Associates Compliance Verification Report

Background/Preliminary comments:

The allegations in this Hearing stem from a previous disciplinary matter involving Dr. Archibald. Allegations of unprofessional conduct lodged against Dr. Archibald went to alternative complaint resolution on June 29, 2017 involving Dr. Archibald and the Complaints Review Committee. The outcome of this alternative dispute resolution was the signing of a Consent Order in which Dr. Archibald accepted responsibility for his conduct. This then went to a hearing on August 2, 2017 and, as a result of that hearing, several sanctions were ordered. One of the sanctions was that:

“Dr. Sean Archibald's practice shall be subject to two (2) practice audits by a practice auditor approved by the ABVMA over a period of one (1) year. The audit shall be focused on but not limited to informed consent, advertising, prescribing and dispensing and medical

records. Dr. Archibald shall pay the costs of these practice audits and shall provide any and all information requested by and to the auditor. The result of the practice audit shall be provided to the Complaints Director and the PIPs Committee and subject to their approval.”

As a result of this sanction, ABVMA PIPS Inspector, Dr. Margaret Fisher, was appointed to carry out the audits on Dr. Sean Archibald's practice. Dr. Fischer's audits were presented to the Complaints Director and the Practice Inspection Practice Standards (PIPS) Committee.

NOTE:

Pertinent legislation may be footnoted.

The term “audit” and “inspection” are used interchangeably.

The allegations in this Notice of Hearing arise from a complaint by the ABVMA Complaints Director in accordance with section 41.3 of the *Veterinary Profession Act*, R.S.A. 2000, c.V-2, as amended.

(See footnote E)

The allegations in this July 12, 2019 Notice of Hearing are as follows:

Contravening an Order of the Hearing Tribunal

1. That you failed to successfully satisfy the Practice Inspection Practice Standards inspections of March 21, 2018, December 13, 2018 and January 14, 2019 as ordered by the Hearing Tribunal on August 2, 2017.

Such conduct constitutes unprofessional conduct pursuant to s. 1(n.1)(i), (ii), (x) and/or (xi) of the *Veterinary Profession Act*, R.S.A. 2000, c. V-2, as amended.

2. That in failing to meet the minimum standards for practice inspections, you failed to maintain the appropriate minimum PIPS standards.

Such conduct constitutes unprofessional conduct pursuant to s. 1(n.1)(i), (ii), (x) and/or (xi) of the *Veterinary Profession Act*, R.S.A. 2000, c. V-2, as amended.

Failing to Cooperate with the Inspector

3. Failed to cooperate with the inspector by failing to complete and provide the Quality Assurance Self Verification Guide as requested by the inspector.

Such conduct constitutes unprofessional conduct pursuant to s. 1(n.1)(i), (ii), (x) and/or (xi) of the *Veterinary Profession Act*, R.S.A. 2000, c. V-2, as amended.

With respect to the current Hearing on July 12, 2109: The Hearing Tribunal of the ABVMA made the following findings:

CONTRAVENING an ORDER of the HEARING TRIBUNAL

Allegation #1

That you failed to successfully satisfy the Practice Inspection Practice Standards inspections of March 21, 2018 and December 13, 2018 and January 14, 2019 as ordered on August 2, 2017.

With respect to allegation number one, the Hearing Tribunal finds Dr. Sean Archibald guilty. Such conduct constitutes unprofessional conduct pursuant to s. 1(n.1)(i),(ii),(x) and/or (xi) of the *Veterinary Profession Act*, R.S.A. 2000,c. V-2, as amended.

Reasons for finding

Dr. Fisher, as part of her audit, reviewed Dr. Archibald's website on March 16 and then attended his practice on March 21, 2018. Dr. Fisher submitted her audit report to the Practice Inspection Practice Standards (PIPS) Committee. The PIPS Committee discussed this report in April of 2018 and concluded that Dr. Archibald's Practice failed to meet the minimal professional standards with respect to the PIPS bylaws.

