

**MANITOBA**  
**VETERINARY**  
 **MEDICAL**  
**ASSOCIATION**

**BY-LAWS**

As approved by the membership of the MVMA on February 3, 2012

# BY-LAWS

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## 1. DEFINITIONS

- (a) “Act” means “*The Veterinary Medical Act*” of 1999.
- (b) “Association” means the Manitoba Veterinary Medical Association which may be abbreviated to MVMA.
- (c) “Council” means the Council of the Manitoba Veterinary Medical Association.
- (d) “Member” means of a member of the Manitoba Veterinary Medical Association in one of the categories of membership defined by these By-laws.
- (e) “Junior Student” means any person currently following a course of studies at an accredited college of veterinary medicine and who has completed the initial year or two years of the course of studies.
- (f) “Senior Student” means any person currently following a course of studies at an accredited college of veterinary medicine and who has successfully completed all but the final year of the course studies.
- (g) “Direct Supervision” means that a licensed member is present on the premises when veterinary medical procedures are being performed.
- (h) “Indirect Supervision” means that a licensed member is not necessarily present when veterinary medical procedures are being performed but the licensed member is available at all times for consultation and/or assistance.

## **2. CATEGORIES OF MEMBERSHIP**

- a) “General Member” means a person whose name is entered in the register and who holds an annual license to practice veterinary medicine. This category includes members who have temporary licenses to practice.
- b) “Public Member” means a person whose name is entered in the register and who has a license restricted to practice only on behalf of any level of government.
- c) “Limited License Public Member” means a person whose name is entered in the register and who has a non-voting limited license to practice only on behalf of the Crown in Right of Canada or the Manitoba government and is a person who meets the requirements for registration in By-Law 9.
- d) “Academic Member” means a person whose name is entered in the register and who has a license restricted to an academic appointment.
- e) “Licensed Member” means a person who is a General Member, a Public Member, an Academic Member or an Educational Member.
- f) “Educational Member” means a person whose name is entered in the register and who receives a license as an appointee in an internship, residency or graduate studies program.
- g) “Associate Member” means a person whose name is entered in the register and who does not have a license to practice.
- h) “Consulting Member” means a person whose name is entered in the register and who receives a license to practice for a period of not more than 7 consecutive days. Veterinary care may be rendered by a consulting member after the consulting member has conducted a personal examination of the animal and has had personal contact with the cooperating licensed member, making the cooperating licensed member cognizant of the diagnosis rendered, advice given and the treatment regime instituted.
- i) “Life Member” means a person whose name is entered in the register, who has been in good standing in one of the categories of membership for 25 years or more, who has retired from active practice and who does not have a license to practice. A Life Member must be nominated by a licensed member and be appointed by Council.
- j) “Honorary Member” means a person, not necessarily a veterinarian, who has made an outstanding contribution to the profession of veterinary medicine or to the animal industry. An Honorary Member is appointed by Council.
- (k) “Emergency General Member” means a person who has been granted a license to practice veterinary medicine in accordance with the provisions of By-Law 9.

### 3. REQUIREMENTS FOR REGISTRATION AND LICENSURE

An applicant for registration and a license to practice shall:

- (a) Be a member of the Canadian Veterinary Medical Association (“CVMA”);
- (b)
  - (i) Be a graduate of a college of veterinary medicine accredited by the CVMA and/or the American Veterinary Medical Association (“AVMA”), prior to the signing of the Provincial Reciprocity Agreement of 1986; or
  - (ii) Possess the CVMA - National Examining Board (“NEB”) Certificate of Qualification; or
- (c)
  - (i) Be a graduate of a college of veterinary medicine that is not accredited by CVMA and;
  - (ii) Possess Certificate of Qualification
  - (iii) Any applicant under (c) (i) may apply for registration and a temporary license to practice on successful completion of the Basic and Clinical Sciences Examination (“BCSE”) and the North American Veterinary Licensing Examination (“NAVLE”) of the CVMA-NEB Certificate of Qualification. Such an applicant may then be permitted to practice under the direction of that General Licensee, with specific conditions as determined by Council, until he or she successfully completes the Clinical Proficiency Examination (“CPE”) or for two years – whichever occurs first. If such an applicant does not complete the CPE within two years, Council shall review his or her status and such a review may include interviews with the applicant and the employer. After such a review, Council may decide to revoke the registration and temporary license to practice, or may permit the applicant to continue to practice under a temporary license and under the continued direction of the employing General Licensee.

