

Let's get a few things straight. There is a lot of misinformation being posted, especially on social media, about House Bill 269, an act relating to veterinarians. Therefore, in the spirit of full transparency, I offer the following facts:

House Bill 269 was written by members of the Kentucky Veterinary Medical Association (KVMA) Legislative Committee in co-operation with the Kentucky Board of Veterinary Examiners using the Model Veterinary Practice Act (MVPA) provided by the American Veterinary Medical Association (AVMA) as a guide.

The following is taken from the AVMA website to explain the process involved in revising the MVPA that was originally developed in the early 1960's.

"In 2010..., the AVMA Executive Board established the Task Force on AVMA Model Veterinary Practice Act (MVPA), which consisted of representatives from the AVMA Executive Board, AVMA House of Delegates, AVMA Council on Veterinary Service (the oversight entity for the MVPA), AVMA Judicial Council (the entity responsible for drafting the original MVPA), AVMA State Advocacy Committee, AVMA Committee on Veterinary Technician Education and Activities, American Veterinary Medical Law Association, and American Society of Veterinary Medical Association Executives. The task force also included a member of a state veterinary licensing board, a small animal practitioner, a large animal practitioner, and a non-veterinarian public member."

The task force was asked to review and revise the existing MVPA.

"The latest revision process began in January 2011 with a 30-day public comment period. Approximately 1,000 comments were submitted by AVMA members and non-members concerning various provisions of the MVPA. The task force reviewed these comments and issued a first draft of revisions in June 2011, which was followed by additional input from AVMA councils, committees and other entities. After further consideration, the task force submitted a final draft to the AVMA Executive Board in November 2011. The AVMA House of Delegates approved the revisions to the MVPA in January 2012."

No other organizations or interest groups were involved in the writing of HB 269 as has been asserted by opponents of this bill.

HB 269 is as much a **consumer protection bill** as it is a directive to veterinarians regarding how they conduct themselves professionally. I will discuss a few of the key components of this bill.

HB 269 defines the term "student". Lincoln Memorial University (LMU) in Harrogate, TN has opened a College of Veterinary Medicine. However, the College does not have a Veterinary Teaching Hospital. The veterinary medical students from LMU will receive their clinical training in private veterinary practices, many of which will be located in Kentucky. The veterinarians who welcome these students into their practices need to know the legal definition of a student and what that student can legally do while at their practice. People who seek veterinary care need to know that their animals will be diagnosed and treated by the licensed supervising veterinarian and not the student without proper supervision. And, consumers need to have recourse if their animals are treated outside of the law by a student.

Veterinary technicians in Kentucky are regulated by the Kentucky Board of Veterinary Examiners (KBVE) but they do not have representation on the KBVE. This is regulation

without representation. HB 269 would allow for a licensed veterinary technician to sit on the Board of Examiners, and the cost of including this additional examiner on the board would be covered by licensing fees with no need for additional appropriations.

The confidentiality clause in the Kentucky Veterinary Practice Act as it is currently written has had unintended consequences for humans and animals in our commonwealth. The following is a true story:

A stray cat was presented to a Kentucky veterinarian for examination. The client planned to keep her as his pet. The cat was scanned for a microchip, which is permanent identification, as part of a comprehensive physical examination. The veterinarian wanted to make sure that the cat was not owned by someone else, someone who was heartsick about losing their beloved pet. When a microchip was found, the veterinarian then asked the client if he would authorize the veterinarian to contact the microchip registry to determine the owner of the cat, and so the cat could be returned to her rightful owner. He refused to release the veterinarian to contact the microchip registry. Because of the confidentiality clause in our current Practice Act, the veterinarian could not release information collected in the course of the physical examination of this patient without permission of the person calling himself the cat's owner, and so the rescuer took possession of the cat. I expect the owner of this cat had her microchipped as insurance in case she got lost, and, in this case, the microchip was of no benefit.

Had the cat been presented to the local shelter, she would have been scanned and the real owner contacted without permission.....but as a professional who is charged with the responsibility of protecting and advocating for animals, the veterinarian who performed the examination could not advocate for this cat nor her original owner.

The confidentiality of patient records has been amended to read as follows:

(c) A veterinarian may provide information without the owner's consent to public health, animal welfare, wildlife, or agriculture authorities employed by federal, state or local government agencies who have a legal or regulatory interest in the protection of animal or public health.

Sentence structure is very important in this legislation. The key noun is "authorities" employed by... The various named agencies in this sentence are all used as adjectives. Therefore access is limited to those individuals employed by those local, state, and federal agencies, and the veterinarian licensed in Kentucky may provide information to them. If this bill is passed, veterinarians will need to confirm that individuals requesting information about their patients are truly from an appropriate government agency before releasing any information.

Lets put this into human terms.

According to www.childwelfare.gov, all States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have statutes identifying persons who are required to report suspected child maltreatment to an appropriate agency, such as child protective services, a law enforcement agency, or a

State's toll-free child abuse reporting hotline. Individuals designated as mandatory reporters typically have frequent contact with children.

A family member of mine was reported by an emergency room nurse to authorities on suspicion of child abuse. This is her story.

Her family was taking a family bike hike on a country road with their daughter in a child seat when the cables of their bikes became entangled. They all suffered road rash when they slid through the gravel berm as they lost control of their bikes. They went to the closest emergency room where the admitting nurse reported them to the hospital social worker on suspicion of child maltreatment. The family was investigated by a professional trained to identify child abuse. They were taken into separate rooms and interviewed. The parents were not allowed contact with the child until the investigation was complete.

The ruling was that no abuse had taken place, but I was angry that anyone would suspect my family member of abusing her child. I asked her why she wasn't angry. She said that it was the nurse's job to protect the children in her care, and she was just doing her job. It wasn't the nurse's job to investigate and make a determination in this situation. It was her job to report her suspicion and let professionals who are trained to investigate child abuse determine if abuse had occurred.

We are asking that veterinarians be allowed to report and cooperate with the appropriate governmental agencies who have as their mandate the protection of animal and human health and welfare. That is all. We, as veterinarians, know how to identify, diagnose, and treat animal illness and injuries. We are not generally trained to investigate if the injuries or illnesses are the result of abuse or neglect. As in the case of my family member, the nurse was held harmless for reporting suspected maltreatment of her children. HB 269 would allow for veterinarians, as advocates for animal health, to also be held harmless for reporting suspected maltreatment of animals to the designated agencies.

Kentucky is the only state in the United States where veterinarians cannot provide information to government agencies in situations involving animal and public health and welfare without the consent of the owner, a subpoena, or court order. It is a well-known fact that humans who abuse animals will abuse humans. That is how Jeffrey Dahmer got his start. This is a public health issue as much as it is an animal welfare issue.

As president of the Kentucky Veterinary Medical Association, I urge you to go to <http://www.lrc.ky.gov/> to read the bill and find your legislator. Call, write, or e-mail them with your support of our revisions to the Kentucky Veterinary Practice Act (HB 269). **You must act now.** Together we can drown out the cries of a very vocal but very small opposition. Thank you for listening.

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