As a result of this failed inspection, the Complaints Director, while he could have sent the matter directly to a hearing (See *Footnote E*), decided instead to send a registered letter to Dr. Archibald on April 13, 2018 informing Dr. Archibald of the deficiencies found during the audit and necessary steps to take to correct these deficiencies. A summary of the corrective steps necessary were enumerated giving Dr. Archibald an opportunity to correct these deficiencies prior to the next audit. The summarized necessary corrective steps were:

- 1. Create and implement a radiology log and Radiology Quality Assurance Program that is consistent with the ABVMA Radiation Protection Manual.***
(See footnote A and Footnote B)
- 2. Amend the computer controlled drug logs such that the log must be signed or logged into a secure manner with a unique userID.***
(See footnote C)
- 3. Reworking (and submitting to Dr. Fisher) the consent forms for both the Scratches immunotherapy product and the joint lubricant product (should you pursue using this in future). Dr. Fisher will follow-up with you to ensure these items are addressed in a timely manner.***
(See footnote D)

The letter to Dr. Archibald also stated that “Dr. Fisher will complete an inspection of Universal Standards and the applicable Service Categories at a future inspection. This will include a thorough medical records review and inspection of prescribing/dispensing.”

With respect to **deficiency number one** concerning the radiology log and Radiology Quality Assurance Program, the Hearing Tribunal discerned that Dr. Archibald did not understand the difference between a x-ray technique chart and a radiology log. Dr. Archibald did not have a radiology log. This is a required log under the PIPS bylaw: *(See footnote B)*

The PIPS Bylaw also requires that a Radiology Quality Assurance (QA) Program is in place: *(See footnote K)*

The ABVMA Radiation Protection Manual (Revised 2017) was developed to assist VPE’s in meeting the obligations in the Radiology QA Program. The purpose of the QA program is to a) produce quality diagnostic images, b) to lower exposure doses of radiation for employees and patients and c) for better and less costly patient care. Protecting the health and safety of the medical team and the public is paramount. Dr. Archibald did not have such a Radiology QA Program in place.

With respect to **the second deficiency** concerning proper controlled drug logs, veterinarians have been given the right to have and appropriately use controlled drugs. That privilege comes a great responsibility. Part of that responsibility is to keep proper records with respect to the acquisition of and use of these drugs as well as the proper storage. A drug acquisition log must be kept as well as a log that details the use of each drug and these logs must be password protected if done electronically. Dr. Archibald had attempted to keep his medical records and controlled drug logs electronically with a software system called EzyVet. While Dr. Archibald stated that the software program was capable of doing many things, the Hearing Tribunal did not see the results of this in the form of proper drug logs or logs that were password protected. Dr. Archibald in his letter to the ABVMA on September 30, 2018 stated:

“At present, after detailed review of the software’s management with the workflows used, I have concluded, that at this time, the management of the controlled drugs within Ezyvet are insufficient for our security needs, with issues extending well beyond those raised by the investigator and further involve how the program handles internal workflow. This sets up a theoretical issue. I have reverted to a simple manual log”

On the January 14, 2019 inspection, Dr. Fisher was shown the drug log booklet that Dr. Archibald had designed and had printed. The logbook was started just days prior (January 3) to Dr. Fisher’s visit on January 14, 2019. This log is totally unacceptable as it certainly does not meet the minimal standards as set in the PIPS Bylaws for this particular log. Prior to the starting of this logbook, Dr.

Archibald did not know what the balances were for each of the controlled drugs. Proper labelling of the vials/bottles had not been done and they were not stored in a secured locked safe or cabinet. There was no acquisition log present for purchased controlled drugs. All of these deficiencies involving controlled drugs are a major concern to the practice, to the people who work there as well as a safety issue for the public.

With respect to **the third deficiency** concerning consent forms, Dr. Archibald was able, with Dr. Fisher and the ABVMA's assistance, to correct this deficiency.

As stated above, since Dr. Archibald failed the first ordered PIPS inspection, Dr. Buote could have sent this matter directly to a hearing. By informing Dr. Archibald of his VPE's deficiencies that needed to be corrected, he gave Dr. Archibald another chance to become compliant.

Dr. Archibald responded to the ABVMA with a letter dated September 30, 2018, questioning the fairness of the legislative process. He also accused the ABVMA staff of being unprofessional, dishonest, biased, prejudice, in violation of privacy, being publicly derogatory, and being abusive of power.

On October 29, 2018, Dr. Archibald emailed Dr. Phil Buote that he would be unable to attend a meeting at the ABVMA office that he, Dr. Archibald, had requested to try and rectify some of the issues he was having.

