

Introduction

Technology-based patient consultations are patient consultations that use any form of technology, including, but not restricted to videoconferencing, internet and telephone, (Medical Board of Australia, 2012) for the purpose of diagnosing the physiological or pathological condition of an animal.

The *Veterinary Practice Regulation 2013* (Regulation) (cl 4(1)(a)) declares that the examination of or attendance on any animal for the purpose of diagnosing the physiological or pathological condition of the animal is a restricted act of veterinary science. Technology-based patient consultations provide for the virtual attendance on an animal patient.

The *Veterinary Practice Act 2003* (Act) (s 9) provides that it is an offence for an unregistered person to perform a restricted act of veterinary science and that an unregistered person may not recover fees or charges for doing a restricted act of veterinary science (s 10).

Purpose

The purpose of this guideline is to clearly define the requirements for and limitations of technology-based patient consultations when provided as a veterinary service.

Policy

1. Technology-based patient consultations must only be performed by a person registered as a veterinarian in both the State or Territory in which the animal patient is located and, if different, in the State or Territory from which the veterinarian provides this service
2. Before agreeing to perform a technology-based patient consultation the veterinarian must be satisfied that this form of consultation is appropriate in the circumstances and does not in any way compromise the safety or welfare of the patient
3. When providing technology-based patient consultations for animals located in NSW and when providing technology-based patient consultations from within NSW for animals located outside NSW veterinarians must abide by the Regulation (sch 2) Veterinary Practitioners Code of Professional Conduct (Code)
4. Veterinarians providing technology-based patient consultations must ensure they understand the legislation, policies and guidelines of both the jurisdiction in which they are based and the jurisdiction in which the animal patient is located
5. Veterinarians based in NSW may provide technology-based patient consultations from either licensed premises (hospitals) or unlicensed premises

Application of the Code

1. Veterinarians must carry out professional procedures in accordance with current standards and must base professional decisions on evidence-based science or well recognised current knowledge and practice or both (cl 4):
 - a. The veterinarian must assess the patient's condition, based on history and clinical signs and perform an appropriate examination. The veterinarian must determine whether a physical examination is necessary in order to formulate a diagnosis and provide appropriate advice, recommendations and treatment in accordance with current standards
 - b. The veterinarian must ensure that the proposed treatment is not contraindicated. This particularly applies to technology-based patient consultations when the veterinarian may have a limited understanding of the patient's condition(s) and may not be able to access medical records
2. Veterinarians must appreciate the limitations of technology-based patient consultations and where appropriate utilise the skills of colleagues who may be in a better position to assist with management of the case by consultation or by offering referral for a face-to-face consultation (cl 5)
3. Veterinarians must, where it is practicable to do so, obtain the informed consent of the person responsible for the care of the animal before providing a technology-based patient consultation (cl 7).

Accordingly, veterinarians must take reasonable precautions to ensure the client is the person responsible for the care of the animal and must ensure the client is aware of the veterinarian's registration jurisdiction, registration number and where appropriate the authority or authorities to contact if there is a complaint

4. When accepting an animal for diagnosis or treatment using a technology-based patient consultation the veterinarian must ensure he or she is available for the ongoing care of the animal or if he or she is not available make arrangements for another veterinarian to take over the care of the animal (cl 8)
5. If a client requests a referral or second opinion the veterinarian who has provided the technology-based patient consultation must not refuse (cl 9)
6. If another veterinarian takes over the treatment of an animal patient after a technology-based patient consultation has been performed all relevant records must be provided to this veterinarian directly after receiving consent from the client (cl 10)
7. Veterinarians providing technology-based patient consultations must take reasonable precautions to protect client privacy and right to confidentiality (cl 12)
8. Veterinarians must ensure that all persons assisting in the provision of veterinary services to animals as part of a technology-based patient consultation have the skills, knowledge and equipment to enable them to perform any required duty according to current standards except in the case of an emergency (cl 13)
9. Veterinarians providing technology-based patient consultations must ensure a detailed record of the consultation or treatment is made as soon as practicable, that it is legible, in sufficient detail to enable another veterinarian to continue treatment of the animal, and retained for at least 3 years. These records must specify that a technology-based patient consultation has been performed and the date it occurred. If the record is altered the alteration must be clearly identified in the record as such (cl 15)
10. Before providing a technology-based patient consultation service the veterinarian must provide an estimate of costs and the likely extent and outcome of the veterinary service (cl 16) including the potential limitations of a technology-based consultation
11. A veterinarian may supply restricted substances (Schedule 4 or Schedule 8 in the Poisons List) only for the care of an animal he or she has physically examined or has under his or her direct care and only in respect of that animal (cl 20):
 - a. A veterinarian may supply restricted substances to a client after a technology-based patient consultation if the veterinarian has previously performed a physical examination on the animal and prescribed a restricted substance for the treatment of the animal, and is continuing this treatment for the previously diagnosed condition in accordance with current standards
 - b. Animals are considered to be under the direct care of a veterinarian if the veterinarian has visited the property where these animals are kept, is fully aware of husbandry and management conditions and has physically examined sufficient animals from this property in order to establish a therapeutic need for supplying restricted substances to an animal from this property in accordance with current standards. A technology-based patient consultation may be used to continue treatment for animals under the direct care of a veterinarian
 - c. If the veterinarian has not previously physically examined the animal, is not able to demonstrate the animal is under his or her direct care and concludes that restricted substances are required to treat an animal after performing a technology-based patient consultation the veterinarian must either perform a physical examination or refer the client to another veterinarian for this purpose
12. A veterinarian providing a technology-based patient consultation must not provide a referral or recommendation to a client the request for which is accompanied by any payment or other inducement to the veterinarian (cl 21).

Monitoring

1. The Board may request an audit of purchases of restricted substances from NSW Health and perform an audit of medical records of veterinarians providing technology based patient consultations if it has concerns regarding compliance with this guideline.

2. The Hospital Inspector will consult with veterinarians at licensed premises and with veterinarians operating from unlicensed premises (as indicated in the Annual Return) in order to monitor compliance with this guideline.
3. The Board will liaise with other veterinary boards in Australia to establish and implement a consistent approach where possible to the regulation of technology based patient consultations and complaint investigations in relation to these services.
4. The Board will consult with the profession and veterinary and other regulatory bodies as required regarding this guideline.

Conflict of Interest

Members of the Board must comply with the Code of Conduct for Board Members in relation to decisions regarding this guideline.

Review

This guideline shall be reviewed annually or as required to ensure that it remains in line with current standards of practice, appropriate to the operations of the Board and compliant with the relevant legislation.