#### 4. PROCEDURE FOR APPLICATION

- (a) The Registrar is responsible for issues related to registration and licensing of members.
- (b) The Registrar, and any member of Council responsible for membership, shall prepare and keep a current package of information which may be sent to any individual inquiring about registration and licensure, along with appropriate application forms.
- (c) The applicant must:
  - (i) complete and sign all application forms and submit original copies to the Registrar;
  - (ii) submit the required fees to the completed application form;
  - (iii) provide to the Registrar a copy of his/her veterinary diploma;
  - (iv) provide to the Registrar a copy of his/her Certificate of Qualification, or where ethis has not been obtained, written confirmation that the Basic and Clinical Sciences Examination (“BCSE”) and the North American Veterinary Licensing Examination (“NAVLE”) have been passed and evidence that application has been made to the National Examining Board to take the Clinical Proficiency Exam (“CPE”).
  - (v) provide to the Registrar evidence of membership in the Canadian Veterinary Medical Association
  - (vi) provide to the Registrar Letter(s) of Good Standing from any and all jurisdictions where the applicant has been registered or licensed;
  - (vii) possess insurance that is adequate for the nature of the practice;
  - (viii) have fulfilled continuing education requirements in accordance with the provisions of By-Laws 5 and 6.
- (d) Any exceptions to the requirements in 4(c) must be reviewed by Council in response to a written request from the applicant, and may be denied, approved with modifications or conditions, or approved.
- (e) If the Registrar is satisfied that an applicant has met the qualifications for registration in Manitoba, and the correct fees have been received, the Registrar may enter the applicant's name in the register.

- (f) If the Registrar is satisfied that an applicant has met the qualifications for an annual license to practice, and the correct fees have been received, the Registrar may issue a license.
- (g) If the Registrar believes an applicant has not applied to write the BCSE and/or the NAVLE and/or the CPE examinations of the CVMA-NEB, the Registrar shall refer the applicant directly to the CVMA-NEB.
- (h) If an applicant for membership otherwise qualifies as a General Member, he or she may apply for Short-Term Licensure. Upon submission to the Registrar of all required documentation and fees, a Short Term License may be issued for three calendar months, beginning January 1, April 1, July 1 or October 1, and expiring 90 days thereafter. The fee for any of the aforementioned periods is 30% of the annual general practicing membership dues, plus (if evidence of CVMA membership is not submitted) the annual fees charged by CVMA.

**5. ADDITIONAL CONDITIONS FOR LICENSE**

- (a) Where an applicant has not completed the minimum number of continuing education (“C/E”) hours, as described in By-law 6(a) below, prior to their application for licensure, the Registrar may grant a temporary license where the applicant provides a letter from the governing body of the former jurisdiction in which he/she practiced indicating that the applicant was in full compliance with the Continuing Education requirements of that jurisdiction. In the event that a temporary license is granted under this provision, the applicant is required to complete the mandatory hours of MVMA-approved C/E in accordance with the provisions of By-law 6(h) below.
  
- (b) If a person is registering with the MVMA for the first time or has not renewed his or her license to practice for the previous two years the person may, at the discretion of Council, be issued a Temporary General License until he or she has, at the first available session after licensure, written and successfully passed an examination prescribed by the Association. Such examination must be written and passed whether or not the person’s registration has been cancelled pursuant to Section 10(3) of the Act.



## 6. CONTINUING EDUCATION

- (a) Subject to the exceptions described in sub-clauses (c), (h), (i) and (j) below, all members must complete 15 (fifteen) hours of Continuing Education (CE) every Accumulation Period. An Accumulation Period is from December 1st to November 30th in any given year.
- (b) CE is defined as a scientific or non-scientific program that can be justified to be within the scope of veterinary practice.
- (c) During the 2010 transition year in which this By-law 6 is amended, all members are required to complete 10 hours of CE due by December 31, 2010. Any additional hours earned in 2010 can be carried forward as per sub-clause (j). All members will be required to complete 15 CE hours during the 2011 accumulation period and all subsequent annual accumulation periods.
- (d) On January 1, 2011, and every year thereafter (the "Audit Date"), the Registrar shall conduct a random audit of 10 to 15% of the total membership, and shall demand that those members who have been selected provide the Registrar with documentary evidence verifying the number of CE hours accumulated.
- (e) In the event that a member is selected for an audit, the onus is on the member to provide the Registrar with documentary proof of participation in the requisite number of CE hours. Upon request, the member may be required to justify why a submitted CE is within the scope of practice.
- (f) All members are eligible to be audited every year, including those found to be in compliance at the most recent past Audit Date.
- (g) Those members who are selected for an audit of C/E requirements and are found not to be in compliance with the requirements shall:
  - (i) Automatically be selected for audit on the next Audit Date
  - (ii) Be assessed a fine of up to \$500.00;
  - (iii) Have added to their C/E requirement for the next Accumulation Period an amount equal to the number of hours which they were found to be deficient in the current period; and
  - (iv) Potentially be referred to the Peer Review Committee for falsely misrepresenting the number of C/E hours on his/her application for membership.

