

Matthew Weeman DVM, MS, PAS-nutrition
Position: Support SB 189

I am writing in support of SB 189 which would empower the SBVME to issue cease and desist orders, with civil penalties to those who willingly violate the state's veterinary practice act and practice without a license.

I believe it is critical for our representatives to understand this is a very common problem in the state of Maryland, especially on the Eastern shore. This is a problem that directly jeopardizes the health and well-being of animals but also threatens public health.

As a veterinarian I am proud to be a member of one of the most respected professions. Our profession is continually striving for proficiency, the highest standards and to take appropriate, proactive steps to ensure the collective support of those we serve. As the profession develops standards on certain procedures such as: declaw and ear cropping for instance, there has been a gradual uptick in the frequency of these services being performed by non-veterinarians. This results in the suffering of patients and in many instances the only punitive measures taken are misdemeanor cruelty investigations. This legislation would help create important framework to discourage un-licensed individuals from performing surgeries and other procedures on small animals. Additionally, there is a continued trend of pet store personnel engaging in questionable practices by reviewing histories, photographs etc and then, most times inaccurately and inappropriately recommending over the counter therapies after offering their "diagnosis". Harsher penalties would incentivize organized businesses to create protocols that limit this type of behavior among employees.

The scope and problems stemming from the un-licensed practice of veterinary medicine become more wide-spread and flagrant in food animal medicine. It is, in my experience, as a practicing food animal veterinarian within our state that the majority of food animals within the state of Maryland are not under the direct care of a veterinarian. I have practiced veterinary medicine in the state of Delaware, New York and Ohio. In none of those states have I witnessed the egregious abuses of the veterinary practice act among non-professionals that I find to be commonplace in the state of Maryland. This is an imminent threat to public health and animal welfare. Procedures that are commonly performed by un-licensed individuals within my practice area alone include the following: pregnancy diagnosis and sterility work both manual palpation and ultrasonography, DA surgery, Dystocia intervention, bovine embryo transfer Unlawful treatment recommendations, illicit prescription drug distribution. There are a number of un-licensed personnel who routinely offer, and charge for their services within Maryland. While the risk to animal welfare in some instances is likely minimal-one often over looked impact of these activities is it directly limits the availability of veterinary care in the region. The reduction in demand for routine veterinary services results in a lack of practitioners willing to serve the region for other, less routine procedures.

Many of the less routine procedures are also being performed commonly among un-licensed professionals. After moving to the Eastern shore and beginning practice here I began to realize the unique culture of the area in regards to veterinary medicine. While a number of factors may have created it the "ancillary veterinary support service of the eastern shore" is alive and well. This is a network of producers and other lay-individuals who readily pool together prescription medications lawfully obtained by one producer from a veterinarian that are then, illegally re-distributed to others.

This then facilitates the illicit use of prescription medications by producers who are diagnosing and treating ailments among not only the animals they own, but those of others as well. This problem is most prolific among small ruminant producers. These individuals will often offer support in other ways including: dystocias, displaced abomasum surgery, dehorning and the invasive treatment of other common conditions such as bloat, metritis and pneumonia and diarrhea. It is commonly over-looked that the function of a veterinarian is to make a diagnosis which then lends itself to treatment. While individual producers, who own the animals in their care are enabled to treat their own animals, and at times lawfully perform procedures that would typically fall under the scope of veterinary medicine it is a requirement that these individuals do so under a valid veterinary-client-patient-relationship. In the past, veterinarians who were prescribing the needed medications to these operations would ensure (by virtue of protecting their license) that these medications were used lawfully, as intended and under their direct guidance.

Today, we find ourselves in an era of corporatized medicine. It is common, and perhaps legal under Maryland and Federal Law, for a veterinarian to visit a farm on behalf of a corporate pharmacy or route truck provider and offer access to prescription medications for an entire year without any direct oversight. Drug companies are directly selling (in bulk) prescription medications directly to producers after their territory sales veterinarian meets with the producers. Drug distributors and manufacturers offer bulk pricing discounts direct to producers which effectively eliminate their veterinarian from the transaction, and thus oversight. Veterinary representatives of large companies may at times be available for follow up but they will not be available to these herds on a reliable basis to provide emergency support services. Additionally, and most critically, these herds, typically with hundreds of animals have no routine oversight from a licensed professional veterinarian. One of the most critical responsibilities I have as a food animal veterinarian is to protect our food supply. I am continually watching for signs of foreign animal disease, infections and zoonotic disease and other risks to animal and human health. The producers who utilize my services value my advice and appreciate my expertise. When I'm on their operation working with them they know that when I've left I've looked over almost everything in the course of my work. It's common for me to question, offer guidance or even respectfully point out to them that an animal who at first glance seems well, warrants examination. When producers are enabled to circumvent veterinarians, and then, either as a result of ignorance or after careful consideration discover few punitive measures can be taken against them for practicing without a license they are readily willing to do so. The economic burdens placed upon them make this arrangement too enticing to forego as a cost saving measure.

