

RE: Senate Bill 976

My name is Rodney Ferry and I am a mixed animal veterinarian in Lakeview, OR. I am licensed and provide services in California, Nevada, and Idaho as well as Oregon. Personally, I am currently primarily engaged in large animal practice. Following my 8 years of education to achieve my Doctorate in Veterinary Medicine, I have been in practice for 37 years. Prior to and during my early years as a veterinarian I owned a cattle ranch and hired veterinarians to perform services such as pregnancy testing of cattle and equine dentistry. Having been involved with these procedures from both a veterinarian's and a rancher's perspective I believe I am more qualified than most to comment on SB 976. I am also still a horse owner. With that said I can assure you SB 976 is a bad idea.

First the bill addresses ORS 686.020 & ORS 686.040 but neglects to address ORS 686.030.

“686.030 Acts constituting practice of veterinary medicine. A person practices veterinary medicine, surgery or dentistry when the person does any of the following in this state:

(4) Performs a surgical or dental operation or procedure upon an animal.

(5) Performs an embryo transfer or pregnancy, sterility or fertility evaluation.

(7) Advertises or represents in any manner, publicly or privately, that the person is willing to do any of the acts described in this section. [Amended by 1987 c.651 §2a]”

As you can see this change would be in direct conflict with this law.

Second ORS 686.040 already provides an exception if the person is not selling services. This makes sure that if someone is performing these services for fees the person is licensed and the consumer is protected. SB 976 would remove this level of consumer protection.

“686.040 Application of ORS 686.020 (1)(a); consultation with individual licensed in other state; rules. (2) Nothing in ORS 686.020 (1)(a) shall be so construed as to prevent any person or the agent or employee of the person from practicing veterinary medicine and surgery or dentistry in a humane manner on any animal belonging to the person, agent or employee or for gratuitous services or from dehorning and vaccinating cattle for the person, agent or employee.”

Third these individuals are not subject to the rigorous license requirements, fees, and continuing education requirements that veterinarians are subjected to.

“686.045 Qualifications for license. No person shall be licensed to practice veterinary medicine in this state unless the person:

(1) Is a graduate of a veterinary college or a veterinary department of a university or college of good standing and repute.

(2) Has satisfactorily passed the examination provided in ORS 686.075.

(3) Has completed at least one year in active practice in any state or territory of the United States or has completed at least a one-year internship in the State of Oregon, as provided in ORS 686.085. [1953 c.624 §3; 1967 c.334 §2; 1973 c.827 §72; 1985 c.112 §3; 1997 c.241 §1]”

As you can see SB 976 would also be in conflict with ORS 686.045.

Forth the Oregon Legislature has issued the governing authority for Veterinary Medicine to the Oregon Veterinary Medical Examining Board (OVMEB). SB 976 would remove this authority and allow the State Department of Agriculture to issue rules concerning the practice of

Veterinary Medicine. This would conflict with several other statues. It would also ask an agency to rule on issues they are normally not involved with, this could lead to rules that are made to satisfy personal bias or made without full knowledge of the situation.

Fifth studies show that a cattle producer relationship with a veterinarian is very cost effective. Pregnancy testing by unlicensed individuals happens. I did a group of beef cattle previously tested by a lay person last fall and their results were not even close. Bills such as SB 976 are typically introduced by people who mean well and expect they will save money on veterinary cost. Although they mean well this can lead to excessive costs. Myself and other veterinarians have worked hard to drastically reduce the incidence of diseases such as Trichomoniasis and Campylobacter in cattle in this state. A non-veterinarian pregnancy tester likely will not have the training or knowledge to diagnose or help prevent or minimize these diseases when they occur. Many of my clients only maintain our Veterinary Client Patient Relationship (VCPR) via pregnancy testing visits to the ranch. This VCPR is mandated by both state and federal law to prescribe antibiotics and other prescription pharmaceuticals to livestock producers. This means that a veterinarian still needs to visit the ranch likely making the overall costs just as high or higher, and if they do not, then animal welfare will naturally suffer. In our current times the cost of bad publicity due to a lack of animal welfare could be devastating to our beef industry. Lastly SB 976 is way too vague on this: "An individual who has received training...". There is no definition or requirements for training! If someone does 10 cows after me, are they trained? Veterinary schools are admittedly not sufficient on this training. For these reasons I have trained numerous students and veterinarians in the art of pregnancy diagnosis of cattle during my career. To do it correctly is not nearly as simple as most think. I believe for most it takes about 10,000 cows to get comfortable and about 50,000 cows to get good as well as about 10,000 cows per year to maintain the skill. Years ago, several of my current producers took a course in pregnancy testing. Inside a few years all went back to hiring a veterinarian to pregnancy test as the mistakes were too costly. The only current non-veterinary training programs I am familiar with are animal science classes where a few cows are done. The goal of these classes is not to make students accurate at pregnancy diagnosis but to help them better understand what a veterinarian does at pregnancy diagnosis.

Sixth several years ago the OVMEB strengthened the laws and clarified them pertaining to equine dentistry. This was done due to numerous complaints and even deaths of horses from colic due to incorrect dental procedures done by lay persons. All equine dentistry with a few exceptions (the very routine floats in very cooperative equine) require sedation to do a good job. Having started my career in a time when sedation was not routine and evolving as the knowledge and equipment evolved, I have done hundreds of horses with out sedation and thousands with sedation. For the last 30 years or so the only equine dentals I have not sedated are horses my exam suggests are too high of a risk for sedation. You simply can not do a good job without sedation in most equine. Since non-veterinary dental technicians are not legal to exam or sedate a horse, they must work with a veterinarian to be effective. Over the years I have worked with 2 certified equine dental technicians: I would examine the horse, administer a sedative, consult on the case, and check the teeth when the technician was done. This relationship worked like our certified veterinary technicians and the procedures they can do. The key is they worked under direct veterinary supervision. Would you want a human dental technician that was not associated with a dentist working on your teeth? Even a dental hygienist who only cleans works only under

the direct supervision of a dentist. This is routinely brought up in various states by non-veterinary equine dental technicians or horse owners. Again, with no license requirement, no set standards for certification, no continuing education requirements, no mal practice insurance, and possibly no liability insurance, there is no consumer protection. If individuals want to be equine dental technicians, then they need to find a veterinarian/s to work with so that some oversight exists. In all but a few states equine dentistry is considered a veterinary procedure for good reason. In the few states where it is allowed sedation is legally limited to veterinarians and most only allow basic floating with non-motorized tools. Again, it is very common for these laws to be broken but that does not mean we should change the laws to allow non-veterinarians to do work that needs to remain under veterinary supervision.

Lastly in the 45 years I have been associated with the veterinary profession and 55 years I have been associated with ranching I have seen numerous changes. Almost all these changes that were designed to save consumers money have led to increased consumer costs. Veterinarians are professionals, it requires 8 or more years of education post high school to become a veterinarian. The current average cost of veterinary school is over \$200,000 in state and over \$275,000 for out of state students. Add to this \$40,000 to \$140,000 for a 4-year degree prior to veterinary school and 8 years of living expenses for full time students. When veterinarians lose income, such as when the internet companies claimed a lot of the pharmacy income, all other services go up. They must in order for veterinarian to pay student loans and earn a salary that has the lowest return on investment of any profession. This in turn leads to higher costs for consumers. In this example veterinarians will either become unavailable or more expensive if SB 976 passes. The veterinarian will now have to earn the same amount of money and the clients will pay the lay people on top of what they are paying a veterinarian. Hence SB 946 is a really bad idea.

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