



## College of Veterinarians of British Columbia

### *Hearing Outcome*

Published August 7, 2012

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**Registrant:** Dr. Michael Bratt

**File Number:** 11-04

**Decision:** CVBC Discipline Committee - August 7, 2012 (Decision); November 13, 2012 (Penalty).

**Findings:** The Discipline Committee found that Dr. Bratt failed to comply with the Veterinarians Act, a regulation or bylaw on each of the following three counts;

1. Dr. Bratt admitted that he engaged in misconduct by moving his facility practice location without prior notice to the CVBC (then the BCVMA) contrary to section 22.1, 22.2 and 37(5) of the Bylaws.
2. Dr. Bratt admitted that he engaged in misconduct by moving his facility practice location and operating it prior to the decision of the Practice Accreditation Committee contrary to section 38(1) and 41 of the Bylaws.
3. Dr. Bratt's veterinary facility was accredited as a general facility under the Bylaws. Dr. Bratt did not seek accreditation for his practice as an emergency facility, which is a distinct, specialized facility. Dr. Bratt employed a red neon "Emergency" sign in the window of this clinic. The Discipline Committee found that the existence of the neon sign, whether lit or unlit, was reasonably capable of misleading the public into believing either that the facility was an emergency facility or that the clinic had the available resources including the time needed to manage some emergency cases. the Discipline Committee therefore found that the conduct of displaying the "Emergency" sign during the period of July 10, 2010 to November 2010 was misconduct that amounted to a breach of sections 103 and 104 of the Code of Ethics concerning advertising by a veterinarian.

**Disposition:** The Discipline Committee accepted the joint submission on penalty proposed by Dr. Bratt and counsel for the CVBC. Dr. Bratt was:

- a) ordered to pay a fine in the amount of \$1,500 on each of count 1 and 2; and a fine of \$4,500 on count 3, for a total fine of \$7,500.
- b) required to remove the "Emergency" sign by 11:00 a.m. on Thursday, November 15, 2012; and,

c) ordered to pay 50% of the costs of the investigation and the discipline hearing.

Dr. Bratt also undertook not to erect any sign using or displaying the word "emergency" unless and until his facility is accredited as an emergency clinic.