On October 30, 2018, Dr. Phil Buote, responded to Dr. Archibald's letter of September 30, 2018. In this email, Dr. Buote stated his concerns. Following is a summarized list of these concerns:

1. A resolve to not comply with minimum acceptable standards of practice. Materials requested by the PIPS inspector on April 13, 2018 and were due on August 31, 2018 have still not been received.
2. A concern over ongoing medical problems
3. A concern over not participating in a proactive follow up to medical problems
4. A concern over compliance with respect to governability.

In a letter sent to Dr. Archibald from Dr. Phil Buote dated August 13, 2018, Dr. Archibald was reminded of the significance of the previous Hearing Tribunal's sanctions (August 2, 2017) and the consequences of failing to satisfy the them.

After several postponements (requested by Dr. Archibald) of the second scheduled PIPS inspection Dr. Fisher attended Dr. Archibald's practice on December 13, 2018. Upon arriving, Dr. Fisher was told that Dr. Archibald had not been feeling well and was at a hospital. Only a partial inspection could be carried out in Dr. Archibald's absence. Dr. Fisher was unable to examine the control drug

logs as Dr. Archibald's computer was locked. There was no information on the Radiology QA program. At this time, it was noted that while the Quality Assurance Self- Verification Guide For Veterinary Practice Entities, that had been requested in April of 2018, was available, it had not been filled out. Another visit to Dr. Archibald's clinic with him being present was necessary in order to carry out a proper inspection

The follow-up inspection occurred on January 14, 2019. Many deficiencies were documented on this inspection. The PIPS Committee, after receiving Dr. Fisher's audit reports, determined that Dr. Archibald failed to meet the minimal professional standards as required by the ABVMA PIPS Bylaws. Among the noted deficiencies were the following: No Quality Assurance Self Verification Guide, very poor medical records including lack of sedation details, no record monitoring of sedated or anesthetized horses and unacceptable control drugs logs.

The Hearing Tribunal looked at all the evidence presented with respect to the failed practice audits and put more weight and credence in the PIPS inspector's testimony, her PIPS reports, the PIPS Committee's deliberation than in Dr. Archibald's explanations concerning the practice inspections.

Even with the reminder of the importance to comply with the sanctioned PIPS Inspections and the opportunity to correct the VPE's clearly stated deficiencies prior to the last inspection, Dr. Archibald failed to do so. Because of this, Dr. Phil Buote referred the matter to a Hearing. (See footnote E)

Due to the failures in each of Dr. Archibald's sanctioned audits, the Hearing Tribunal found him guilty of allegation number one.

Allegation #2

That in failing to meet the minimum standards for practice inspections, you failed to maintain the minimum PIPS standards.

With respect to allegation number two, the Hearing Tribunal Finds Dr. Sean Archibald guilty.

Such conduct constitutes unprofessional conduct pursuant to s. 1(n.1)(i),(ii),(x) and/or (xi) of the *Veterinary Profession Act*, R.S.A. 2000,c. V-2, as amended.

Reasons for finding

As part of being a self-governed profession, the ABVMA, established a minimal set of standards that all Veterinary Practice Entities (VPE's) are held to. The authority to do so is set out in the ABVMA Veterinary Regulations (*See footnote F*).

These minimal standards are set out in the ABVMA PIPS Bylaw. This bylaw was developed to meet the requirements of the Veterinary Profession General Regulations (Part 4) and the ABVMA Bylaw (4.7.5). The PIPS bylaw consist of eight Universal Standards and fifteen Service Categories. All VPE's must be compliant with the Universal Standards (*See footnote G*).

Each VPE selects the Service Categories that pertain to their practice and to which they must be compliant (*See footnote H*).

This bylaw acts as a guide for ABVMA practice inspectors when they do an audit on a veterinary practice. Dr. Archibald has had almost two years to become compliant with the minimal standards. The ABVMA has given Dr. Archibald both ample time and opportunities to meet these minimal standards. In a meeting held at the ABVMA office on November 21, 2018, involving Dr. Archibald, his counsel, Dr. Buote and Dr. Dalton (Registrar for the ABVMA), Dr. Archibald's counsel stated that the deficiencies found during Dr. Archibald's practice inspections should be quite easy to rectify and Dr. Archibald agreed to do so. The deficiencies did not pertain to his abilities or skills as a veterinarian but rather to uncomplicated but important mandatory reporting to the ABVMA and proper record keeping.

