

ALASKA STATE VETERINARY MEDICAL ASSOCIATION



AKVMA requests support
for an **exemption of veterinarians**
from participation in the Alaska
prescription drug monitoring
program (PDMP)



Why It Makes *Sense*
to **Exempt Veterinarians** from the
Prescription Drug Monitoring Program (PDMP)

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POSITION OF AKVMA REGARDING THE PRESCRIPTION DRUG MONITORING PROGRAM (PDMP)

Many unique aspects of the practice of veterinary medicine must be considered in the development of laws and regulations that govern the use of opioids and controlled substances in animal patients. The current law in place requiring the participation of veterinarians in the prescription drug monitoring program is:

- ✓ **not a practical and effective solution** for the intended purposes of the PDMP in Alaska.
- ✓ **not useable** for veterinarians and animals.
- ✓ **creating additional unnecessary** and disproportionate business burdens for veterinarians.
- ✓ **adding to unnecessary administrative costs** which are funded by Alaska’s limited state resources.



The PDMP, though well intended, is an ineffective tool for veterinarians to use with animals.

It is for these reasons that AKVMA believes it **makes *Sense* to exempt veterinarians from the prescription drug monitoring program.**

The following information presents an overview of the issues surrounding the participation of veterinarian in the PDMP.

PDMP requirements for veterinarians registered with the Drug Enforcement Agency.....	Page 3
Why the PDMP is unusable for veterinarians and animals.....	Page 4
Patient privacy issues with the PDMP.....	Page 5
Drugs contributing to the opioid crisis.....	Page 6
Veterinarians aren’t a significant source for opioids and usage is primarily within the clinic setting.....	Page 7
Unintended financial consequences of the PDMP for veterinarians.....	Page 8
Most states exempt veterinarians from the PDMP.....	Page 9
Veterinarians’ responsibility in providing solutions to the opioid crisis.....	Page 10

What the PDMP In Alaska Requires for Veterinarians

All veterinary drug enforcement agency (DEA) license holders have been required to participate in the PDMP since 2017. **Veterinarians had no input into the law.**

Participation involves **both querying and reporting** into the PDMP database.



Query Requirements: Veterinarians who prescribe, administer, or dispense federally scheduled II or III controlled substances (or designated delegate) are to review the PDMP database prior to prescribing, administering, or dispensing the medication to review the client's (a human, not an animal) controlled drug prescription history.

Reporting Requirements: Veterinarians who prescribe controlled substances must input prescription data for the client's animal patient, other than in legislated exempted situations. In addition, veterinarians who directly dispense these drugs must report to the PDMP on a daily basis, regardless of whether they dispensed or prescribed that day (known as "zero reporting").

Reference: <https://www.commerce.alaska.gov/web/portals/5/pub/VeterinaryStatutes.pdf>

2021-2022 Alaska State Legislature Information

2021-2022 Alaska State Legislative Session

SB 132—A bill to exempt veterinarians from the requirements of the **PDMP passed unopposed** during the 32nd legislative session (2021-2022) in the Senate.

SB 132—time ran out during the session to have final action on the bill in the House.

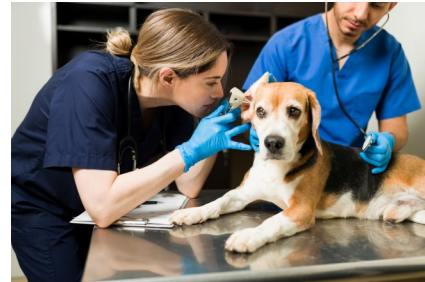
The Alaska State Board of Pharmacy, the board that oversees and administers the PDMP, has written a letter in support of removing veterinarians from participation in the PDMP.

The Alaska Board of Veterinary Examiners also supports an exemption for veterinarians.