- (h) Veterinarians who apply for MVMA membership part way through a one year Accumulation Period shall be assessed CE as follows:

<u>Application Date Between:</u>	<u>CE Hours Required:</u>
December 1 <sup>st</sup> - March 31 <sup>st</sup>	15
April 1 <sup>st</sup> - July 31 <sup>st</sup>	10
August 1 <sup>st</sup> - November 30 <sup>st</sup>	5

- (i) New graduates from an accredited college shall be given a “Grace Period” of not less than 18 (eighteen) months from the date of graduation for the accumulation of mandatory CE requirements. For example, those students graduating in June 2010 shall not be required to begin earning CE credits until the Accumulation Period of December 1<sup>st</sup>, 2012 to November 30<sup>th</sup>, 2012, and would be eligible to be selected for an audit on January 1<sup>st</sup>, 2013.
- (j) If a member earns greater than 15 CE credit hours in an Accumulation Period, he/she may carry the excess credit hours into the subsequent CE Accumulation Period. These excess credit hours cannot exceed 15 credit hours and can be carried forward into the subsequent CE Accumulation Period only.

For example, if in 2011 a member earned 20 CE hours, they could carry forward 5 CE hours into 2012 therefore only needing 10 additional hours to satisfy 2012 CE requirements.

## 7. FEES

(a) Membership fees

Every applicant for registration in any category of membership set out in By-Law 2 shall pay at the time of application the fee that the Council has set for the registration of members in the category for which the applicant has applied for registration and in the membership year for which the applicant seeks to be registered.

(b) Licence Fee

(i) **Licence fees: full year**

Where, in addition or as an alternative to the registration fee defined in By-Law 7(a), the Council has set a licence fee for any category of membership set out in By-Law 2 that requires its members to have a licence of any kind, every applicant for membership in such a category shall, before December 1st in the calendar year immediately preceding the calendar year for which the applicant seeks to be licenced, pay the licence fee in the full amount set by the Council.

(ii) **Licence fees: less than full year**

Where, in addition or as an alternative to the registration fee defined in By-Law 7(a), the Council has set a licence fee for any category of membership set out in By-Law 2 that requires its members to have a licence of any kind, and where an applicant for membership in such a category makes application in the same calendar year for which the applicant seeks to be licenced, the applicant shall, at the time of application for membership in such a category, pay a licence fee based upon the full amount set by the Council but reduced in proportion to the number full days remaining at the time of application in the calendar year for which the applicant seeks to be licenced; provided, however, that regardless of the number of full days remaining at the time of application in the calendar year for which the applicant seeks to be licenced, the applicant shall pay a licence fee that is no less than one-quarter of the licence fee that the Council has set for the full calendar year in which the application is made.

(iii) **Not applicable to lapsed licences**

An applicant for membership within the meaning of By-Law 7(b)(ii) shall not be a person whose licence has lapsed pursuant to By-Law 7(c)(ii) in the calendar year immediately preceding that during which application is made pursuant to By-Law 7(b)(ii)

- (c) Late Fee
  - (i) Where, before December 1st, the holder of a current and valid licence fails for any reason to pay the licence fee for the immediately-following calendar year as required by By-Law 7(b)(i), the holder shall, in addition to that licence fee, pay a late fee in an amount that the Council shall set from time to time.
  - (ii) **Lapsed licence for non-payment**  
Where, on or before December 31st, the holder of a current and valid licence fails to pay for any reason the licence fee for the immediately-following calendar year as required by By-Law 7(b)(i) and any late fee required by operation of By-Law 7(c)(i), the holder's licence shall be deemed to lapse immediately after December 31st in the calendar year during which the licence had been current and valid. For the sake of clarity, it is here stated that, after such a lapse of the holder's licence, the person would no longer be a licenced member entitled to engage in the practice of veterinary medicine within the meaning of The Veterinary Medical Act, C.C.S.M. c. V30.
  - (iii) **Reinstatement fee for lapsed licence**  
Before again holding a valid and current licence, every person whose licence has lapsed pursuant to By-Law 7(c)(ii) shall, in addition to the licence fee set out in By-Law 7(b)(i) and the late fee required by operation of By-Law 7(c)(i), pay a reinstatement fee in an amount that the Council shall set from time to time.
- (d) Fee payment relating to Short-Term Licensure  
Notwithstanding By-Law 7(b), every person who applies for Short-Term Licensure within the meaning of By-Law 4(h) shall, before engaging in the practice of veterinary medicine pursuant to the Short-Term Licensure, pay the licence fee set out at By-Law 4(h).
- (d) No refund on fees
  - (i) The Association shall not refund to any person for any reason the whole or part of any sum paid to the Association at any time respecting fees pursuant to By-Law 7 for registration, licencing, late payment, or reinstatement.
  - (ii) No credit for fees paid in another category of membership  
The Association shall not, with respect to the same calendar year, apply to another category of membership, as those categories are defined by By-