While Dr. Archibald did correct some of the deficiencies (Consent Form), he did not correct several others. It has to be emphasized that the PIPS bylaws are a minimal standard, not a gold standard. If a VPE will not conform to these minimum standards, especially after being sanctioned to do so, the governability of the member is called into question. These standards are very achievable are in place to protect our patients, to maintain the integrity of the profession and to protect the public.

Because of the failing to meet the minimum standards, the Hearing Tribunal found Dr. Archibald guilty of allegation number two.

FAILURE to COOPERATE WITH an INSPECTOR

Allegation #3

That you failed to cooperate with the inspector by failing to complete and provide the Quality Self Verification Guide as requested by the inspector

With respect to allegation number three, the Hearing Tribunal Finds Dr. Sean Archibald guilty

Such conduct constitutes unprofessional conduct pursuant to s. 1(n.1)(i),(ii),(x) and/or (xi) of the *Veterinary Profession Act*, R.S.A. 2000,c. V-2, as amended.

Reasons for finding

The Quality Assurance Self Verification Guide (QA Guide) is a fillable PDF checklist list covering nine Universal Standards relevant to all Veterinary Practice Entities (VPE's) and, from fifteen Service Categories, the selected categories relevant to that VPE. The Guide is based on the PIPS bylaw (*See footnote I*).

In April 13, 2018, Dr. Archibald was asked for a completed self-verification guide to be sent to the ABVMA by August 30, 2018. This was not forthcoming.

In a November 16, 2018 email to Dr. Archibald, Dr. Fisher encouraged Dr. Archibald to seek clarification if needed from the ABVMA office with respect to completing the self-verification guide yet this still had not been filled out on the December 13, 2018 inspection. Again on Dr. Fisher's follow up visit to Dr. Archibald's practice on January 14, 2019 Dr. Archibald was not able to produce this document. As of this Hearing date, there was still no Quality Assurance Self Verification Guide available.

When a deficiency is found during a routine inspection, the legislated response to the deficiency is set out in the ABVMA General Regulations (*See footnote J*).

Since the deficiency in not filling out the QA Guide was noted as a result of a sanctioned audit and not a routine inspection, the gravity of not becoming compliant is significantly increased. Not only does the VPE have to respond within one month to the deficiency, but a lack of compliance under these circumstances, may be treated as a complaint and result in a Hearing. (See allegation #1). It is the Hearing Tribunal's opinion that any other practicing member in this situation would have understood the severity of his situation and gone to the necessary measures to complete the Quality Self Assurance Guide as part of passing PIPS inspection.

Because of the above reasons, the Hearing Tribunal found Dr. Archibald guilty of allegation number 3.

ORDERS AS TO SANCTIONS:

The Hearing Tribunal orders that the appropriate sanctions in the circumstances of this matter are as follows:

1. *A Reprimand shall be issued as against Dr. Archibald*

It is the decision of the tribunal that the allegations in this case are serious and worthy of a formal reprimand.

The practice inspections were ordered by a previous Hearing Tribunal and were agreed to by Dr. Archibald by way of a consent order. As outlined in the above Hearing Tribunal findings, Dr. Archibald was given ample opportunity to correct the deficiencies in his practice inspections. It is very concerning to the Hearing Tribunal that Dr. Archibald chose not to comply.

2. *Dr. Archibald shall be suspended for a 30-day period, commencing at the time of this order.*

It is the decision of the tribunal that the allegations in this case are serious and worthy of a suspension. This hearing took place because of a failure to meet the sanctions of a prior hearing. The hearing tribunal felt that one month should give Dr. Archibald ample time to review the PIPS bylaws and focus on the deficiencies in his practice inspections.

3. *Dr. Archibald shall be required at his own cost, within 90 days, to complete an online medical records course approved by the Complaints Director.*

The Hearing Tribunal heard evidence that Dr. Archibald's medical records were insufficient at the December 13, 2018 inspection and the January 14, 2019 inspections. Dr. Fisher found medical records for horses without examination details or sedation details on December 13, 2018. At the January 14, 2019 inspection, Dr. Archibald informed Dr. Fisher that he did not have notes written for a dental procedure with sedation pulled from his daybook.

