

REPORT OF THE COMMITTEE ON PHARMACEUTICALS

Chair: Christine Hoang, IL
Vice Chair: Ellen Wilson, CA

James Bradford, TN; Tom Burkgren, IA; Steven Clark, NC; Stephen Crawford, NH; Ozlem Ersin, MN; William Fales, MO; Timothy Goldsmith, MN; Eric Gonder, NC; Larry Hawkins, MO; Rick Hill, IA; Donald Hoenig, ME; Jennifer Koeman, IA; David Marshall, NC; Patrick McDonough, NY; James McKean, IA; Ashley Morgan, DC; Ron Phillips, MD; M. Gatz Riddell, Jr., AL; A. David Scarfe, IL; Mike Senn, TN; Paul Sundberg, IA; R. Flint Taylor, NM; Liz Wagstrom, DC; Ching Ching Wu, IN.

The Committee met on October 23, 2012 at the Sheraton Greensboro Hotel, Greensboro, North Carolina, from 8:00 to 11:15 a.m. There were ten members and six guests present.

VCPR Update

Christine Hoang

American Veterinary Medical Association (AVMA)

An update was provided of the Veterinarian-Client-Patient-Relationship (VCPR) changes within the Model Veterinary Practice Act (MVPA). The exact verbiage can be found at <https://www.avma.org/KB/Policies/Pages/Model-Veterinary-Practice-Act.aspx> within Section 2. Definitions. Additional information is also contained under the commentary to Section 2, where it is also clearly noted that this VCPR is “now different from that embodied in federal regulation 21 CFR 530.3(i) relating to extra-label drug use.” The Principles of Veterinary Medical Ethics which also contains the VCPR will be considered in the near future with the intent to harmonize AVMA documents. Individual states must now consider whether or not to adopt the verbiage contained within the MVPA. It is possible that states may have differing definitions for VCPR.

Effects of Over-the-Counter (OTC) to Veterinary Feed Directives (VFD) on Veterinary Workforce

Tom Burkgren

American Association of Swine Veterinarians (AASV) and

Gatz Riddell

American Association of Bovine Practitioners (AABP)

Both swine and bovine perspectives were presented providing information on potential impacts on veterinarians given the pending transition of over-the-counter medically important antimicrobial feed additives to veterinary feed directives (VFDs). A brief overview was provided of the existing VFD system and challenges as currently many veterinarians are unfamiliar with the process. Discussion of the proposed rule on VFDs noted both benefits and challenges. Among them, decoupling of the VCPR, yet perhaps still onerous for the veterinarian if millions of VFDs must be written every year. Furthermore, workforce concerns remain and underserved areas continue to lack a sustainable business model.

Committee Business:

The Committee reviewed a proposed resolution on Drug Enforcement Administration (DEA) registrants operating remotely from the registrant’s principal place of business. United States Code (U.S.C.) Title 21 Section 822 (a) and (e) of the Controlled Substances Act outline who is required to register with the DEA to manufacture, distribute or dispense controlled substances. Per 21 U.S.C. § 822 (e), a separate registration is required at each principal place of business or professional practice where the applicant dispenses controlled substances. This means it is illegal to transport, administer or dispense controlled substances outside of the premise listed on the applicant’s registration. Historically, the DEA has applied regulatory discretion to enforcement of this limitation, allowing registrants to use controlled substances at remote locations as medical needs indicate. However, the DEA’s response to the USAHA’s resolution in 2010 asking the Attorney General to exercise authority granted by the Controlled Substances Act of 1970, 21 U.S.C. § 822 (d), to promulgate regulations that would waive the requirement for veterinarians in ambulatory practices to have a separate United States Department of Justice Drug Enforcement Administration registration in each state in which they are licensed or authorized to practice would indicate that the authority accorded to the Department of Justice is insufficient to allow concerns to be resolved through a regulatory process and thus a statutory change is required. After thorough review of the background and discussion, the Committee approved a resolution urging Congress to amend the Controlled Substances Act to provide a legal means by which Drug Enforcement Administration practitioner registrants or their authorized agents may appropriately transport and utilize controlled substances when acting in the normal course of business or employment pertaining to the treatment of animals in locations outside of the principal place of business listed on their registration.

The Committee also reviewed its mission statement with potential for revision. After conscientious consideration, a motion was made and seconded to reaffirm the Committee’s mission statement as it is currently written.