Why it makes *Sense* to Exempt Veterinarians from the PDMP

THE ISSUE

- ✓ **The PDMP is unusable for veterinarians and animals.**



The primary purpose of the PDMP is for prescribers to review prescription history information and look for potential interactions to protect human patient safety. Veterinarians cannot use the PDMP to protect human patient safety. Here is why:

Veterinarians do not treat humans.

- Animals cannot be queried because they do not have unique identifiers such as a social security number.
- The animal's information is entered as animal information, that is why it cannot be retrieved.
- Animals may change owners and there is not a common identifier to track them.

Veterinarians treat an animal but are required to query controlled drug substance information for a human.

Which human should be queried?

- Animals are brought to a veterinarian by either an owner, owner's agent, or an individual or entity presenting the animal for care.
- Animals brought from an animal shelter—which human should be queried?
- Any number of family members may present an animal for care—which human should be queried?

Querying a human patient doesn't change what veterinarians do.

- Veterinarians are not trained in human medication dosages much like physicians are not trained in dose ranges for dogs, cats, birds, farm animals etc. Access to human drug prescription information should not change the treatment for an animal.
- The veterinarian is not required to do anything with data obtained from the PDMP on a human.

The PDMP software does not have the capability to capture accurate data from veterinary opioid prescriptions to benefit human health.

✓ Patient Privacy Issues Occur with the PDMP



Querying of human PDMP information is an invasion into an individual's medical privacy. A human's private medication information becomes exposed for certain drugs: I.e., narcotics, sedatives, and stimulants.

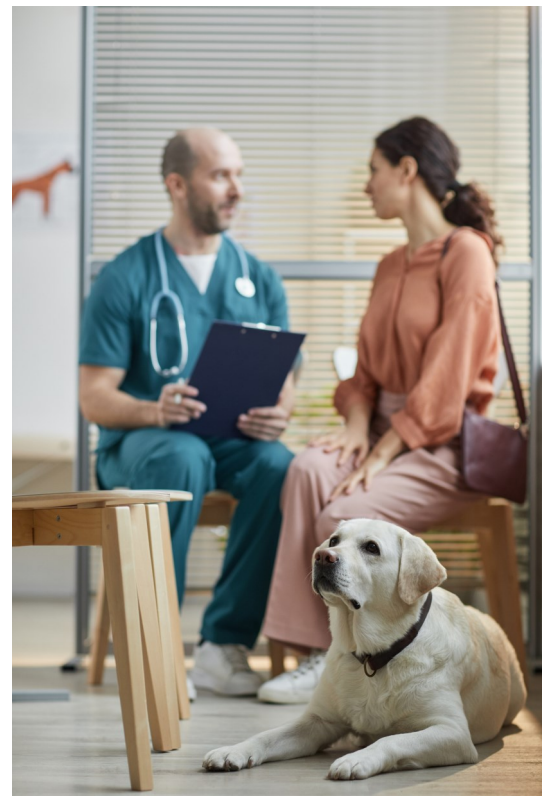
Common Medications Viewed in the PDMP include but are not limited to:

- Adderall, Ritalin, Anabolic Steroids like Testosterone, Postpartum Depression Medications, Sex Hormones, Xanax, Klonopin, Valium, Ativan, Domar, and Sleep Aids like Ambien and Lunesta to name a few.

There isn't any responsibility on the part of the veterinarian to do anything with the information that is queried.

Human data obtained from the PDMP query is unusable. Veterinarians are not trained in human medicine to understand what the dosages mean.

Pet owners that are asked for their ID, full name, date of birth, address and phone number find it intrusive when the veterinarian is required to query about them in the PDMP.