Medical records facilitate the provision of quality patient care. There are several resources available to ABVMA members. Firstly, all members of the ABVMA have access to a Medical Records Handbook. This document provides members with detailed guidance on how to create effective medical records that are compliant with the Practice Inspection Practice Standards Bylaws. The Quality Assurance checklist that has yet to be completed by Dr. Archibald also outlines in point form the minimum standards for medical records.

This sanction is fair and reasonable. Other members of the profession who have been found to have insufficient records have been ordered to attend on-line medical records course. This sanction also is intended to help rehabilitate members with deficient medical records.

4. *Dr. Archibald's Veterinary Practice Entity, Archibald Equine Services, shall be closed, commencing at the time of this order. This closure shall be for a minimum of 1 month. It shall remain closed until the VPE has passed a PIPS inspection.*

The Hearing Tribunal orders that that once Dr. Archibald has advised the ABVMA that he is ready to be inspected in order to re-open, that the inspection happen in a very timely manner. The Hearing Tribunal also orders that the PIPS committee convene to deliberate this practice inspection in a very timely manner. In fairness to Dr. Archibald, this may require that the PIPS Committee convene a special meeting, in person or otherwise, in order to expedite the proceedings.

The Hearing Tribunal feels that waiting until Dr. Archibald has passed an inspection to re-open will serve to protect the public. The public of Alberta deserves assurance that every VPE in the province meets the minimum facility standards.

5. *Dr. Archibald shall pay the costs of the hearing, not to exceed \$20,000.*

It is the opinion of the Hearing Tribunal that his whole hearing could have been avoided if Dr. Archibald simply complied with the practice standards required of all members of the ABVMA. As outlined in the Hearing Tribunal findings above, Dr. Archibald had many opportunities along the way to comply.

The Hearing Tribunal feels it would be unfair for the ABVMA membership to take on the burden of these hearing costs.

6. *Dr. Archibald shall pay the following fines:*
 - i) *\$2500 for the first finding of unprofessional conduct*
 - ii) *\$2500 for the second finding of unprofessional conduct*
 - iii) *\$1500 for the third finding of unprofessional conduct*

While the Hearing Tribunal does not want to unjustly enhance Dr. Archibald's financial situation or impeded his rehabilitation efforts, we do feel it is mandatory that Dr. Archibald pay the above fines to emphasize the seriousness of these allegations and to protect the integrity of the profession. Not only is it a requirement that all Veterinary Practice Entities meet the minimum standards, it is a requirement of members to comply with orders of a Hearing Tribunal. Dr. Archibald failed to do both.

Fines will also serve as a deterrent for the rest of the ABVMA membership.

7. *Dr. Archibald's practice, Archibald Equine Services practice shall be subject to the following practice inspections by a practice inspector approved by the ABVMA. These inspections may be announced or unannounced. Dr. Archibald shall pay the costs of these practice inspection and shall provide any and all information requested by and to the inspector. The results of the practice inspections shall be provided to the Complaints Director and PIPS Committee and are subject to their approval.*
- i) Before re-opening as outlined in sanction 4 above.*
 - ii) 6 months after re-opening.*
 - iii) 1 year after re-opening.*
 - iv) Once yearly for 2 more years.*

The purpose of this sanction is protection of the public, protection of the integrity of the profession and rehabilitation. The inspections will provide verification that Dr. Archibald is complying with the Practice Inspection Practice Standards bylaws.

8. *There shall be publication of this Order on a "no-names" basis in the Member Magazine and on the ABVMA website.*

The purpose of this sanction is to educate the ABVMA membership. This will act as a deterrent and help maintain the integrity of the profession.

FOOTNOTES

A ABVMA RADIATION PROTECTION PROGRAM MANUAL Revised 2019

“In the province of Alberta, all diagnostic and therapeutic x-ray equipment, particle accelerators and Class 3B and 4 lasers are governed by the Radiation Protection Act and Regulation. Compliance with the Act and Regulation is the responsibility of the Ministry of Labour. On July 1, 1997, the Alberta Veterinary Medical Association (ABVMA) was designated as an Authorized Radiation Health Administrative Organization under the Government Organization Act. At that time, the ABVMA assumed the responsibility for ensuring the safe delivery of radiation health services for veterinary facilities and veterinary education facilities in the province of Alberta. This manual outlines the responsibility of ABVMA members in complying with radiation safety principles and legislation.