Law 2, the whole or part of any sum paid to the Association respecting fees pursuant to By-Law 7 for registration, licencing, late payment, or restatement relating to some other category of membership, that is less than the amount paid for with their original membership of the same calendar year.



## **8. ANNUAL SEMINAR & EXAMINATION**

- (a)** All Licenses shall expire on December 31<sup>st</sup> of each year, except for the following:
  - (i) a license issued to a veterinarian who is practicing in the province of Manitoba for the first time;
  - (ii) a license issued to a veterinarian who has let his/her membership lapse for 2 years (in accordance with the provisions of section 10 (3) of the Act); or
  - iii) a short term licence as described in 4 (h).
- (b)** All veterinarians described in (a)(i) or (a)(ii) must participate in the first available session of the Annual Seminar and receive a passing grade on the Examination. When this does not occur the Registrar may recommend to Council that the non-compliant veterinarian have his/her license suspended.
- (c)** A member may apply in writing to Council in advance of the first available Seminar session for an exception to the requirements in 8(b).

## **9. REQUIREMENTS FOR LIMITED LICENSE PUBLIC MEMBER**

**(a)** “Limited License Public Member”

- (i) does not qualify for a General License with the MVMA; and
- (ii) is a graduate in veterinary medicine of a veterinary university and who has completed postgraduate specialty training with advanced or unique veterinary credentials. The verified credentials must be appropriate for the area of employment that the individual seeks, and the limitations placed on the applicant’s scope of practice will reflect this. Generally these credentials will be a Board Certification, Master’s Degree, Doctor of Philosophy Degree from a veterinary university accredited by the AVMA Council on Education (“COE”) or other recognized veterinary training acceptable to the Registration Committee; and
- (iii) is at least 18 years of age; and
- (iv) has not had his or her name struck from the register of any association or equivalent body; and
- (v) is not under any suspension of any form from a veterinary association or equivalent body; and
- (vi) is of good moral character and does not have a criminal record; and
- (vii) provides satisfactory evidence to the Registration Committee that the applicant is a Canadian citizen or lawfully entitled to work in Canada such as a Social Insurance Number, passport, work visa or any other documentation regarding status in Canada; and
- (viii) provides a notarized photocopy of his/her veterinary degree and all advanced education credentials, translated into English as required; and
- (ix) provides a letter from their employer annually with his/her membership renewal confirming continued employment with the Crown in Right of Canada or the Manitoba government.

- (b)** Where a person fulfills all of the requirements in (a) above, Council may exempt the person from By-Laws 3(b), 3(c), 4(c)(iv), 4(c)(vii) and 4(g) and grant the applicant a “Limited License Public Membership”.
- (c)** A Limited License Public Member may engage in the practice of veterinary medicine to the extent required by the scope of his or her employment with the Crown in Right of Canada or the Manitoba government. This category of licensee shall not practice veterinary medicine outside the scope and duties of his or her employment with the said government agency or department.
- (d)** A Limited License Public Membership shall terminate when employment with the Crown in Right of Canada or the Manitoba government ceases. The MVMA requires notification in writing from the employer that employment has been terminated. The person will be considered as a new applicant when he or she applies for a General Membership.



## **10. VETERINARY RESERVE**

When an event occurs in the Province of Manitoba that potentially presents risks to the safety, health and/or well-being of humans and/or animals located within the province, any veterinarian who is a graduate of a veterinary sciences program from a CVMA and/or AVMA accredited or non-accredited college may make application to the MVMA to become licensed to practice veterinary medicine.

