

March 28, 2021

Dear Representative Gillham,

Please allow me to introduce myself. My name is Dr. Jim Delker and I am both a resident of Soldotna and owner of a business within AK House District 30. My wife and I are both veterinarians and own Twin Cities Veterinary Clinic, located off of Kalifornsky Beach Road. We have supported, worked in, resided in, and raised our children in this great community over the past 18 years. We love the Kenai Peninsula and intend to retire here when the time comes to step away from active practice (but we have two girls to get through college before that happens!). We are contacting you to inform you about a topic that we believe has placed unnecessary administrative burdens on veterinarians in our state. Alaska is one of a few states that require veterinarian participation the State PDMP (Prescription Drug Monitoring Program).

I urge your support for HB 91 – An ACT exempting veterinarians from the requirements of the controlled substance prescription database (PDMP) in Alaska. The current law in place requiring the participation of veterinarians in the PDMP is not a practical or effective solution for the intended purposes of the PDMP. The system is not usable for veterinarians and animals and is creating unnecessary and disproportionate business burdens for veterinarians, leading to increased taxpayer costs.

Below are some of the reasons as to why it makes sense to exempt veterinarians from the PDMP.

- Veterinarians do not treat humans, and animals are not listed in the PDMP independently which renders the PDMP database entries unusable. Animals are lacking a permanent identifier. Given there is no permanent identifier for an animal, animals can have different names and owners throughout their lifetime. The animal can also have different owner names from within the same household.
- Veterinarians prescribed only 0.34% of **all opiates** in the US. (AVMA report 2017)
- Veterinarians do not commonly prescribe or dispense the most commonly abused opioid drugs (ie Oxycontin, Loracet, Percocet,...) yet are required to investigate their clients personal med history before dispensing even any Rx of seizure medications for their pet (such as phenobarbitol, which has extremely low abuse potential). This query creates potential privacy violations. Searching the PDMP database by the owner's data could provide medical information the owner is uncomfortable with their veterinarian knowing.
- Additionally, veterinarians are not trained in human medication doses much like physicians are not trained in the dose ranges for dogs, cats, birds, elephants, etc.
- Veterinarians already adhere to controlled substance regulations. Veterinarians who prescribe or dispense controlled substances are licensed through Drug Enforcement Administration (DEA). There is already a significant level of accountability, record keeping, and medication storage requirements that these veterinarians adhere to, which tracks drugs we use and prevents diversion to humans.
- Cost of PDMP review and reporting constitutes a disproportionate impact on veterinarians as small business owners. Veterinary clinics lack the standardized software used in human health care facilities, so reporting is more labor-intensive and costly. Additionally, the cost to investigate veterinarians who fail to use the database correctly is a waste of very limited resources.

The PDMP reporting has encumbered the volunteer Board Of Veterinary Examiners (BOVE) to investigate and enforce a relative ineffective reporting system (for veterinarians). It is for this exact reason that I declined a request from the Governor's office serve on the BOVE recently. I told them I hope to serve on the board some day and give back to my state, but I will not be part to enforcing useless regulations (particularly the PDMP).

The State of Alaska has spent over \$40,000 in the past 6 months to investigate 56 veterinary cases presented to them. Of these only 7 cases of 56 were not PDMP related!! As well it appears all of those 49 cases are related to improper documentation and clerical errors related to the use of the PDMP--None

of the 49 investigations were reported to be improper number or type of drug dispensed-- but simply related to clerical or compliance issues with reporting to the PDMP. These increased costs to investigate PDMP violations have been covered this year by a grant, but going forward this cost will be placed on veterinarians as it states in AK Statute that each Licensing Board be self funded through licensing fees. Alaska Veterinary licensing fees are already among the most expensive in the US. These costs will ultimately be passed on to the taxpayers who will pay more for veterinary services to cover the costs to provide them.

As a medical provider it is important to me that the PDMP is used correctly to track trends of humans who are opioid shopping--But 32 states have found exemption for their veterinarians from participating in the PDMP. The exemption of veterinarians from the Alaska PDMP will increase the efficacy for the systems intended purpose, by allowing for accurate interpretation of useful data and trends in human medicine. Veterinarian exemption will not hinder the gathering of accurate PDMP data and will allow veterinarians to provide appropriate care and focus on medical management of their patients. I would be happy to discuss this more detail with you and would refer you to the attachments for more specific details on this issue.

Regards,

Jim Delker DVM Clinic Owner Alaska Veterinary Medical Association (AKVMA) Board Member

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