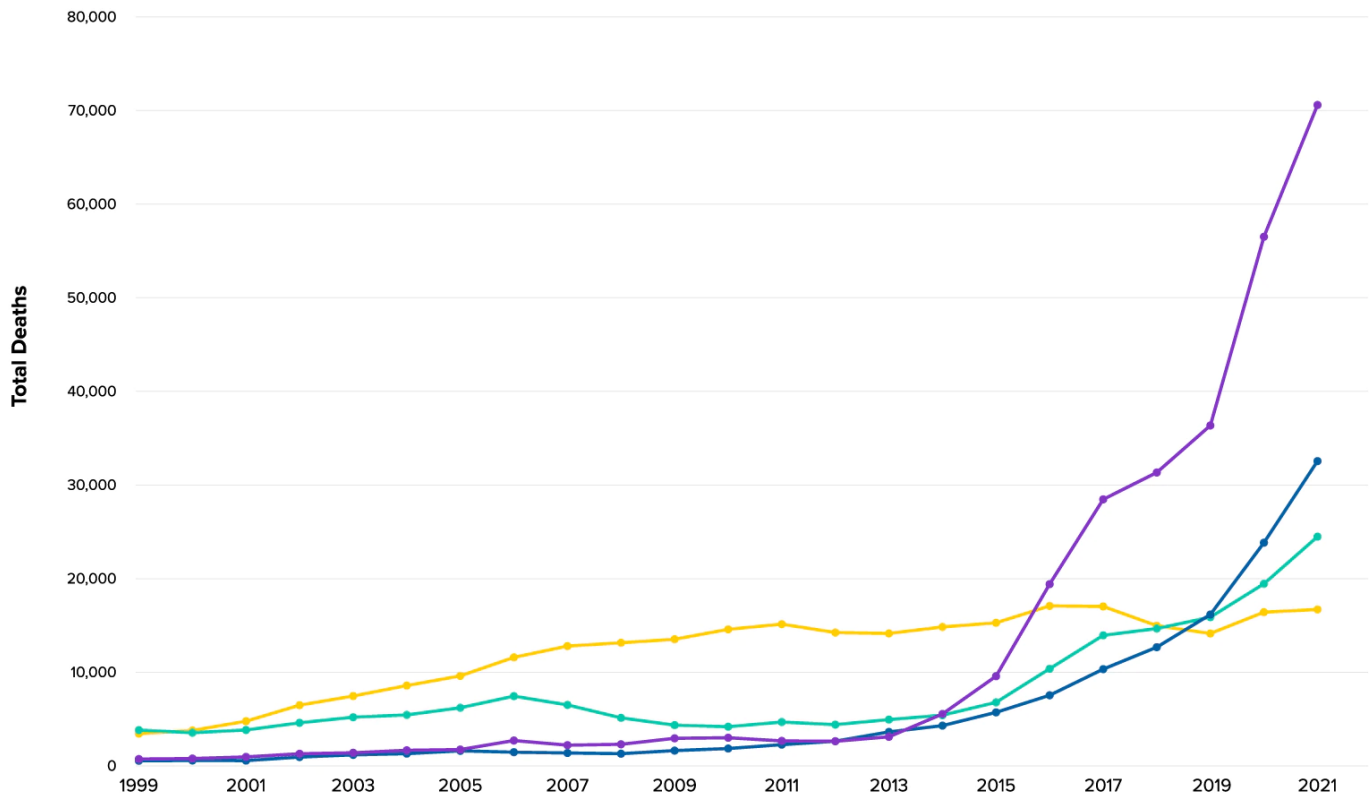


Veterinary facilities are not subject to HIPAA security rule standards and implementation specifications which include protecting electronic health information and managing employee conduct re: private information. Searching the PDMP database for the animal owner's drug prescriptions could expose personal medical information about the owner. Veterinarians and staff are not trained in the privacy practices surrounding human medical information.



THE DRUGS CONTRIBUTING TO THE OPIOID CRISIS ARE NOT OFTEN USED IN VETERINARY MEDICINE.