- (a)** All such applicants under this By-Law 10 shall become temporary employees of the Canadian Food Inspection Agency (“CFIA”).
- (b)** All applicants under this By-Law 10 shall:
  - i) submit to the Registrar a completed and signed Application for Emergency Licensure form, including all required documentation listed therein;
  - ii) submit an administration fee in the amount to be determined by Council from time to time;
  - iii) be exempt from compliance with the requirements of By-Laws 3, 4, 5, 6, 7, and 8 of these By-Laws.
- (c)** Upon receipt of the completed and signed Application for Emergency Licensure, the Registrar shall request review by Council, and Council shall approve or reject the application.
- (d)** Where Council accepts any application under this By-Law, the Registrar shall assign an Emergency License Number, which shall be valid for up to 30 consecutive days from the date of licensure.
- (e)** All requests for an extension of the 30-day licensure under this category shall be made to the Registrar in writing

## **11. VETERINARY CORPORATIONS**

The practice of veterinary medicine may be managed by a veterinary corporation provided that the Registrar is advised in writing of:

- a)** the corporate name and the name(s) of the clinic(s) operated by the corporation;
- b)** the operating address(es); and
- c)** the names of all shareholders of the said corporation
- .d)** confirmation that one or more licensed members own all of the voting shares of the corporation.

## 12. ANIMAL HEALTH TECHNOLOGISTS

- (a) The Registrar shall keep a register of Animal Health Technologists (“AHT”) and shall enter into that register the name of every person registered as an AHT.
- (b) In order to be registered with the MVMA as an AHT an applicant must:
  - (i) Provide evidence of graduation from a school, college or institute recognized or accredited by the CVMA or the AVMA which offers courses in animal health technology;
  - (ii) Pass any examination approved by the Manitoba Veterinary Medical Association (currently the Veterinary Technician National Exam); and
  - (iii) Pay to MAHTA its prescribed annual membership fee; and
  - (iv) Where an applicant has fulfilled the requirements of (i) and (iii) above, he/she can be given a temporary registration pending the successful completion of the VTNE within two consecutive MAHTA temporary membership terms.
- (c) Under **direct** supervision an AHT may:
  - (i) Utilize chemical restraint;
  - (ii) Administer and maintain anesthetic;
  - (iii) Intubate an animal;
  - (iv) Euthanize animals using humane and acceptable practices;
  - (v) Perform dental prophylaxis;
  - (vi) Administer rabies vaccine;
  - (vii) Assist in surgery.

- (d) Under **indirect** supervision an AHT may:
- (i) Prepare and analyze laboratory samples such as:
    - Blood samples by venopuncture;
    - Fecal samples;
    - Urine by free flow, catheterization or cystocentesis;
    - Milk samples;
    - Body secretions, abscesses and visible sores by swabbing;
    - Skin scrapings.
  - (ii) Administer medication and veterinary biologics (excluding rabies vaccines) via intramuscular, subcutaneous or intravenous routes or stomach tubing.
  - (iii) Administer and monitor fluid therapy;
  - (iv) Bandage and apply splints;
  - (v) Take radiographs, including formulating proper exposure settings; positioning and developing procedures;
  - (vi) Perform contrast procedures on the gastrointestinal tract and lower urinary tract;
  - (vii) Express anal sacs internally;
  - (viii) Utilize E.K.G. machines;
  - (ix) Tattoo animals;
  - (x) Clean and irrigate external ear canals;
  - (xi) Dehorn food animals.

### **13. ASSISTANCE BY NON-VETERINARIANS AND NON-AHT'S**

- (a) Pursuant to section 3(2)(b)(iii) of the Act, any person who:
- i) In the opinion of a licensed member, is competent to administer a drug ,veterinary biologic, medicine, appliance or treatment; and
  - ii) Fulfils all of the requirements of Clause 13 (b) and 13 (c) hereafter may perform the procedures described in Clauses 12(c)(i) to 12(c)(vi) under the direct supervision of a licensed member and may perform the procedures in Clause 12(d) under the indirect supervision of a licensed member.
- (b) Any person who was administering drugs or performing procedures described in By-laws 12(c)(i) to 12(c)(vi) under the direct supervision of a licensed member, and By-law 12(d) under the indirect supervision of a licensed member prior to the proclamation of the Act and the passing of these By-laws, and was not an AHT, shall be permitted to continue to administer such drugs and perform such procedures, so long as the names of such persons are provided to the Association within seven (7) days of the date of proclamation of this Act. The Association shall keep a record of such persons.
- (c) Commencing for the year 2003, an annual fee shall be assessed for any person whose name is entered on the Association's record as described in Clause 12 (b), hereinafter referred to as an Animal Health Assistant ("AHA"). The amount of the annual fee shall be determined by Council and shall be paid annually in advance for the upcoming year by the 31<sup>st</sup> of December. The annual fee must be paid on the AHA's behalf by a licensed member (the "Sponsoring Veterinarian"), and such payment evidences the Sponsoring Veterinarian's endorsement of the continued abilities and competencies of the AHA on whose behalf the payment is made. If an AHA's fee has not been paid by December 31<sup>st</sup> for the upcoming year, a late penalty will be levied on the Sponsoring Veterinarian. In the event that an AHA's annual fee is not paid by a Sponsoring Veterinarian for two consecutive years, the AHA shall have his/her name permanently removed from the Association's record and he/she shall no longer be entitled to perform the duties permitted by Bylaw 11.
- (d) Any person who is not a licensed member, AHT, or AHA shall not administer any drug or perform any procedure listed in By-laws 12(c) and 12(d).
- (e) Only a licensed member or an AHT can assist in surgery, as described in Clause 11(c) (viii).

