

Conflicts of Interest in the Practice of Veterinary Medicine

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Introduction

Maintaining public trust in veterinary medicine is crucial. The public expects that a veterinarian will use their knowledge, skills, and judgment in the best interest of any animal(s) in their care and that their choice of treatment will be based on objective professional judgment and not by considerations of personal or financial interests. A veterinarian is expected to act in a trustworthy manner by being competent, honest, and reliable. When a veterinarian's animal health care decision-making is influenced by personal interests or potential gain, the reputation of the profession could be at risk.

Conflicts of interest in the practice of veterinary medicine will arise. Being in a conflict of interest or having a potential conflict of interest does not mean that a veterinarian has acted inappropriately. They can arise out of circumstances outside of a veterinarian's control. However, it is important for a veterinarian to avoid conflicts of interest if possible, and to identify when they are in a real or potential conflict of interest and determine how to manage that conflict.



Definition

Conflict of Interest: A conflict of interest arises when a veterinarian's duties and responsibilities may be influenced by some other interest that the veterinarian has, usually a personal or financial interest. The test for a conflict of interest is not only whether the veterinarian believes that such an interest may affect their professional judgement but also the perception of a reasonable person aware of the circumstances as to whether the conflict may influence the professional judgement of the veterinarian.¹

Practice Expectations

A veterinarian meets the *Professional Practice Standard: Conflicts of Interest in the Practice of Veterinary Medicine* when they comply with the expectations of a veterinarian set out in the *Veterinarians Act* and, in particular, sections 38, 42-44 of Regulation 1093, which are summarized as follows:

1. Take appropriate steps to avoid, identify, declare, and manage any perceived or potential conflicts of interest.
2. Understand that if there is a conflict between their duty to a client, the College or the public and their duty to any other person or entity, including a professional corporation, the duty to the client, the College or the public must prevail.
3. Understand that their choice of treatment for an animal must be based on their objective professional judgment and must not be influenced by considerations of personal interest or gain, including financial considerations, as this constitutes a conflict of interest.
4. Understand that no other individual should exercise control or influence over any of the clinical or professional aspects of the services they provide.
5. Understand that it is inappropriate to enter into an agreement where compensation is related to any measure of financial performance respecting the veterinarian's practice other than a partnership, association, or employment agreement with another member.
6. Understand that it is inappropriate to participate in a system in which another person steers or recommends clients to a particular veterinarian or group of veterinarians.

¹ Adapted from Code of Professional Conduct for Veterinarians, Veterinary Council of New Zealand, January 2020



7. Understand that it is inappropriate to give/receive a benefit for referring an animal/specimen from or to another person other than to a member in the same practice, unless a written explanation is given to the client explaining the relationship.
8. Understand that it is inappropriate to inspect or assess an animal on behalf of both the seller and the buyer of the animal unless the veterinarian has informed both parties of the conflict of interest and of the fact that information cannot be kept from either party to the transaction, and has obtained both parties' written consent to proceed.
9. Understand that a veterinarian who is employed/contracted by a person (other than another member or a professional corporation) to perform veterinary services, must not provide veterinary services in the course of that employment/contract for any client other than the employer/contractor. Exceptions do exist for and include veterinarians employed by or contracted to provide services with a government agency, a public postsecondary institution, a humane society, and zoo or wildlife rehabilitation centre. Other unique exceptions also and listed in Section 43 of Ontario Regulation 1093.

This standard is intended to provide a best available summary of the specific provisions of Regulation 1093 to assist veterinarians with clarity of their obligations to real and potential conflict of interest. In the case of a dispute on interpretation Regulation 1093 takes priority.

Guide to the Standard

A separate *Guide to the Professional Practice Standard: Conflicts of Interest in the Practice of Veterinary Medicine* has been developed by the College and can be found on the Colleges' website www.cvo.org.

Legislative Authority

R.R.O. 1990, Reg. 1093: General s. 1, 17 (1) 25, 38 and 42-44 (*Veterinarians Act*)



Resources

The following can be found at the College's website at cvo.org:

1. *Guide to the Professional Practice Standard: Conflicts of Interest in the Practice of Veterinary Medicine*
2. *Professional Practice Standard: Informed Client Consent*
3. *Guide to the Professional Practice Standard: Informed Client Consent*
4. *Professional Practice Standard: Medical Records*
5. *Guide to the Professional Practice Standard: Medical Records*
6. *Professional Practice Standard: Establishing, Maintaining, and Discontinuing a Veterinarian-Client-Patient Relationship (VCPR)*
7. *Guide to the Professional Practice Standard: Establishing, Maintaining, and Discontinuing a Veterinarian-Client-Patient Relationship (VCPR)*

College publications contain practice parameters and standards which should be considered by all Ontario veterinarians in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained. The College encourages you to refer to the website (www.cvo.org) to ensure you are referring to the most recent version of any document.