



VETERINARY PRACTITIONERS BOARD
AUSTRALIAN CAPITAL TERRITORY

Incitement and inducements to commit unprofessional conduct

The **ACT Veterinary Practitioners Code of Professional Conduct** states

A veterinary practitioner must not provide a referral or recommendation the request for which is accompanied by an inducement to the veterinary practitioner.

Veterinary practitioners must not allow their professional judgement, integrity, discretion, conduct or ethical standards to be compromised by any other person in any matter requiring the application of professional knowledge or skill.

Veterinary practitioners are responsible for their own actions and judgments. Allowing professional judgement, integrity, discretion, conduct, or ethical standards to be compromised by any other person or entity in any matter requiring the application of professional knowledge or skill is not a defence against allegations of unprofessional conduct.

The perception that a veterinary practitioner is making treatment decisions or recommendations on the basis of commercial influence will undermine the public's trust in the profession. The potential for commercial influence is relevant for decisions involving the authorisation and/or sale of both restricted and unrestricted veterinary medicines, and therapeutic and other pet foods and pet insurance.

Veterinary practitioners should recognise that pharmaceutical marketing may influence them and being aware of ways in which their practice may be influenced. They should not ask for or accept any inducement, gift or hospitality of more than trivial value from companies that sell or market drugs or other products that may affect or be seen to affect the way veterinary practitioners prescribe for, treat or refer patients.

Items that are low in monetary value, provide negligible personal benefit, or which are directly relevant to veterinary practice (e.g., text books, veterinary equipment, drug launches etc.) are likely to be acceptable. Ultimately the test the veterinary practitioner should apply is whether they believe the gift has the potential to influence their professional judgement. Even though the potential for influence may seem low in a given situation it is likely to be more obvious to members of the public than to the veterinary practitioner.

Questions worth considering when faced with the offer of an inducement include:

- (a) Would my clients consider that my treatment recommendations might be influenced if I accept?
- (b) How would the media respond if the inducement was disclosed?

Standard commercial arrangements between suppliers and veterinary practices around the purchase of products such as rebate structures, volume discounts, loyalty programmes and marketing/promotion agreements are acceptable, provided they reasonably reflect the level and type of business transacted between the practice and the supplier and any commercial benefits are

directed to the business (not the individuals who are responsible for making the treatment sales decision).

The veterinary supply industry often contributes to the financing of veterinary continuing professional development activities through sponsorship. This valuable contribution promotes advances in the clinical and professional standards of individual veterinary practitioners and staff as well as of veterinary practices. Such individual and group sponsorship should be publicly disclosed in order to minimise perceptions of a conflict of interest, and to encourage the conscious avoidance of improper influence.

Owners and managers of veterinary practices must not pressure veterinary practitioners to offer services or referrals that are not in the best interest of their patient.

Section 14 of the *Veterinary Practice Act 2018* states that a person commits an offence if—

1. (a) the person employs a registered veterinary practitioner; and
(b) the person directs the veterinary practitioner to engage in conduct that, if engaged in, would be unsatisfactory professional conduct or professional misconduct.

A person or organisation who employs a veterinary practitioner must not direct or incite that practitioner, contrary to the provisions of the *Veterinary Practice Act 2018* or any other Act regulating veterinary practice.

Directing or inciting unprofessional conduct includes placing pressure on an employee to offer services or referrals that are not in the best interest of their patients.

If a veterinary practitioner refers a patient to a specialist practice that is part of the same company in which they work, they should make the client aware of this relationship and must ensure that the referral is in the animal's best interest.