(f) EMBRYO TRANSFER in the Bovine Species [In accordance with Section 3(2) (b) (iii) and 7(1) of the Act]

The management of estrus synchronization, superovulation and the evaluation of embryos is the practice of veterinary medicine.

(i) Collection and processing of embryos, including caudal epidural anesthesia, may be performed by either:

I) A licensed member trained in embryo transfer; or

II) In the case of non-surgical embryo collection only, a registered embryo transfer technician under the direct supervision of a licensed member certified in embryo transfer.

(ii) The non-surgical implantation of embryos including caudal epidural anesthesia may be performed by:

I) A licensed member, or

II) A registered embryo transfer technician under the indirect supervision of a licensed member certified in embryo transfer.

(iii) A registered embryo transfer technician (ETT):

I) Is defined as a person who has completed training in embryo transfer and is registered on an annual basis with the association by the employing practice and the employing practice has paid all required registration fees on the technician's behalf.

II) Is employed by a practice currently inspected and approved for embryo transfer.

III) Is under the supervision of a licensed member certified in embryo transfer.

IV) Has been deemed by the supervising member and attested to in writing to be competent in:

a) Identifying a corpus luteum satisfactory for implantation.

b) Performing epidural anesthesia.

c) Embryo collection, processing and implantation.

V) Is covered by the employing practice's/supervising member's liability insurance.

VI) Is provided with technical and theoretical continuing education as determined by the supervising member.

(iv) Only the supervising member may charge and collect fees for the services provided by a registered embryo transfer technician.

(v) Training in embryo transfer is defined as either:

I) Completion of a course undertaken consisting of both theoretical and practical (wet lab) training, or

II) 15 or more hours of individual training under the direct supervision of a Canadian or American Embryo Transfer Association certified member.

(vi) Certified in embryo transfer is defined as currently being designated a Certified Embryo Transfer Practitioner by either the Canadian or American Embryo Transfer Associations

**14. ELIGIBILITY TO VOTE**

Only members of the Association who are currently licensed members shall be entitled to vote on any issue.





**15. COUNCIL**

- (a)** Council shall consist of six (6) licensed members of the Association and the immediate past president. The term of office for each member of Council shall be three (3) years. A sufficient number of members shall be elected each year to fill any vacant positions on Council.
- (b)** Council shall perform on behalf of the Association the duties and functions described in the Act.

## **16. ELECTIONS**

- (a)** Members of Council shall be elected by the members of the Association entitled to vote. Only members entitled to vote may nominate a member to run for election.
- (b)** Nominations shall close on October 1st each year.
- (c)** Council shall appoint annually a Nominating Committee to ensure a full slate of candidates for Council.
- (d)** Each year ballots shall be mailed to all members eligible to vote and the ballots must be returned to the Association no later than November 15th.
- (e)** Council shall appoint a returning officer and two (2) members to assist in counting the ballots.
- (f)** In case of ties, the returning officer shall cast the deciding vote.
- (g)** Election of members to Council shall be by secret ballot.
- (h)** Results of an election shall be ratified at the next Annual General Meeting.

## **17. OFFICERS OF THE ASSOCIATION**

The officers of the Association shall be the President, the Vice-President, and the Past-President. In any year if more than one member of Council is nominated to be Vice-President, then an election shall be held. All members of the Association entitled to vote may vote in such election. The person elected as Vice-President in one year shall automatically become President the next year.

**18. EMPLOYEES OF THE ASSOCIATION**

The employees of the Association shall include the Director of Communication and Advocacy, the Registrar and the Secretary-Treasurer. Council may also appoint any other employees that it deems necessary.



## **19. UNUSUAL EXPENDITURES**

Pursuant to Section 8(2) of the Act, Council may authorize unusual expenditures of money in an amount up to twenty-five thousand (\$25,000.00) dollars.

19.1 Pursuant to Section 8(2) of the Act, Council may authorize unusual expenditures of money in an amount up to twenty-five thousand (\$25,000.00) dollars.

