

March 6, 2023

Senate Committee on Health Care / Senate Bill 559 / Oppose

Dear Chair Patterson, Vice-Chair Hayden, and Committee Members:

Please consider this letter my strong opposition to Oregon Senate Bill SB 559, which seeks to add veterinarians and veterinary facilities to Oregon's Prescription Drug Monitoring Program (PDMP). This bill seeks to require veterinarians to check an online database prior to dispensing Schedule II, III and IV drugs that are part of the client/owner's medical history. I stand by and support the OVMA, an organization that strongly opposes this bill due to the negative impact it will have on veterinary practices in Oregon. This bill is absolutely unnecessary, and I strongly feel that it will actually damage the veterinary profession in our state. Senate Bill 559 bill goes against a commitment to ensuring that animals in the state of Oregon have access to veterinary care. SB 559 presents an additional burden to Oregon's veterinary ecosystem, which you may or may not know is in crisis.

(1) The law has absolutely no value in the efforts to mitigate the opioid crisis. No one has stated how such information will be utilized. Controlled drugs prescribed by veterinarians only represent 0.34% of the controlled drug prescriptions. There is not a problem here.

(2) Other states that have passed similar laws have seen the error of their ways; 10 states have repealed the law due to the burden it represents and due to the lack of value of the information collected. Can we please learn from these mistakes?

(3) Of course, the bill represents a glaring violation of HIPAA privacy rules. The Oregon Medical Association, the ACLU, and the OVMA have raised concerns about HIPAA privacy issues with inclusion of veterinarians in Oregon's PDMP and opposed similar

prior legislation. “Patients” in human medicine are our “clients” in veterinary medicine—and not our patients. Veterinarians and their teams should absolutely not have access (intentionally or unintentionally) to view their client’s—or one of your team members’—personal prescription history.

(4) In veterinary clinics, employee pets are treated as patients in these workplaces. If a controlled medication is to be prescribed to an employee’s pet, SB 559 would require the veterinarian to gain access to an employee’s medication history. It is completely inappropriate for a manager or leadership team member to have access to this type of private information. This fact alone should stop any advancement or consideration of SB 559. It is violating employee protections that are in place to ensure the safety and privacy of those people employed in Oregon.

(5) SB 559 could lead to delayed treatment of animals in pain; this bill potentially affects the quality of life of companion pets in Oregon. Owners may be reluctant to seek care for their sick and/or injured pets if their medication history is to be scrutinized. This leads to animal suffering and neglect.

(6) Likewise, veterinarians may be reluctant to prescribe an effective controlled medication for a patient in dire need of a pain medication. Unfortunately, opioid medications are required for many veterinary patients; we simply lack other options in many species and conditions. These patients will certainly suffer, and such a system will impact the quality of life of the veterinary patient.

(7) This feels like a sucker punch to the veterinary profession that is already in turmoil. There’s already excessive demand on our veterinary teams. It is estimated that it will take the veterinary ecosystem 20 years to recover from the workforce shortage it is experiencing. SB 559 will only create additional unnecessary work and will ensure that we have less time to help patients. It certainly will contribute to the rising costs of

veterinary care, rendering veterinary care even more inaccessible to people within our communities in Oregon. Our focus should be on trying to figure out ways to assist the veterinary profession in achieving greater reach, inclusion, and access. SB 559 works against such efforts and has no place in Oregon. This is a distraction. This works against us. This isolates veterinary teams from their communities and violates the privacy of our trusting clients.

I do hope that SB 559 fails to become law in Oregon. It is not going to have a positive impact on our citizens. In fact, it will have a tremendously negative impact on our citizens, our veterinary teams, and our beloved animals.

If you have any questions for me or would like to discuss this further, I am extremely open to having a conversation. If there is a need for further explanation or clarity of the crisis situation in the veterinary industry, I am willing to have that conversation, too.

Thank you for your time and consideration.

Sincerely,

Charles A Hurty, DVM

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Medical Advisory Board, Western Veterinary Partners

Vice-President, Oregon Veterinary Medical Association