

Introduction

Major surgery is defined as a restricted act of veterinary science that includes the carrying out of a procedure that according to current standards of veterinary practice should not be undertaken without the administration of a general anaesthetic to an animal or involves a spinal anaesthetic (s 64).

With some exceptions (s 65(2)), a person must not perform major surgery on an animal except at premises that are the subject of a licence that authorises major surgery of the type concerned to be carried out at those premises (s 65). The Veterinary Practitioners Board (Board) licenses the premises, including the land (s 4(1)), where major surgery may be performed as a veterinary hospital.

The Board issues licences based on an assessment that the premises for the proposed veterinary hospital will be able to provide acceptable levels of care in accordance with current standards for animals before, during and after major surgery. Moreover, premises must be assessed as fit for purpose and conditions may be imposed by the Board in order to limit the types of major surgery performed.

With some exceptions (s 14(5)), the Board must refuse a licence if the applicant is not a veterinary practitioner or if the applicant is not a corporation or firm in which one or more veterinary practitioners have a controlling interest (s 70). Controlling interest is defined (s 4(2)) as the capacity to determine the outcome of decisions about the financial and operating policies of the corporation or firm.

The holder of a veterinary hospital licence must ensure that a sign is displayed at the premises specifying the type or types of major surgery that are authorised to be carried out (s 68).

Purpose

This policy clarifies the assessment process for veterinary hospital licence applications and the types of hospital licences the Board will approve. The intent of this policy is to ensure that licences are only granted to premises which are fit for purpose. Accordingly, this policy is aligned with the object of the Act (s 3) to regulate the provision of veterinary services in NSW to:

- a. Promote the welfare of animals
- b. Ensure consumers are well informed as to the competencies required of veterinarians
- c. Ensure acceptable standards are required to be met by veterinarians
- d. Provide public health protection

A licence is subject to conditions that are imposed by the Board (s 71). The Board may impose a condition on a licence that the premises to which the licence relates are only to be used for a certain type or types of major surgery (s 71(2)). All hospital licences are subject to the condition of ongoing satisfactory assessments of the premises to current standards at future inspections.

Policy

The Board may refuse to grant a licence (s 70(b)) if the premises proposed for the veterinary hospital will not be able to provide acceptable levels of care for animals before, during and after major surgery. To assist with compliance with this section, the Board has released minimum requirements for premises licensed to conduct major surgery.

- i. The applicant for a veterinary hospital licence (s 70) must be:
 - a. An individual who is a veterinarian or
 - b. A corporation or firm in which one or more veterinarians has or have a controlling interest or
 - c. A corporation, firm or body otherwise prescribed by the Act (s 14(5))
- ii. There is no provision within the legislation for a trust to hold a veterinary hospital licence
- iii. The applicant may demonstrate a controlling interest as either the majority shareholder or as the majority of directors
- iv. All hospital licences are subject to the condition of satisfactory assessments of the premises to current standards at future inspections

- v. All hospital licences are subject to the condition that the premises are fit for purpose in relation to the species treated and the type of major surgery being performed
- vi. The Board may impose a condition at any time that limits the range of major surgery the licensed premises are able to perform and may vary or revoke a condition imposed on a licence (s 71)
- vii. This policy is not intended to limit the conditions which may be imposed on a veterinary hospital licence by the Board

Procedure

- i. The Board may grant a Small Animal Veterinary Hospital Licence if the Board is satisfied that the premises for the proposed veterinary hospital meet the minimum requirements for the care of dogs and/or cats. Major surgery may be performed on other species typically considered as small animals such as small mammals, birds, reptiles and some wildlife if the superintendent is able to demonstrate the facilities and equipment are fit for this purpose.
- ii. The Board may grant a Large Animal Veterinary Hospital Licence if the Board is satisfied that the premises for the proposed veterinary hospital meet the minimum requirements for the care of horses. Major surgery may be performed on other species typically considered as large animals such as other Equidae, ruminants, pigs, deer, camelids and some wildlife if the superintendent is able to demonstrate the facilities and equipment are fit for this purpose.
- iii. The Board may grant a Mixed Animal Veterinary Hospital Licence if the Board is satisfied the premises for the proposed veterinary hospital meet the minimum requirements for a Small Animal Veterinary Hospital Licence together with facilities and equipment fit for purpose for the performance of limited major surgery of horses.
- iv. Notwithstanding the above:
 - a. If the premises for the proposed veterinary hospital meet the minimum guidelines except for the presence of equipment for the taking and processing of radiographs the Board may grant a hospital licence with a condition that major surgery at these premises is restricted to procedures which according to current standards do not require radiographs immediately prior to, during, or after the procedure
 - b. Major surgery may be performed on species of animals not included in the type of veterinary hospital licence if the superintendent is able to demonstrate the premises are able to provide acceptable levels of care for these species before, during and after major surgery
- v. Minimum requirements guidelines for veterinary hospital licences will be reviewed as required to ensure premises are of a sufficient standard to provide for levels of care before during and after major surgery in accordance with current standards

Monitoring

The monitoring of hospital licence types and compliance with this policy will be achieved through:

- i. Random audits of licence holders
- ii. Regular inspections of veterinary hospitals by the Hospital Inspector
- iii. Review of hospital annual returns
- iv. Complaint investigations

Training and Communication

The Registrar is responsible for ensuring that all persons who are involved in making a decision in relation to veterinary hospital licence types receive training in this policy.

Conflict of Interest

Members of the Board must comply with the Code of Conduct for Board Members in relation to decisions regarding hospital licence types.

Review

This policy shall be reviewed annually or as required to ensure that it remains appropriate to the operations of the Board and compliant with the relevant legislation.