

Tim

Veterinary medicine has historically been the most efficient and cost effective health profession available. Private practitioners in Virginia employ tens of thousands of individuals with various levels of expertise. Most practices provide health insurance, 401k or IRA plans, continuing educational needs, membership in local, state and national organizations, and reduced veterinary care and products for their employees. Additionally, veterinary practices invest a significant amount of time, effort and financial resources for the many stray or wildlife animals presented for treatment. We also provide reduced or pro bono care and surgical services for the multitude of humane organizations in our local area. Veterinary professionals provide these services directly to their patients and respond to our clients' requests whether it be a late night phone call or a weekend emergency visit. All proceeds generated provide the necessary revenue to keep our business viable for our employees, clients and patients. The income is invested back into our community –whether it be employment or charitable - and never provides for any public stockholders or any other individual or entity which does not have a direct association with the practice. There are no lavish corporate events or exorbitantly compensated officers.

I do not subscribe to the theory that the major retail and on line pharmacies are soliciting prescriptions in an effort to decrease the cost of veterinary medications to the consumer. It is their neighbor's ripe fruit which, when picked, will potentially generate extra income for themselves and their stockholders. More importantly, they will not be required to acquire the appropriate knowledge base to understand these medications or be asked to consult with the client on adverse reactions, drug interactions or liability. The perfect profit center - simply cash and carry – any questions -- call your veterinarian.

Here are some of the key challenges and inequities which face each practice and the rationale behind how any federal intervention will actually cause inefficiency for the profession and ultimately increased cost to the client.

- Veterinary schools dedicate an entire year of a four year program to educate veterinarians on animal pharmaceuticals and how these drugs perform differently within each species. Physiology varies dramatically between species and a beneficial effect in one animal may likely be lethal to another. Unlike the numerous pharmacies trending into the veterinary field, I am unaware of any veterinarian soliciting for the opportunity to dispense into the human market. Veterinarians must somehow be aware of their professional and ethical prescribing limitations.
- The distribution of veterinary controlled substances - according to all major veterinary pharmaceutical manufacturers – proceeds directly from the manufacturer to distributor to the veterinarian. All other routes are considered

to be diverted product and is generally accepted as unethical sales. Distributors have traditionally been the source of information and guidance for the veterinarian on any new products introduced to the market. Any interruption of this time tested process may severely restrict valuable information to the prescribing veterinarian.

- There currently exist discrepancies in the cost of pharmaceuticals to differing practices. Volume discounts, as well as rebates, are available for large volumes purchased. Most veterinary practices have financial restrictions for investing in such a large amount of overhead and certainly would run the risk of carrying expired drugs in their inventory if such volumes were purchased. Pharmacies that can purchase such volume carry little overhead and have a decided advantage in the sales price.
- There are proprietary brands sold only to major retailers. These “generic” drugs – such as PetTrust plus at Wal-Mart and Sam’s Club – are not even available for veterinarians to purchase. These severely deep discounted products further enhance a competitive edge and may even violate Robinson-Patman anti-trust laws. There are multiple other examples of such product restrictions in today’s market.
- Any client asking for a prescription is given an official watermarked written prescription with a carbon copy retained for our medical record. Prescription requests solicited by phone or facsimile are advised to tell the client to pick up a written prescription. First, we do not know if the soliciting pharmacy is truly a pharmacy – we did not initiate the call and cannot verify the legitimacy of the caller. Second, we do not know if your pharmacy is licensed to do business in our state. Third, by handing a client a written prescription we are now not liable for potentially aiding and abetting unlicensed activity. Where a client chooses to send the prescription is their decision and there will be no ramifications towards a veterinarian’s license. The time necessary to perform this service –without charge – to the client averages 5 to 10 minutes per written prescription.
- I would encourage The FTC to investigate the numerous Board of Pharmacy violations which have historically occurred in differing states with both the on line and catalog pharmacies. Hoover’s, an on line watch dog corporation, verified that at Petmeds Express “problems ensued when the company went ahead anyway and filled some of these prescriptions while awaiting authorization”. Hoover’s further states “at issue here were the company’s own scripting veterinarians, who prescribed for animals they had never seen”. Petmeds themselves state under the heading Investment Risk “we may inadvertently fail to comply with various state regulations concerning the

dispensing of pet medications... and...we currently purchase a portion of our prescription medications from third party distributors and we are not an authorized distributor of these products”

- One of the most troubling aspects of the on line pharmacies are the documented threats and innuendo provided to customers if the pharmacy perceives a veterinarian to be non-compliant with a prescription request. Even after making available a written prescription to a client, pharmacies have provided scripted messages to the customer on how to “talk to your veterinarian”. These messages insinuate anything from unethical behavior to illegal activity - none of which apply since a prescription has been provided – just not in the form that the pharmacy has solicited. These scripts further advise their customer to complain the State Attorney General’s Office or even the Regulatory Boards for further action.
- Currently, in the Commonwealth of Virginia, if a veterinarian provides a written prescription to a client or would authorize the prescription by phone or facsimile, it can be filled at any pharmacy **but** another veterinarian’s pharmacy. To truly allow us to compete and offer convenience for a client it seems counter intuitive to not be able to provide such a service. Who, other than the prescribing veterinarian, would be more informative than a peer.
- The Board of Pharmacy requires that a pharmacist consult with the patient about a prescribed medication if requested. Considering pharmacists have no formal education on veterinary pharmaceuticals I wonder if they are the appropriate authority to sell these medications. In fact, on Wal-Mart’s website for the sale of their proprietary heartworm preventive “PetTrust plus”, there is a text for their pharmacists to consult. It reads: “ no one expects you to know all about dogs. Or heartworms. We’ve put together a downloadable parasite information sheet to help you serve your customers and answer questions.” There are then two sentences on heartworm infection/disease. I can only hope that when I have medications filled at my local drug store the pharmacist does not have to consult a downloaded form.

Just as it would be inappropriate for a veterinarian to dispense and consult with human patients on their medications it is imperative that the product and information which a client receives for their animal be from the most informed and reliable source. If the future role of a veterinarian is to simply authorize medication sales through other sources there will certainly be increased risk to the health of our animal patients, increased cost of veterinary services to the client, significantly decreased efficiency in

veterinary practice, increased job loss (and the associated benefits), and increased drug diversion as profiteers continue to enter the arena. And we have not even addressed equine medicine, herd/flock medicine, zoo animal medicine, laboratory animal medicine, or wildlife medicine.

Years ago when I asked the highest corporate member I could reach (and it was high) at the largest on line pharmacy currently in existence, why they felt obligated to offer these medications to the consumer he stated that the anesthesiologist who started this business "saw an opportunity". When I then asked if, we as a profession, were not providing an affordable, prompt, courteous service he replied "he saw an opportunity".