Trends in U.S. Drug Overdose Deaths (1999 - 2021) <https://www.hhs.gov/overdose-prevention/>



Synthetic opioids excluding methadone overdose deaths increased **97-fold**

Psychostimulants with abuse potential (primarily methamphetamine) overdose

Cocaine overdose increased **6.4-fold**

Rx opioid overdose deaths increased **4.9-fold**

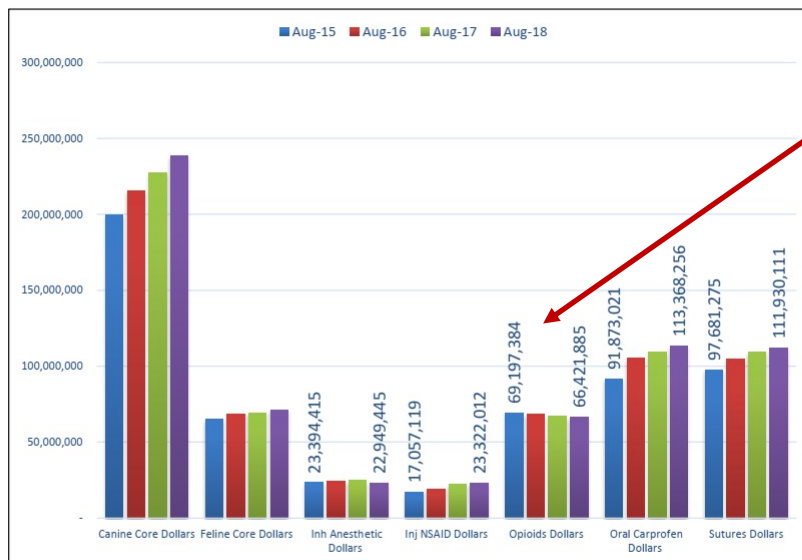
The heaviest veterinary use of opiates is within the clinic setting—to deliver analgesia for a surgical procedure.

Kogan L, Hellyer P, Rishniw M, Schoenfeld-Tacher R. The US opioid epidemic and its impact on US general practice veterinarians. *Front Vet Sci.* 2019;6(222):1-6. doi:10.3389/vets.2019.00222.

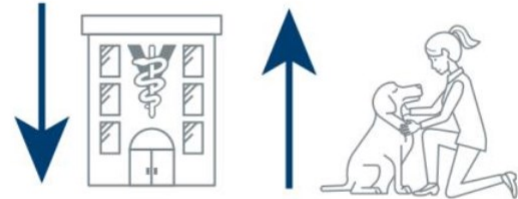
The overdose crisis in the U.S. remains unabated. From 1999 to 2019, the overdose death rate in the U.S. increased more than 250%. While the overdose crisis has evolved over time, it is now largely characterized as one fueled by deaths involving illicitly-manufactured synthetic opioids, including fentanyl, and resurgent stimulants such as methamphetamine.

Market Dynamics of Major Companion Animal Segments (In Dollars)

September 2014 - August 2018



! Purchases of opioids by veterinary hospitals have declined while companion animal patient visits have risen.



Source: Opioids in Animal Health
American Veterinary Medical Association
March 28, 2019

Data from Animalytix LLC with support and collaboration from the American Veterinary Distributors Association

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Purchases of opioids by veterinary hospitals **have declined** while companion animal patient visits **have risen**.

Opioid medications prescribed by veterinarians (728,223) were **only 0.34% of the total opioid prescriptions (214 million)** that were dispensed by U.S. retail pharmacies in 2017.

Source: Opioids in Animal Health; American Veterinary Medical Association; March 28, 2019

Dispensed controlled substance prescriptions 2014-2019 (IQVIA Longitudinal Prescription Database)

% of dispensed controlled substance prescriptions from veterinarians	2014	2015	2016	2017	2018	2019
Opioid Analgesics	0.2%	0.3%	0.3%	0.3%	0.3%	0.2%
Opioid cough-and-cold medications	1.3%	1.6%	2.3%	2.9%	4.5%	6.4%
Benzodiazepines	0.3%	0.3%	0.3%	0.4%	0.3%	0.3%
Any controlled substance class	0.3%	0.3%	0.4%	0.4%	0.4%	0.4%



Unintended Financial Consequences of the PDMP

Costly and onerous requirements for monitoring veterinarians has been placed on the Board of Veterinary Medical Examiners (BOVE).

