Prescription Monitoring and Veterinarians

The members of TVMA are gravely concerned about the national opioid epidemic. We recognize our responsibility as healthcare providers in making sure that the veterinary profession does not become a part of the problem by improperly supplying controlled substances.

It is imperative that we continue to work to educate veterinarians on how to recognize potential attempted drug diversion or “doctor-shopping” by veterinary clients. TVMA is currently developing and promoting free continuing education sessions on judicious use, compliance, security and prescribing controlled substances, with an emphasis on identifying and preventing potential animal owner misuse and diversion. Also, veterinarians are on the lookout for potential drug diverters and view any controlled drug requests with extreme suspicion because they are so aware of the opioid crisis in America today.

When considering mandating veterinary participation regulatory programs designed for human health care practitioners it is important to recognize that human medical practice and veterinary practice differ greatly, and that care should be taken to consider the unique aspects of veterinary practice. Otherwise, just placing veterinarians into a program not designed for their use will increase costs and diminish care while failing to decrease drug diversion. Other states have made the mistake of mandating veterinary reporting into a system not properly designed for their use only to later repeal the law after severe disruption and substantial costs to veterinary practices.

- **Currently** 33 state exempt veterinarians from reporting into state PMP programs and only 6 states require veterinarians to search PMP programs. **Several states formerly mandated veterinary reporting but were forced to pass repeal legislation due to problems experienced including, Alabama, Kansas, Kentucky and Idaho.** In 2018 Louisiana passed legislation to specifically exempt veterinarians and Arizona did the same in 2016.

- **Doctor shopping is rare and impracticable in veterinary practice.** This is because a person cannot simply walk into a veterinary practice with an animal and walk out with a supply of controlled substances that will satisfy a human addiction. In reality, veterinarians utilize very few opioid drugs, and these are typically administered directly to the animal by injection and not prescribed or dispensed to the patient. When a veterinarian is presented with an injured pet, the first thing they are required to do by law is to conduct a veterinary examination. By the time, a potential drug addict or diverter has paid for a veterinary exam as well as possible diagnostic work, treatment, sedation and radiographs they will have exceeded the street value of the same drugs sought. Also, an individual will have had to put on enough of an act not to arouse the suspicion of the veterinarian regarding the possibility of animal cruelty or pill-seeking behavior.

- **Animals don’t have birthdates**- Previous bills mandating veterinary PMP reporting have required entry of an animal birthdate because this is one of the ways that the PMP software matches data. The birth year of a companion animal is very difficult to estimate, leaving the veterinarian to guess what should be entered on a government form. If veterinarians are all entering different years, the data will not match, rendering it unreliable at best. In addition, **pets do not have driver’s licenses or verifiable birth dates, and this leaves these data points open to fabrication, alteration, manipulation or interpretation.**
Doctor Shopping is Not Prevented Without the Ability to Distinguish Between Animals - This lack of permanent consistent animal ID will produce unreliable data which will do little to prevent Doctor shopping if an individual can simply change the name and birthdate of an animal to avoid the program. Also, a significant number of veterinary clients own or have custody of a number of companion animals, horses or herds of livestock, all with differing medical needs.

Problems with requiring veterinarians to search the PMP- HIPPA Problem? –Veterinarians and their staff, whether licensed or unlicensed, are not trained to evaluate the appropriateness of human prescriptions and are not trained in the privacy laws and rules that govern human medical information. Veterinarians are not covered under HIPAA privacy laws and should not be accessing the protected health care data of human clients. This access to human HIPPA protected data opens an unknown realm of liability and possible federal civil penalties for veterinary practices.

- Many veterinarians, especially food animal and equine veterinarians never deal directly with an animal’s owner but instead with a trainer or other caretaker. In small animal medicine, animals are often brought in by different animal caretakers such as adult children may bring in a pet for an elderly parent. This creates a situation in which a veterinarian might be required to search the HIPPA protected data of many individuals.

Major Practice disruption and workflow concerns due to hand entry of data –Unlike software used within the retail pharmacy world, existing veterinary practice management software is not compatible with the state PMP program. In fact, there is not a single single veterinary software provider on the Pharmacy Board’s list that is able to integrate with the PMP. This means that all dispensing information entered by veterinarians would likely have to be entered by hand. The existing form within the PDMP AWARE Support Manual appears to require the entry of 25 different data fields for each patient. Veterinarians are less positioned than other medical practitioners to absorb large expense increases to practice overhead and will undoubtedly be forced to raise prices of care to cover such expenses. Unfortunately, increased prices cause more clients to forgo medical care for their pets.

Rural & Large Animal or Mobile Practitioners May Find Compliance Impossible - There is currently a shortage of large animal veterinarians in some rural parts of the state, and many will find it impossible to comply with a reporting/ checking mandate. These veterinarians may spend entire days or weeks away from their practices while traveling around caring for patients at various farms and ranches. These doctors are often without cell phone and internet access.

Humans will be Negatively Impacted- If information about animal patient dispensing is mixed in with human patient data, it will be harder to interpret the data accurately. Owners or caretakers of animals may be unable to obtain an appropriate medication for themselves due to having a pet’s or multiple household pets' or a herd of animals’ prescriptions entered into the program.