19.2 Pursuant to Section 8(2) of the Act, the MVMA Council may authorize and enter into a property leasing contract that is greater than one year on behalf of the MVMA.

19.3 Pursuant to Section 8(2) of the Act, the MVMA Council may authorize and enter into contracts that are greater than one year whose value is no greater than \$25,000 per year on behalf of the MVMA.

19.4 The Director of Communication and Advocacy may approve unusual expenditures if the expenditure is less than the amount defined by the MVMA Council in the MVMA Conditions of Employment and Compensation policy. The Director of Communication and Advocacy may also enter into contracts which are greater than one year if the annual expense of the contract is less than an amount defined by the MVMA Council in the MVMA Conditions of Employment and Compensation policy.

**20. RATIFICATION OF BY-LAWS**

- (a) Pursuant to section 7(2)(b) of the Act, a By-law may be enacted, amended or repealed by mail;
- (b) Any such By-law shall:
  - i) Be passed by Council;
  - ii) Be mailed to all members who have the right to vote and each member shall be deemed to have received the By-law 5 days after it is mailed;
  - iii) Be deemed to be passed 30 days after its receipt by each member, unless 10 or more members object in writing to the By-law.
- (c) If 10 or more members object to the By-law, it shall be deemed to be defeated, but it may be re-introduced at an AGM or Special General Meeting called for the purpose of considering the By-law.

## **21. MEETINGS OF THE ASSOCIATION**

- (a) There shall be an Annual General Meeting (“AGM”) of the Association at such time and place as may be determined by Council.
- (b) All members must be informed in writing of an AGM at least eight (8) weeks in advance.
- (c) Any member from a category of membership that has a right to vote, who proposes to introduce a matter of new business to be voted upon at the AGM for that year, shall, no later than six (6) weeks prior thereto, advise the Director of Communication and Advocacy in writing, stating the nature of such business.
- (d) Any member from a category of membership that has a right to vote may introduce a matter of new business at the AGM without prior notice. But any matter of new business that is introduced by a member, without prior notice, shall not be voted upon at that meeting. The vote on any such new business shall be either at a special general meeting called for the purpose of voting on that new business or, in compliance with By-law 16(a), or at the next AGM.
- (e) Any member presenting a motion as new business must sign that motion. The motion must be seconded by another member from a category of membership eligible to vote.
- (f) Council may introduce new business at any time and such new business may be voted on at the same meeting at which it is introduced.
- (g) The agenda of the AGM must be circulated to the membership prior to such meetings.
- (h) Upon receipt of a written request for a special general meeting signed by seven (7) members and stating the reason for same, Council shall convene a meeting within one month from date of receipt of such a request and notice thereof shall be given to the membership.
- (i) The quorum for an AGM and for a special general meeting shall be ten per cent (10%) of the voting membership of the Association.

**22. FUNCTION OF STUDENTS IN THE PRACTICE OF VETERINARY MEDICINE**

(a) **Function of the Licensed Member**

A licensed member will by precept and example endeavor to teach the art and science of veterinary medicine to students assigned to or employed by that licensed member.

(b) **Junior Students**

Junior students will function only under the direct supervision of a licensed member as previously defined.

(c) **Senior Students**

i) Senior students employed by or assigned to a licensed member must be registered.

ii) Pursuant to section 3(2)(b)(iii) of the Act, a Senior student, who in the opinion of a licensed member is competent, may administer a drug, veterinary biologic, medicine, appliance, and perform a treatment or surgery under the direct or indirect supervision of a licensed member.

(d) A graduate from a veterinary college accredited by the CVMA and/or American Veterinary Medical Association who has not passed the North American Veterinary Licensing Examination (“NAVLE”) may apply to the Registrar for registration as a “Senior Student”, as defined in By-Law 1 (f), and can perform all of the duties and functions as described in 21(c) above for a period of twelve months after initial registration, with extensions of the one year time period subject to the formal request to and subsequent review by Council.