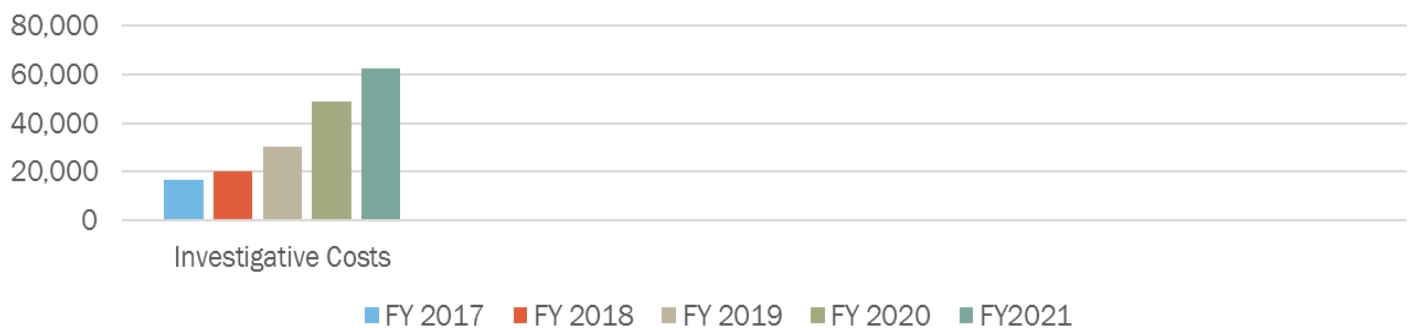
- The PDMP has morphed into a cumbersome monitoring mechanism and the Board of Pharmacy is requiring licensing boards to monitor their licensees for compliance, review drug utilization patterns and to potentially take disciplinary action against a licensee for noncompliance in correctly utilizing the PDMP.
- BOVE has reported that the PDMP is an unusable database and the cost to investigate veterinarians who fail to use it correctly is a waste of limited resources.

<https://www.commerce.alaska.gov/web/portals/5/pub/HB184LettertotheGovernor.pdf>



The investigative costs (mostly technical PDMP errors due to using an incompatible system) for the Alaska Board of Veterinary Examiners has more than doubled from 2019 to 2021. Charging veterinarians for the cost of enforcement of an unusable PDMP system, and regulations with which they are unable to comply, is not responsible stewardship of resources.

BOVE Investigative Costs for Veterinarians

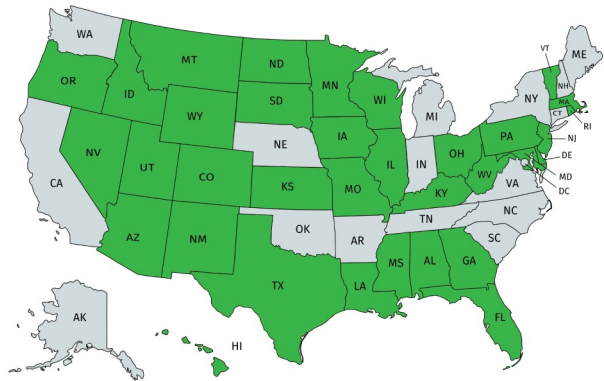


- Veterinarians in Alaska have the highest licensing fees in the country (Appendix A).
- High licensing fees and participation in the PDMP dissuade veterinarians and licensed technicians from seeking jobs within Alaska contributing to workforce issues.
- PDMP review and reporting constitutes a disproportionate 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 which will add to the cost of providing veterinary care.



Most States Exempt Veterinarians from the PDMP

Most states exempt veterinarians from the PDMP—acknowledging the differences in care between animals and humans.



34 states exempt veterinarians from participating in the PDMP.

