College of Veterinarians of British Columbia

CVBC Guidelines to the Standard: Stray or Found Animals

Approved by Council April 21, 2023

Preamble

These guidelines (presented in a "Question & Answer" format) are intended to help further interpret a registrant's responsibility if assuming care and control of a stray or found animal. These include responsibilities under the *Prevention of Cruelty to Animals Act (PCAA)* and the CVBC Bylaws.

1. **If practice facility staff accept a stray or found animal into the clinic, have they assumed responsibility for this animal?**
   Under the PCAA, in this case the practice facility staff, and more specifically the designated registrant and any other registrant working at the facility become the persons responsible as the animal has been taken into the practice's care and control.

2. **Does a practice facility have to accept a stray or found animal?**
   No, however there is an ethical obligation to reasonably determine if the animal is in distress before turning it away. A registrant working in a facility that has been presented with an animal in distress[i], has an ethical[ii] to take the necessary steps to stabilize the animal and to provide adequate analgesia until custody or control can be transferred to the appropriate animal control authority or back to the owner.

3. **What are the duties of the "persons responsible"?**
   The persons responsible must care for the animal, including protect the animal from circumstances that are likely to cause the animal to be in distress, and must not cause, or permit the animal to be or continue to be in distress

4. **What should be done to care for the stray or found animal accepted into a practice facility?**
   If a stray or found animal has been taken into a practice facility, a CVBC Registrant:

   a. Should attempt to identify and contact an owner, so that the owner can authorize and direct treatment if required.

b. Should contact the appropriate responsible authority if no owner can be identified or attempts to contact the owner are unsuccessful. This will be dependent on the municipality in which the practice facility is located and may be municipal animal control or the Society for the Prevention of Cruelty to Animals (SPCA) shelter. Work with the appropriate responsible entity to make arrangements for them to take custody or to assume control, so that further treatment can be authorized if required.

   Please note: until the owner is contacted and authorizes/directs treatment, or the appropriate responsible authority assumes custody or control, the stray/found animal is in the sole custody of the registrant and the registrant is the "responsible person" and bears the associated duties:

c. Must at a minimum perform a thorough physical exam in order to determine:
   1) if the animal *is* in distress;
   2) what steps are necessary to stabilize the animal, and
   3) whether the animal is experiencing pain and in need of analgesia

d. Must establish a medical record documenting the findings of the physical exam and any treatments provided; as well, any communications with the SPCA &/or efforts to locate the owner and subsequent communications should be thoroughly documented.

e. Must assess the animal for existing distress. If the veterinarian assesses that the animal is in a state of distress:
   1) Determine what needs to be done to alleviate and prevent distress in the interim. It is reasonable for the veterinarian to respect that their role as “responsible person” is temporary and limit their treatment choices to those of urgent/immediate need, while deferring the non-urgent parts of the treatment plan until the role of “client” can be shifted to either the owner or the responsible animal control authority. Immediate focus should be to:

      i. **ALLEVIATE CRITICAL DISTRESS:** If, in the opinion of a CVBC registrant, an animal is in critical distress, the registered veterinarian may euthanize the animal to relieve critical distress. Please also see “Responding to an Animal in Critical Distress” for additional information on how to identify critical distress.

      ii. **ALLEVIATE DISTRESS:** Is the animal injured, sick, in pain, malnourished and/or dehydrated? If so, what needs to be done (at minimum) to stabilize and control pain and suffering; actual *correction* of the injury or disease state may not be immediately necessary. In the absence of owner/custodian consent, it may be prudent to defer

pursuing non-critical/non-urgent diagnostics or invasive treatment, and instead focus on stabilizing the patient (e.g. fluid therapy, hemostasis, bandages, pain control with the goal of alleviating distress), pending involvement of the owner/SPCA/Animal Control; and

iii. **PREVENT DISTRESS:** Food, water, shelter, temperature control, etc. are all necessities that should be provided and maintained so long as the animal is in the care of the veterinarian.

5. **If a registrant has assessed an animal and determines that it is in critical distress, what steps should be followed?**
   If a registrant confirms an animal is in critical distress, they may euthanize without the consent of the owner or the appropriate responsible authority in order to prevent further suffering. It would be a best practice where possible to engage a second veterinarian in the decision and document the findings of both veterinarians in the medical records.

6. **Who is responsible for the costs of care of a stray or found animal?**
   Unless a veterinary clinic has a pre-existing agreement with the municipality or the BC SPCA, a veterinarian should expect to bear the costs of the stray/found animal's care for the time until custody or control is transferred to the appropriate animal control authority or back to the owner.
   The veterinarian may seek to recover the costs of the care for that period of time, but it can't be guaranteed since the owner/animal care authority didn't authorize the treatments provided before they assumed control of the patient.

Considerations

A registrant working in a facility that has received an animal in distress[iii], has an ethical duty[iv] to take the necessary steps to stabilize the animal and to provide adequate analgesia until custody can be transferred to the appropriate animal control authority or back to the owner.

Depending on the situation, it may be necessary to perform some diagnostic tests in order to be able to properly stabilize the patient. Without a Veterinarian-Client-Patient Relationship (VCPR) and proper informed consent, it is inadvisable to pursue diagnostics or treatment *beyond* those necessary to meet the objectives of stabilization and analgesia.

Establishing facility protocols for how to manage stray or found animals when presented at a practice facility would help to ensure if these animals are accepted by the practice facility, the veterinary team understand their responsibilities. This protocol should also include identifying the responsible animal control authority in the practice facility's municipality.

Ensuring a clear process for a practice facility's veterinary team will ensure that responsibility and liability for the care of the animal is not assumed unnecessarily but also avoids turning away an animal that is in fact suffering from an illness or trauma requiring care but that was not immediately obvious without examination.

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[i] *Prevention of Cruelty to Animals (PCA) Act*, s. 2: "For the purposes of this Act, an animal is in distress if it is (a) deprived of adequate food, water, shelter, ventilation, light, space, exercise, care or vete1inary treatment, (a. I) kept in conditions that are unsanitary, (a.2) not protected from excessive heat or cold, (b) injured, sick, in pain or suffering, or (c) abused or neglected."

[ii] CVBC Bylaws, Part 4- Ethics and Standards, Division 4.2- Code of Ethics

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[iv] CVBC Bylaws, Part 4- Ethics and Standards, Division 4.2- Code of Ethics