

From: [Sunset Advisory Commission](#)
To: [Trisha Linebarger](#)
Subject: FW: Texas Board of Veterinary Medical Examiners - sunset review
Date: Thursday, October 27, 2016 3:52:07 PM

From: Darren Williams
Sent: Thursday, October 27, 2016 3:40 PM
To: Sunset Advisory Commission
Subject: Texas Board of Veterinary Medical Examiners - sunset review

Dear Sunset Commission members,

I am writing in regards to the Sunset Commission's review of the Texas Board of Veterinary Medical Examiners. I am a veterinarian and own two practices in the Houston area. I recognize that the Sunset Commission has a difficult task ahead of it and that several issues have been identified. I wish to address two of those.

First, regarding Issue 3, Monitoring Potential Diversion of Controlled Drugs by Veterinarians: We all recognize that opioid misuse is an escalating problem. Within veterinary practices, there are certainly opportunities for misuse or diversion of controlled drugs. My own practice, in fact, has had three episodes of theft of controlled drugs; one was via burglary, the second was theft by an employee, and the third was suspected to be theft by a visitor to the hospital. In each case, the DEA and the local police were notified; our record-keeping systems were adequate to the task of identifying the losses.

One problem that we do not have, as veterinarians, is misuse of controlled substances by our patients. Our patients do not engage in drug-seeking behaviors; they do not "prescription shop"; they do not seek out the "pain clinics" to help them get their narcotics.

Requiring veterinarians to report all dispensing data to the Texas Prescription Monitoring Program is an onerous burden. In addition to the time requirements and administrative burden this requirement places on our practices, the TPMP mandates that we report the birth date of the "person" for whom the controlled drugs are prescribed. While this is a reasonable requirement for pharmacies serving human patients, it will be nearly impossible for us as veterinarians to comply - in the vast majority of cases, we simply do not have birth date information for the owners of our patients.

While I agree that narcotics misuse is an issue that needs to be addressed, and that our practices are not immune to this problem, I believe that the requirement that veterinarians report all prescriptions to the TPMP is unnecessarily burdensome and creates more problems than it will solve. I urge the Commission to work with veterinarians to find another solution.

The second issue that I feel the Commission should address is Issue 5, Exempting Animal Shelter Veterinarians from Regulation. I recent disciplinary case uncovered a loophole in the Veterinary Licensing Act that essentially allows veterinarians working for or with animal shelters or releasing agencies to act as if they are completely exempt from the Veterinary Licensing Act and all standards of appropriate medical care. I believe that this loophole was an unintended consequence of the "ownership exemption" in the Veterinary Licensing Act and it should be closed. It is my firm belief veterinarians in the state of Texas should not be allowed to use the ownership exemption to practice substandard medicine. This is a matter of good public policy that will help protect the health and well-being of all of our patients.

Thank you for your attention to these matters.

Darren Williams, DVM
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