I once received a call at 3am from an individual who requested I provide suture to them. When I asked for what purpose they informed me they had a goat requiring a C-section. After much inquiry, and after offering to provide the services they needed but declining to afford them suture material they ended the call. I don't know if the individual went on to perform the procedure that evening, but I do know they did not receive veterinary care. What is most concerning is the pervasive belief in our region that un-trained individuals can perform such procedures and while I have no direct observation to corroborate that they are; my suspicion is there is cause for concern. People will perform unlawful procedures on animals that they would never think to perform on themselves or other people because it would not only be illegal but would also cause extreme pain and be a risk they were unwilling to bear. Unfortunately, we need laws in today's society to heighten the burden of risk and thus deterrence when it comes to the practice of veterinary medicine. Back yard producers are becoming increasingly more

common and this poses a direct threat to public health. Pigs, water fowl, poultry and small ruminants are congregating together in increasingly urban and suburban environments. I am routinely treating pigs in residential neighborhoods that are housing chickens not only in their backyard but sometimes in their offices and bedrooms within their homes. Most would assume that a \$600,000.00 home in an Annapolis neighborhood, Stevensville development etc would not be housing a 300lb pig in an upstairs bedroom- they would be wrong. Most would assume poultry is too dirty to be contained inside urban home environments- they would be correct in assuming it's too dirty to be safe but they would be mistaken to believe it isn't happening. I don't intend to replicate the novel of James Harriot with this testimony but suffice it to say I'm watching the dynamic change. We are living in modern times and we are regressing to a primitive interface between man and beast. Multi-specie environments, with unvaccinated animals (and people) in intimate contact with people all while having maximal exposure to various disease vectors.

The public health challenges that may arise from this is reaching a critical level. We need laws that will help to restrict what individuals are doing without the supervision of veterinary professionals because we need veterinary professionals to be observing the care of our nation's livestock. Those who perform veterinary procedures for themselves or others around them will cite their concerns that veterinary care is un-available. In most instances this is not true. Furthermore, any problem that presently exists in availability is exacerbated when the services of veterinarians go un-utilized in a region. There is an individual on the Eastern Shore of Maryland who drives a partially equipped vehicle with prescription medications and various equipment. She receives calls from area small ruminant producers to which she responds (when available). Her day job is teaching elementary students. It's an honest side-gig to her and to those she serves. It's an egregious violation and illegal practice to those of us who know better. Even individuals who administer over-the-counter treatments for conditions not listed on the medication are breaking the law. Anyone un-licensed who makes a diagnosis and then initiates treatment for an animal that they are not the direct owner of is breaking the law and practicing veterinary medicine without a license. Those who use an over-the-counter medication for a listed condition but at a dose other than that on the label are breaking the law and practicing without a license. These offenses are not simply frequent, they are endemic in our state. If producers were incentivized to utilize the services of a veterinarian more veterinarians could afford to be available. This would improve producer profitability, the health and welfare of livestock and the health of the public as a whole while ensuring the responsible use of antimicrobials.

Others may lament the cost of veterinary care. Certainly, as a veterinarian, I will say veterinary care can be expensive. Food animal medicine is still a bargain considering the financial burden veterinarians carry and it is a small expense for the typical commercial operation. Backyard, hobbyists who wish to self market, self slaughter and co-mingle multiple species in small suburban lots and don't wish to pay a veterinarian for care should simply be forced from the marketplace as a matter of public health. I am not writing this testimony to garner more work for myself. I am submitting this testimony because I believe this, along with much other meaningful legislation is required to prevent what could be an epidemiological crisis. Last year I gave testimony against SB471/HB652 because I know it does nothing meaningful to curtail the use of antimicrobials, overly burdens or producers and endangers the health of our livestock and the public. I don't intend to rehash the discussion, and my testimony which was blatantly ignored by the Senate sponsors of that bill. I simply want it on record that I'm consistent in my service of providing testimony to better the plight of animals and public health. SB189 could conceivably

make me more money (a conflict of interest) and I'm writing to support it. SB471/HB652 could conceivably make me more money as well....and I vehemently opposed it. I have the expertise to ensure we take meaningful measures to protect the health and well-being of the public and animals and SB 189 can help in that endeavor.

What this legislation won't do is identify the offenders and that is something our legislators must consider. However when such offenses are brought forward this legislation will give the regulatory bodies the opportunity to act. Many individuals understand the risks of open-food markets common in places like China. What few realize is there are numerous open-food markets operating un-licensed, un-inspected within the state of Maryland. It is in our interests to prevent the scaling of such operations.

Upon reading this testimony the responsible state representative would want to ask what I do when I encounter potential epidemiological risks in the pursuit of my practice. I feel it would be helpful for them to understand what actions I take when I feel an operation is not performing to an appropriate standard or providing adequate care. I adhere to my oath and I adhere to the laws regarding mandatory abuse reporting. When no such abuses exist I do not report such operations because I am of the firm belief that we are safer when we build rapport with such producers and at the very least I know where they are and can be of service to help them and perform my duties professionally and responsibly. When I encounter an individual who abuses our practice act, like some I've highlighted in this writing I don't report them for practicing without a license and that's unlikely to change even with the passage of SB189. I view that as a conflict of interest. That type of negative reporting is not something most of my clients would deem acceptable. In addition to harming my reputation it would harm my business. No declaration of my true intent to sincerely protect the public is going to be heard. Our state representatives will therefore need to consider how they are going to detect when illegal behavior is occurring because I don't believe Dept. of Ag. or this legislative body can expect that veterinarians like me are going to report. I suggest a public education effort be prioritized. When people understand they're breaking the law they're less likely to do so.

The majority of commercial dairy, beef, pig, sheep and goat producers are well meaning stewards of their livestock, our environment and their communities. Legislation in addition to education will simply help to ensure an even playing field for all of them to compete. The state of Maryland should not place onerous provisions upon our producers but it should take steps to ensure the health of the public is protected. SB 189 does that. For those few producers out there who can't be gently reminded of the need to practice their art responsibly there need to be punitive measures available. SB 189 provides those. I am asking you to support and vote in favor of SB 189.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Weeman". The signature is fluid and cursive, with the first name "Matthew" being more prominent than the last name "Weeman".

Dr. Matthew Weeman