- 10 states formerly mandated veterinary reporting but repealed legislation due to problems experienced and no identified benefit including Alabama, Arizona, Idaho, Illinois, Kansas, Kentucky, Louisiana, New Mexico, West Virginia (2021), and Wyoming.
- Kentucky law enforcement indicated that controlled substances dispensed by veterinarians were not a significant source of abused or diverted drugs. The effort and costs for the veterinarian practices to report to the PDMP and for processing the data was significant. The stakeholder consensus was that vet reporting was not necessary, and as a result the legislature agreed to eliminate the requirement for veterinarians to report.

Veterinarians are a de minimus source of controlled substances.

Source: Prescription Drug Monitoring Programs Applying A One Size Fits All Approach to Human and Veterinary Medical Professionals Custom Tailoring is Needed.
J Anim Environ Law. 2014

In an effort to curb the United States prescription drug epidemic, most states have enacted Prescription Drug Monitoring Programs (PDMP)s to collect data on controlled substances dispensed by medical professionals, some of which include veterinarians. A fifty state survey of PDMPs, concluded that annually there are less than ten veterinary shoppers nationwide that PDMPs could identify and that veterinarians are a de minimus source of controlled substances.

Use of Controlled Substances by Veterinarians is Monitored by the DEA

Veterinarians who prescribe or dispense controlled substances are licensed through the Drug Enforcement Agency (DEA). There is already a significant level of accountability, record keeping, and medication storage requirements that veterinarians adhere to.

Distributors of controlled substances monitor use patterns of veterinarians. The “Suspicious Order Monitoring System” is in place and data is gathered by distribution companies who are required by the DEA to monitor and report unusual purchase patterns a veterinarian may have. Distributors are required to flag purchases that fall outside of norms for either previous purchase history or the norms for practices of similar size/type. DEA oversight is to control/prevent diversion from licensed professionals to drug dealers and users.

The American Veterinary Medical Association (of whom AKVMA aligns with) and its members are gravely concerned about the national opioid epidemic. As healthcare providers who administer and prescribe controlled substances, we recognize our responsibility in contributing to solutions for this crisis and to comply with Drug Enforcement Agency regulations.

Many unique aspects of the practice of veterinary medicine must be considered in the development of laws and regulations that govern the use of opioids and controlled substances in animal patients. The AVMA strongly recommends that veterinarians, legislators, state veterinary medical boards, and state pharmacy boards work together to create practical and effective solutions when considering opioid-related laws and regulations that impact the practice of veterinary medicine.



AKVMA URGES A **YES** vote for

An exemption of veterinarians from participating in the PDMP:

- ✓ **Will allow** veterinarians to provide the appropriate, timely, medical management appropriate for each patient.
 - ✓ **Will not diminish** the judicious use of controlled substances that is already practiced by veterinarians.
 - ✓ **Will increase the efficiency** of the PDMP system for its intended purpose, by allowing for accurate interpretation of data and trends in human medicine.
 - ✓ **Will eliminate** unnecessary and disproportionate business burdens for veterinarians.
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AKVMA SUPPORTS the following objectives and efforts to address the national opioid epidemic:

