

October 6, 2020

Mr. Darren McDivitt
Policy Analyst
Sunset Commission

Dear Mr. McDivitt,

In response to the findings and recommendations of the Sunset Commission review of the Texas Animal Health Commission (TAHC) and the additional information provided at the public hearing on September 23, 2020, the Texas A&M Veterinary Medical Diagnostic Laboratory (TVMDL) would like to offer the following comments:

- During the public hearing a question was raised regarding the ability of TVMDL to share client and test result information, including both positive results and negative results with the TAHC with a concern expressed that either statutory or policy constraints on TVMDL regarding client confidentiality might inhibit or preclude sharing such information. Texas Education Code, § 88.708 (5) provides that TVMDL shall *“report the identification of a disease or other animal health matter, including a matter that could affect human health, to the appropriate state or federal agency or official as required by law;”* ... This requirement makes no distinction regarding positive or negative test results and it is the policy of TVMDL to comply fully with requests for information from the TAHC or any other appropriate state or federal regulatory agency.
- A second concern that was raised was what priority testing requests from TAHC would be accorded. Any time TAHC indicates that a submission is time sensitive or of high priority, that testing receives the highest priority at TVMDL, superseding any other testing in process. TVMDL also responds immediately to requests from TAHC for testing services outside of normal operating hours. None of these changes to normal operating processes at TVMDL to accommodate TAHC needs incurs additional costs.
- Another issue raised related to testing priority was whether TVMDL testing turnaround times could meet TAHC’s needs. Turnaround times are affected by the priority of testing as well as the physical constraints of the testing method requested. As stated above, testing priority can be specified by TAHC and TVMDL is always open to consultation regarding the needs of any regulatory program. There is no reason that turnaround times at TVMDL should exceed those of any other laboratory performing the same testing.

TVMDL stands ready and willing to assist TAHC and meet its testing needs. If the Sunset Commission recommendation to close the TAHC laboratory and transfer that testing to TVMDL is going to be implemented, we urge careful consideration of how that regulatory testing is financially supported in the future. Whether funding is provided to TAHC to reimburse for testing or sent directly to TVMDL, it will be critical to ensure the funding is in the form of General Revenue to avoid the unintended consequences incurred relating to supporting staff benefits (proportionality) when the funding pays for staff salaries.

Thank you for the opportunity to comment on these issues. Please don't hesitate to contact me for any further clarifications or additional information regarding these matters.

Sincerely,



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Director/CEO

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