



Society of Veterinary Hospital Pharmacists Position Statement on H.R. 1406 Fairness to Pet Owners Act of 2011

The Society of Veterinary Pharmacists (SVHP) was incorporated in 1982 with the stated mission of supporting the furtherance of interests and promotion of education for veterinary hospital pharmacy. SVHP represents pharmacists actively working in veterinary pharmacy, and our membership is uniquely positioned to educate veterinarians and pharmacists in the safe distribution of prescription products to pet owners through compliance with existing state regulation and the education of all the stakeholders in the drug distribution chain. SVHP believes passage of this legislation, as written, would be detrimental to veterinarians, place unnecessary burdens on government agencies such as the FTC and state boards of pharmacy, and would put pets and their owners at risk due to the current lag in pharmacist education regarding veterinary pharmacotherapy.

SVHP's position is similar to the American Veterinary Medical Association position:

- ❖ AVMA believes H.R.1406 is redundant and will cause undue regulatory and administrative burdens on veterinary and pharmacy 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 the consumer at risk as there are currently no practical means for the veterinarian to accomplish this verification.
- ❖ H.R.1406 encroaches on state jurisdiction; state pharmacy and veterinary practice laws already govern compliance by veterinarians and pharmacists.
- ❖ Clients already have the flexibility to fill a prescription at their veterinary clinic or off-site at a pharmacy of their choice. The AVMA is supportive of a client's right to choose where they have their prescription filled.
- ❖ AVMA believes that veterinarians are uniquely trained to provide the best professional guidance and education to pet owners when dispensing veterinary-only prescription products.

The SVHP believes that common sense should prevail in this issue:

- ❖ This proposed bill, with its condemning language and confusing requirements for veterinarians, would cast unwarranted doubt on the integrity of a profession traditionally regarded as one of the most respected and trustworthy in the United States. This bill would also immediately place the pharmacy profession in the awkward position of assuming responsibilities for which its members have not been adequately trained, further casting doubt on the credibility of a profession also regarded as one of the most respected and trustworthy in the United States.
- ❖ This proposed bill would further increase resentment of pharmacists by veterinarians over perceived lost revenue and would derail the emerging collaborative process that the professions of pharmacy and veterinary medicine have been undertaking over the last decade.
- ❖ Pharmacy schools are beginning to include veterinary pharmacotherapy education in elective courses and an abundance of post-graduate continuing education activities exist to help pharmacists expand their knowledge base to include veterinary pharmacotherapy; however, mandatory inclusion of veterinary pharmacotherapy in pharmacy school curricula is far from being accomplished, and graduates from the vast majority of schools of pharmacy are not adequately prepared to provide care and products for non-human patients.
- ❖ The practice of pharmacy is regulated solely by state boards which are also inadequately prepared and resourced to assume responsibility for regulation of veterinary pharmaceutical dispensing through their respective licensed pharmacies.
- ❖ H.R. 1406 would be expensive to initiate and enforce in this time when all government agency budgets are being reduced and regulatory agency burdens are already overwhelmed.
- ❖ Natural market forces will remedy this issue better than federal legislation and have already begun.

The Federal Trade Commission has suggested there are similar issues between H.R.1406 and the Fairness to Contact Lens Consumers Act (FCLCA). In reality, comparing the two would put pet owners and their pets at risk.

- ❖ Contact lenses are a single commodity, dispensed by retailers thoroughly familiar with their products.
- ❖ Conversely, hundreds of companion animal prescription medications that are labeled by the FDA for animal use are prescribed for use in animals.
- ❖ As opposed to the single target species (humans) who are the sole users of contact lenses, there are dozens of companion animal species with hundreds of breeds receiving prescription drugs for complex medical conditions.
- ❖ The vast spectrum of doses, contraindications, side effects, and drug interactions that occur in animal species and breeds are not included in retail pharmacy prescription software and alert systems, and a safety net for animal patients is currently lacking in the average retail pharmacy practice.
- ❖ The average pharmacist, at the present time, is not likely to have sufficient knowledge to confidently and appropriately prepare, dispense, or counsel pet owners with regard to handling, administration, and monitoring of prescribed therapy.

The Society of Veterinary Hospital Pharmacists believes H.R. 1406 would place onerous regulatory burdens on veterinarians as well as require unprecedented volumes of remedial education of pharmacists. SVHP also believes market forces currently in place or evolving will accomplish the inevitable and intended goals of the proposed legislation without the need for its enactment. Most importantly, SVHP believes that although pharmacy education is rapidly coming up to speed with regard to veterinary pharmacotherapy that the average pharmacist is not yet ready to dispense and counsel for veterinary prescription drugs with the same level of expertise and accuracy as he/she possesses for human prescriptions.

The Federal Trade Commission seeks comments on ways to inform and empower pet-owning consumers to obtain the highest quality and cost-effective healthcare products for their pets. While various discounted generic and free prescription clubs are attractive to pet owners and should be available for pets as well as human family members, the level of pharmaceutical care that pet owners expect for their human family members may not exist for pets in every pharmacy that offers these or other discount programs. The Society of Veterinary Hospital Pharmacists believes that dispensing the large array of prescription companion animal medicines and resultant owner counseling requires the special training of a veterinarian or the suitable, similar training of a pharmacist. The SVHP also believes that the existing gray market utilized by non-veterinarians to obtain prescription veterinary medicines invites fraud, deception and safety issues for pets and their owners. Many prescription products approved exclusively for companion animals represent significant risk to exposed humans through adverse drug reactions, and such drugs should not be forced into pharmacy inventory without providing careful product detailing to dispensing pharmacists. Similarly, the integrity of these products must be ensured by requiring distributive pedigrees and legitimate distribution channels that would minimize the risks and dangers demonstrated by the current gray market.

The breadth and depth of human medical and pharmacological knowledge required of pharmacists is considerable and is of significant impact. The analogous training of pharmacists in veterinary medicine and comparative pharmacology is currently lacking unless the individual pharmacist or pharmacy has experience or advanced post-graduate training. SVHP currently provides comprehensive specialty training residencies and diplomate status for a small number of veterinary hospital pharmacists; however, SVHP believes that the average retail pharmacist is currently incompletely prepared to participate in the Veterinary-Client-Patient-Relationship. This training will evolve through continuing education, self-training, and formal education in pharmacy schools and will obviously take years to fully accomplish.

As many retail pharmacists are already filling prescriptions for animals, and since this number will no doubt continue to grow, SVHP strongly recommends inclusion of mandatory required veterinary pharmacy courses in the professional curricula for pharmacist education and that assessment questions regarding veterinary pharmacy knowledge be included in the NAPLEX licensure examination for pharmacy. The SVHP also recommends consideration and collaboration on the part of the Board of Pharmaceutical Specialties, boards of pharmacy, pharmaceutical companies, and veterinary drug distributors to develop a system to qualify pharmacists and pharmacies that have the expertise to dispense companion animal prescription medications.

Respectfully submitted,

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