

Beth Sheehan

Opponent Testimony on language in HB 60, "Goddard's Law"

Ohio Senate Agriculture Committee

April 26, 2016

Good morning, Chair Hite, Vice Chair Hackett, Ranking Member Gentile, and honorable members of the Ohio Senate Agriculture Committee,

I am Beth Sheehan from Cincinnati. I come to Columbus today to give opponent testimony about the specific section of HB 60, "Goddard's Law" that states, "The attorney general, state veterinary medical licensing board, state board of pharmacy, and Ohio veterinary medical association shall collaborate in the development of resources and educational materials to enhance the ability of veterinarians to identify current or potential clients who may abuse opioids and may use animals in their care to improperly secure them."

This important clause, which attempts to add another layer of defense against our raging epidemic of illegal drug use, must be stricken. The suggested collaboration will not have an impressive result.

Let me explain. Ohio veterinarians are "on the honor system". They have virtually no oversight. The Board of Health never enters an animal hospital. The Veterinary Board seldom inspects.

So, who is checking Ohio pets' vets? - Sadly, no one.

Let's look at the number of animal hospital inspections in the last three years. In FY 2015, with 4,494 licensed veterinarians and 3,384 licensed vet techs there were 54 animal hospital inspections. In FY 2014, there were only 22 inspections. In FY 2013, there were just 11 inspections.

Until about a year ago, the number of animal hospitals in Ohio was unknown. That number is now given at 700 with the understanding that that 700 is a close, but not exact number. Since the animal hospitals are neither regularly inspected nor are site

licenses required, there is no reason for the OVMLB to have the exact number of hospitals.

Veterinarians are licensed to prescribe and have regular access to drugs. Yet, the drugs housed and used in animal hospitals go largely unchecked. The black hole in veterinary oversight leaves a lot of room for bad actors, flying low under the radar, to take advantage.

Right now in Ohio there is a background check just once during the career of a veterinarian, when he first applies for his license. In Ohio, that fledgling veterinarian and his animal hospital can both go unchecked and unnoticed for the rest of his career until he retires.

Funding is not a problem. The funds are available to do the inspections. The OVMLB takes in about \$1,000,000 every two years. About half of those funds from that licensure passes through the Veterinary Board and into a General Fund, not to be touched by the Veterinary Board.

A number of disturbing cases of egregious, veterinary practices have emerged in the news in recent years. Alvin Burger of Stark County and Brandi Tomko of Summit County, were both found guilty of practicing veterinary medicine without a license in their county courts. In Mr. Burger's case, he has been found guilty of practicing veterinary medicine without a license in three, separate, court cases. Where were these individuals getting their veterinary drugs to use in their illegal practices?

Additionally, Lee Ann Givan, DVM, was severely censured by the Tennessee Veterinary Board for a host of behaviors, including illegal use of drugs. What did Dr. Givan do then? She promptly moved to Ohio, where she was issued a license. Years later, she was sanctioned by the OVMLB for getting drugs for her two dogs, but using them herself.

Recently, Michael Smith, DVM, of Zanesville, Ohio, his son, Eryn R. Smith, and Travis E. Ryan, "were indicted following a more than 2-year, multiagency investigation into a prescription drug trafficking ring" that operated out of Dr. Smith's animal hospital.

Finally, the OVMLB does not even accomplish its basic mission, "consumer protection". Ohio consumers remain largely unprotected if the conditions and operations of their

animal hospitals are unknown and unmonitored by the state agency that issues the licenses.

In conclusion, please strike the language in HB 60 that requires veterinarians to identify potential opioid users. It is not reasonable to expect Ohio pets' vets, themselves "on the honor system", to become reporters of potential opioid users.