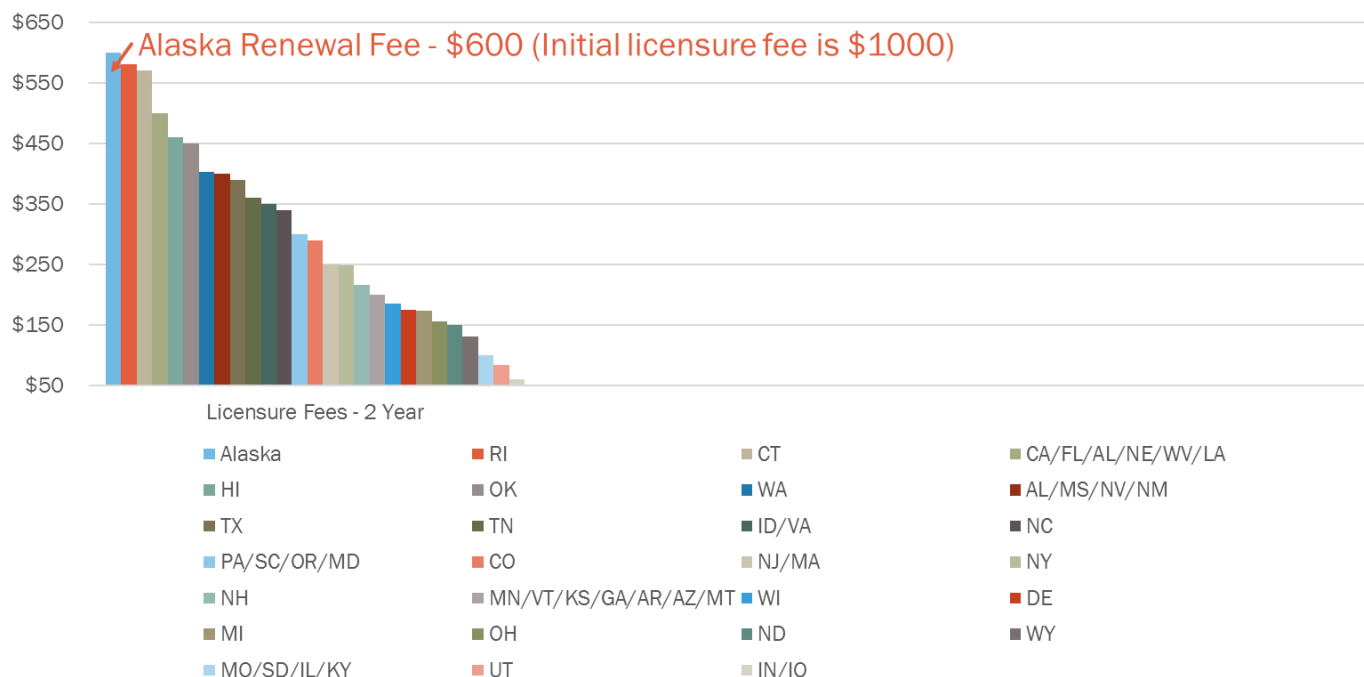
Continuing education (CE) on judicious use, compliance, security, and prescribing of opioids and other controlled substances, with an emphasis on identifying and preventing human misuse and diversion.

Exemption of veterinarians from mandatory electronic prescribing for controlled substances due to the lack of veterinary electronic medical record compatibility with electronic prescription programs. Remediation of this problem would require funding, resulting in an increased financial burden to taxpayers and clients with no known benefit.

Research to determine the prevalence of veterinary drug shoppers and to clarify the degree to which veterinary prescriptions impact the human opioid epidemic.

Appendix A

Veterinarian Licensure Renewal Fees – Comparison to Other States



Note: States vary for the period of licensure (i.e., 1 year, 2 year, or 3 year). The fees listed in the bar graph above were prorated for a 2 year licensure fee for comparison purposes. Data was collected in 2022.

For Regular Veterinarians – there are 453 active Licensees as of 12/31/2022. 70 of them have not renewed yet.*

For Veterinary Technicians – there are 271 active licensees as of 12/31/2022. 64 of them have not renewed yet.

** In 2022 there were 331 veterinarians with DEA licenses.*

Alaska State Veterinary Medical Association

The Alaska State Veterinary is a professional organization dedicated exclusively to the profession of veterinary medicine and the interests of veterinarians, their clients, and patients.

AKVMA is comprised of 160 member veterinarians that represent the broad spectrum of veterinary medicine, including, but not limited to small animal, agriculture animals, exotic, wildlife, aquatic, equine practice, and those veterinarians working in research, academia, military, and other government capacities.

The AKVMA is committed to helping protect the health, safety, and welfare of Alaskans, advocating for veterinarians to provide safe, competent professional veterinary services to consumers, and supporting scientifically based regulations that support these goals.

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