



The Standard of
Veterinary Excellence

American Animal Hospital Association

12575 West Bayaud Avenue, Lakewood, Colorado 80228 USA

Phone: 303/986-2800 or 800/252-2242 | Fax: 303/986-1700

www.aahanet.org | www.healthypet.com

Michael T. Cavanaugh, DVM, DABVP

Executive Director

September 13, 2012

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex X)
600 Pennsylvania Ave., NW
Washington, DC 20580

Re: Pet Medications Workshop, Project No. P12-1201

Dear Sir or Madam:

I am writing on behalf of the American Animal Hospital Association (AAHA). Established in 1933, AAHA is the only organization in the United States and Canada that accredits companion animal hospitals based on standards that go above and beyond state regulations. The AAHA Standards of Accreditation, viewed as the standard of veterinary excellence, contain more than 900 individual standards, divided into 19 sections. These areas of focus include: patient care and pain management, surgery, pharmacy, laboratory, exam facilities, medical records, cleanliness, emergency services, dental care, diagnostic imaging, anesthesiology, and continuing education.

Only 15 percent of all small animal hospitals in the United States and Canada have achieved accreditation by the Association. To maintain accredited status, hospitals must continue to be evaluated regularly by AAHA. Approximately 17,000 veterinarians are members of AAHA, along with practice managers, technicians, veterinary assistants, and students. AAHA's total membership includes all of these practice team members and totals more than 49,000 people working in nearly 5,500 practices.

AAHA has reviewed the comments submitted by Dr. Ron DeHaven on behalf of the American Veterinary Medical Association. AAHA firmly supports the comments submitted by the AVMA in regards to questions from the FTC concerning the distribution of pet medications.

Like the AVMA, the American Animal Hospital Association also strongly opposes H.R. 1406, the so-called "Fairness to Pet Owners Act." We believe this is not in the best interest of veterinary clients and patients. In terms of how and where veterinary drugs are distributed and purchased, our biggest concern rests with the well-being of our patients. Having prescriptions filled and medications sold by individuals with little to no training in veterinary medicine, veterinary physiology, or veterinary pharmacology is simply a bad idea. It is not a matter of *if*, but rather *when* bad advice, inappropriate substitutions for the prescribed product, inaccurate dosing, or dispensing the wrong concentration of a drug will occur. Any of these scenarios could be detrimental to a patient and could lead to anything from a mild drug reaction to serious illness or even death. Veterinarians are highly trained individuals who understand the nuances of veterinary pharmacology and differences between the species they serve.

Allowing untrained individuals to dispense veterinary prescriptions makes no more sense than having animal hospitals operate human pharmacies as a side business. Many have pointed fingers at the veterinary profession claiming greed is involved in not wanting to lose their pharmacy business. It seems to us that if these products were not profitable on some level, they would not have received the attention they have from large supermarket chains and other big-box retailers who operate pharmacies. With that in mind, what is driving their push to obtain veterinary products for their pharmacies?

AAHA's mission is as follows:

- Enhance the abilities of veterinarians to provide quality medical care to companion animals
- Enable veterinarians to successfully conduct their practices and maintain their facilities with high standards of excellence
- Meet the public's needs as they relate to the delivery of small animal veterinary medicine

AAHA believes there are many inherent issues and unintended consequences that will occur if mandatory prescription writing and portability of prescriptions are mandated. The major concern is the effect on compliance. Compliance, meaning the client follows the veterinarian's instructions, is a challenge even when the client walks out the veterinary hospital door carrying the filled prescription. If they are going elsewhere, will they actually get the prescription filled? Who will help them understand the proper dosing, administration, and when they should call the veterinarian should something not be going right? Will they receive the correct medication in the correct dosage? Will the medication they receive have been properly stored as it made its way through distribution? Or if the product was diverted out of the normal supply chain did it get too hot or too cold as it was passed around? All of these scenarios go against AAHA's mission and that is why we are compelled to speak up.

In closing, AAHA appreciates the FTC's careful analysis of the H.R. 1406 and how it would affect both veterinarians and their clients in terms of availability and access of drugs used in small animal medicine. To reiterate, AAHA's major concern is in the affect on the well-being of our animal patients and on the relationship between animals and their humans. The human-animal bond is sacred to us and anything with the potential to negatively affect or shorten the time "the bond" has to develop and thrive deserves intense scrutiny. AAHA agrees with the AVMA and believes H.R. 1406 is redundant and will cause undue regulatory and administrative burdens on veterinary practices. It is burdensome and unnecessary to require a written prescription be provided, as well as a written notification that the prescription may be filled elsewhere, regardless of whether or not the client is having the prescription filled by the veterinarian.

- The provision requiring verification of prescriptions, regardless of whether the pharmacy is accredited or licensed, places the veterinarian in both a legal and ethical dilemma. At the same time, it puts consumers at risk.
- H.R. 1406 encroaches on state jurisdiction; state pharmacy and veterinary practice laws already govern compliance by veterinarians.
- Clients already have the flexibility to fill a prescription at their veterinary clinic or off-site at a pharmacy of their choice. AAHA is supportive of a client's right to choose where they have their prescription filled.
- AAHA believes that veterinarians are uniquely trained and qualified to provide the best professional guidance and education to pet owners when dispensing prescription products.

Thank you for the opportunity to provide input on these important issues. Should you have further questions or require clarification on AAHA's comments, feel free to contact me.

Respectfully,

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Michael T. Cavanaugh, DVM, DABVP
Executive Director and CEO