



## Veterinary Surgeons' Board



### Guidelines for the direction of authorised persons

#### Introduction

The *Veterinary Regulations 1979* were amended in 2007 to enable suitably qualified non veterinary surgeons to apply for authorisation from the Veterinary Surgeons' Board to perform prescribed acts of veterinary surgery under the direction of a veterinary surgeon.

In consultation with interested parties, the Board has developed guidelines for each of the categories of authorised persons listed in regulation 47. These guidelines are available on request. They will be published on the Board website and updated from time to time as needed.

It is apparent to the Board that there is some confusion regarding the roles and duties of directing veterinary surgeons and authorised persons. This paper details the responsibilities and obligations of the parties.

This paper also serves as a reminder to all parties that if the Board receives evidence of an authorised person breaching the *Veterinary Surgeons Act 1960*, they may be prosecuted under the Act or the Board may withdraw their authorisation. A veterinary surgeon may face an allegation of unprofessional conduct.

#### Regulatory Matters

##### Veterinary Surgeons Act 1960

Except as specifically exempted, section 26 of the *Veterinary Surgeons Act 1960* provides that only a registered veterinary surgeon shall practise veterinary surgery.

Section (26)(4)(b) enables a person authorised by the Board to carry out, under the direction of a registered veterinary surgeon, specific acts of veterinary surgery listed in the regulations.

A person must be separately authorised for each service they wish to carry out.

Regulation 47 lists the veterinary services prescribed for the purposes of section 26(4)(b) of the Act. They are

- (a) administering by injection sedatives, tranquilisers and euthanasia agents;
- (b) equine dentistry;
- (c) embryo transplantation;
- (d) diagnosis of disease;
- (e) administering contraceptives or other medications to dogs in the pastoral region;
- (f) examination of cattle for pregnancy by rectal palpation or rectal probe and ovarian examination per rectum;
- (g) artificial insemination by surgical (laparoscopic) method.

An application for authorisation under section 26(4)(b) of the Act, or the renewal of authorisation, is to be made in a form approved by the Board, accompanied by such evidence as the Board requires, and the fee set out in regulation 80.

The Board must not authorise a person under section 26(4)(b) of the Act to perform a veterinary service unless the Board is satisfied that the person is competent to properly perform that service.

### **Directing Veterinary Surgeon**

1. The Board requires that the registered veterinary surgeon under whose direction an authorised person may perform veterinary services, is resident in Western Australia.
2. An applicant to be a directing veterinary surgeon must have experience in and ideally be practising in the field in which the authorised person seeks to perform veterinary services.
3. Prior to directing an authorised person to carry out a service for which they are authorised, the approved directing veterinary surgeon must have satisfied themselves that the authorised person is competent to carry out that service.
4. The directing veterinary surgeon must have satisfied themselves that the authorised person will not perform acts of veterinary surgery or medicine for which they are not authorised. For example, a person authorised to pregnancy test cattle is not permitted to offer foetal aging or provide advice on reproductive disorders.
5. The directing veterinary surgeon must maintain appropriate records to demonstrate their conversance with the work performed by the authorised person. The detail required will vary according to the area of work performed by the authorised person. However, the records must provide sufficient information to comply with regulations 29 and 30 of the *Veterinary Surgeons Regulations 1979*.
6. It is the Board's interpretation that the directing veterinary surgeon will have discussed with the authorised person the intended veterinary service to be performed on an animal prior to the authorised person performing that veterinary service on that animal.
7. It is the Board's interpretation that the directing veterinary surgeon will have a client relationship with the owners of animals to be treated or examined by the authorised person. In the event that such a relationship does not exist, the directing veterinary surgeon must be able to justify to the Board directing the authorised person to work on those animals. The Board accepts that in some circumstances, communications between the directing veterinary surgeon and both the authorised person and the owner may be limited to telephone or email contact. Appropriate records must be maintained as outlined in point 5 above.
8. The directing veterinary surgeon is to ensure that either they or another registered veterinary surgeon is available to attend in the event that veterinary expertise is required during or after a veterinary procedure performed by an authorised person the veterinary surgeon is directing. Such an event could include, but not be limited to, an injury to a rectal tear in a cow or a fractured tooth or gingival laceration in a horse, or a drug overdose.
9. The name and telephone number of the directing veterinary surgeon is to appear in any advertisement by an authorised person. The directing veterinary surgeon must ensure that any advertisement by the authorised person complies with regulation 33A.
10. The directing veterinary surgeon is accountable for the services provided by any authorised person for whom they are the directing veterinary surgeon, and is liable for prosecution in the event that the authorised person breaches the Veterinary Surgeons Act.

## Authorised Persons

1. An authorised person who performs any act of veterinary surgery for which they are not authorised commits an offence against the Act.
2. An authorised person who performs any act of veterinary surgery for which they are authorised, other than under the direction of a registered veterinary surgeon, commits an offence against the Act.
3. A person seeking authorisation must complete the required application form and provide evidence of suitability. The required evidence will vary according to the act of veterinary surgery the person wishes to perform.
4. In giving authorisation, the Board must be satisfied of the applicant's qualifications, and the suitability of the directing veterinary surgeon.
5. The authorised person is accountable to their directing veterinary surgeon and to the Board for their conduct.
6. The authorised person must comply with the guidelines given in this document.
7. In order to retain their authorisation, an authorised person must maintain their competency to perform the act of veterinary surgery for which they are authorised.
8. Causing pain or undue suffering to an animal whether intentionally or accidentally may render the person liable for prosecution under the *Animal Welfare Act 2002*.
9. An authorised person must maintain records of any animals on which they carry out an authorised act of veterinary surgery, including the name of the owner, the address of the property, the type and number of animals, the name, volume and route of administration of any drugs they are authorised to administer, and the outcome of any veterinary service performed.
10. An authorised person must not perform acts of veterinary surgery other than those for which they are authorised.
11. Any advertising of the veterinary services an authorised person is authorised to provide, must list the name and telephone number of the directing veterinary surgeon, and comply with regulation 33A of the *Veterinary Surgeons Regulations 1979* as if the authorised person was a registered veterinary surgeon.
12. Where the Board is satisfied that an authorised person has performed veterinary services for which they are not authorised, the Board may revoke the authorisation.
13. Where an authorised person advertises to provide veterinary services for which the person is not authorised to perform, the Board may revoke the authorisation.