The obligations include:

- registration of all equipment
- development of a Code of Practice for employees
- ensuring the installation and operation of equipment and facilities comply with required standards
- documentation and implementation of a Quality Control Program for all equipment in use
- appointment of a qualified individual as Radiation Quality Control Officer for each Veterinary Practice Entity (VPE)
- appointment of a qualified individual as Laser Safety Officer if lasers are in use

B PIPS Bylaws US-7: Medical Records

Operational Procedures (Medical Record Management):

8. The following logbooks shall be maintained:
 - d. Radiology Log

C PIPS Bylaws US-9 Pharmaceutical Management - Facility/Equipment and Operating Procedures

4. Narcotic and controlled substances:

- a. Are stored in a limited access, securely locked, substantially constructed cabinet or safe.
- b. A current, verifiable inventory of all products is maintained. c. A drug acquisition log is maintained that includes
 - i. Date and quantity of drugs received
 - ii. Lot number or invoice number containing lot number
 - iii. Name and signature of responsible veterinarian or RVT receiving the product and entering it into inventory
 - iv. A unique number assigned to each bottle within the shipment
 - v. Name and signature or password protected computer ID of responsible veterinarian or RVT removing product from inventory

- vi. A drug use log must be maintained, which includes:
 - Identification of patient
 - Dosage/volume of drug used
 - Remaining balance in container
 - Identification of case veterinarian
 - Signature of registered veterinarian or RVT administering or dispensing the product or password protected computer ID

d. Logs are stored in a location separate from the drugs.

D (CFIA Regulations regarding the use of a drug not approved by Health Canada's Veterinary Drug Directorate)

E Under 41.1(3)b of the *Veterinary Profession Act* R.S.A. 2000, Chapter V-2 As amended Current as of February 1, 2017,

“If the Complaints Director is satisfied that a person has not complied with an order under this section or section 45(5)(b) the Complaints Director may
(a) in accordance with the section 27.1, treat the failure to comply as a complaint,
(b) refer the matter to the Hearing Tribunal to schedule a hearing before the Hearing Tribunal

F Profession General Regulations Alberta Regulation 44/1986

“51(1) The Council, on the advice of the Practice Inspection and Practice Standards Committee, may establish practice service categories for veterinary practice entities and minimum standards for facilities, equipment, personnel and operational procedures for each of the service categories.”

G ABVMA Practice Inspection and Practice Standards Bylaw November 2014
Universal Standards (US).

“These standards must be met and maintained by every practice entity before it can be certified and commence offering veterinary services.”

H ABVMA Practice Inspection and Practice Standards Bylaw November 2014 - Service Category Standards (SC)

“Each Veterinary Practice Entity must select the service categories that are appropriate for the veterinary services they offer. They must then comply with all the standards for each category they participate in”

- I** ABVMA Practice Inspection and Practice Standards Bylaw
US-1 Leadership -Definitions
- “Quality Assurance Self Verification Guide; is a check list of the required elements of the Bylaw that must be completed and affirmed by the Veterinary Practice Entity team on an annual basis
- J** VETERINARY PROFESSION GENERAL REGULATION 44/1986
With amendments up to and including Alberta Regulation 206/2018, Current as of November 27, 2018
“Response to an Inspector Report
55(1) A registered veterinarian or permit holder shall respond to the Practice Inspection and Practice Standards Committee, in writing, within one month of receiving a copy of the report of an inspector, setting out that any deficiency identified in the report has been corrected, how it has been corrected and, if it is not corrected, the reasons for not doing so.”
- K** ABVMA Practice Inspection and Practice Standards Bylaw November 2014
SC-8 Diagnostic Imaging
Facilities/Equipment
9. A documented Radiology Quality Assurance Program is in place, consistent with that outlined in the ABVMA’s Radiation Protection Manual

THE HEARING TRIBUNAL OF THE ALBERTA VETERINARY MEDICAL ASSOCIATION

Dr. Lloyd Keddie, Chairperson

Ms. Elizabeth Hak, Public Member

Dr. Jennifer Willans

Dr. Navjot Gosal

October 30, 2019