### **23. MULTIPLE PRESCRIPTIONS**

- (a) The Association, in co-operation with the College of Physicians and Surgeons of Manitoba, the Manitoba Dental Association and the Manitoba Pharmaceutical Association hereby establishes the program known as the Multiple Prescription Program.
- (b) The Multiple Prescription Program shall be overseen by the Manitoba Prescribing Practice Advisory Review Committee (which may hereafter be referred to as the Committee) according to its Terms of Reference.
- (c) The Director of Communication and Advocacy of the Association shall be a non-voting member of the Manitoba Prescribing Practices Advisory Review Committee.
- (d) The Association shall appoint one of its licensed members to be a voting member of Manitoba Prescribing Practices Advisory Review Committee. The Association delegate shall attend meetings of the Committee and shall keep the Association apprised of discussions and decisions of the Committee.
- (e) The Multiple Prescription Program applies to all drugs listed in Schedule I of this By-law.
- (f) The Manitoba Prescribing Practices Advisory Review Committee may, as it deems necessary, add or remove a drug from Schedule I without the need for this By-law to be amended.
- (g) Licensed members shall prescribe only drugs listed in Schedule I of this By-law in the manner prescribed in this By-law.
- (h) All multiple prescriptions shall be typed or printed. The prescriber shall complete all sections of the prescription form made available through the Manitoba Multiple Prescription Program.
- (i) This prescription shall be valid for only three days after its issuance to the owner of the patient. The Committee may grant exemption from this condition when such exemption is appropriate.
- (j) This By-law does not apply to direct administration of a designated drug to a patient by a licensed member in a clinic or on a farm or in the field.
- (k) The licensed member shall give the client the original and copy of the prescription and shall inform the client that both copies must be submitted to the pharmacy.

- (l) The Manitoba Multiple Prescription Program may grant exemption from this requirement when such exemption is appropriate.
- (m) This program shall become effective January 18, 1992.



**24. DEFINITION OF VETERINARIAN-CLIENT-PATIENT RELATIONSHIP**

- (a) The veterinarian-client-patient relationship (VCPR) is the basis for interaction among veterinarians, their clients and their patients.

A VCPR exists when all of the following conditions have been met:

- i) The licensed member has assumed responsibility for making clinical judgements regarding the health of the animal(s) and the need for medical treatment, and the client has agreed to follow the licensed member's instructions.
  - ii) The licensed member has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the licensed member has, at a minimum, annually seen and is personally acquainted with the keeping and care of the animal(s) by virtue of an examination of the animal(s), or by medically appropriate and, at a minimum, annual visits to the premises where the animal(s) are kept
  - iii) The licensed member is readily available, or has arranged for emergency coverage, for follow-up evaluation in the event of adverse reactions or the failure of the treatment regimen.
- (b) When a VCPR-exists, licensed members must maintain medical records as defined in the MVMA PIPS by-laws.
- (c) Dispensing or prescribing a prescription product requires the existence of a VCPR.
- i) Licensed members shall honour a client's request for a prescription in lieu of dispensing. The prescribing veterinarian must have a valid VCPR.
  - ii) Without a valid VCPR, a licensed member's sale of veterinary prescription drugs or the sale of any pharmaceutical for extra-label use is unethical.
  - iii) Licensed members may dispense a prescription product to a client with whom they do not have a VCPR upon receipt of a valid prescription from another licensed member.

**25. THE ETHICAL SALE OF PHARMACEUTICALS AND BIOLOGICALS**

A licensed member shall not sell or supply a pharmaceutical or biological product to:

- a) a warehouse
- b) a pharmacy
- c) any other person who intends to resell the product, with the exception that a licensed member may sell or supply a pharmaceutical or biological product to another licensed member.

**26. CODE OF ETHICS AND STANDARDS OF PRACTICE**

The Code of Ethics of the Association and the standards of practice as defined in the Practice Inspection and Practice Standards (“PIPS”) Guidelines shall be appended to and form part of these By-laws.



**27. COMMUNICATION WITH THE REGISTRAR**

When the Registrar makes a written demand for information wherein a specific response deadline is imposed, the member shall be fined not less than \$25.00 for each day past the deadline it takes for the member's acknowledgement to reach the Registrar, and the matter may be referred to the Chair of the Peer Review Committee for consideration as an act of unprofessional conduct.

**28. ULTRA SOUND DIAGNOSIS**

A licensed member must be involved in making an interpretation for diagnosis with ultrasound equipment.



**29. ANIMAL DENTISTRY**

Animal Dentistry is defined as the cleaning, adjustment, filling, extraction, or repair of animal's teeth. Animal Dentistry is a function of veterinary practice because it requires diagnosis and treatment and to be fully effective demands extensive knowledge of anatomy, anesthesiology, physiology, pathology, neurology, medicine and surgery that is part of the graduate veterinarian's training.





**30. ASSOCIATION SEAL**

The Seal of the Association shall be identical to the impression stamped here.



**31. EAR CROPPING**

No member shall perform cosmetic ear cropping on a canine for the purpose of having the animal's appearance conform to a breed standard or tradition.



## **32. PARLIAMENTARY AUTHORITY**

Except where otherwise provided in the MVMA By-laws, Robert's Rules of Order Newly Revised current edition, shall govern the conduct of all Annual General Meetings held by the Manitoba Veterinary Medical Association.

