

Matthew Weeman DVM, MS
Position: Oppose SB 0067

I am writing to oppose the legislative language of HB22. As a veterinarian who works with both small and large animals, I believe I am uniquely positioned to provide testimony to our state legislators on this bill.

The reason I oppose this legislation is not because I believe that cats should be declawed, in fact, I do not believe any cat should be routinely declawed. I oppose this legislation because of the specifically designed wording to undermine the validity of a Veterinary Client Patient Relationship and to undermine the responsibility and the integrity of the veterinarian who is the critical animal welfare expert in that relationship. This legislation is specifically designed to undermine the ability of the veterinary practitioner to exercise discretion and when the veterinarian is unable to exercise his or her discretion, he or she is unable to provide for the best welfare of the animals they have sworn to protect.

Veterinarians have been entrusted to make welfare decisions on behalf of animals and in the interest of public health. Veterinarians are uniquely trained to make these decisions and they are highly skilled practitioners. Veterinarians are the experts when it comes to animal welfare. As one of those veterinarians, I do not care if it is a popular position among the constituency when it comes to decisions that impact my patients or the interface between my patient's, practice and public health. I understand our elected representatives do. However, constituent popularity in cases like this tends to reflect the impulses of animal rights organizations and not those of every day individuals. The typical Marylander is not thinking about cat declaws and whether or not it should be legal as a matter of principle.

I understand that perhaps hundreds of letters in support of this proposed ban have likely been submitted, especially within the districts of the bill sponsors. I suspect that these letters are largely disseminated templates used by animal rights agencies to garner support for their particular cause. The same animal rights activists who are now organizing efforts to attack on social media, websites and to threaten the private practitioners of this state who are offering testimony in opposition of this proposed legislation.

The MDVMA has taken a stance in opposition of this bill after previously taking a position of "favorable with amendments" because, even after expressing the concerns of veterinarians in the state, the language of this bill is persistent in an effort to strip veterinarians of their ability to practice within the constraints of a legal, well-regulated veterinary client patient relationship. To effectively fulfill my oath, I must maintain the authority to practice in the best interests of the health and well-being of my patients. This proposed legislation is a well orchestrated attempt to further a specific long-term objective; an objective that has very little to do with cat declaws.

The supporters of this legislation may in fact believe a declaw to be inhumane but they also believe numerous other surgical procedures are inhumane. The supporters of this legislation are desperate to get another state to ban the procedure so they can spotlight the accomplishment to push for similar legislative efforts in more, and eventually every state. We have every indication that this unprovable allegation is accurate because the supporters of this legislation have stonewalled every good faith attempt that I, the Maryland Veterinary Medical Association and others

have made to amend the legislation to drastically limit and discourage declaws without entirely banning the procedure and removing any and all ability of a practitioner to practice with discretion to accommodate extenuating circumstances. If the supporters of this legislation were focused on protecting cats they would work with those of us tasked with ensuring the welfare of cats. They would accept our accommodations recognizing this would codify discouragement to perform the procedure and enhance the standards surrounding it. Most practitioners are not declawing cats. We have a preponderance of evidence available to show this. There are almost no cats available in Maryland's shelter network that are declawed. Of the roughly 6,000 cats in the state available for adoption on Pet Finder there are a total of 34 that are declawed.

There is no reputable evidence to support the claim that 25% of cats are declawed. While I have no way of providing certifiable evidence to this anecdotal claim-I would argue that less than 5% of cats today are declawed. In practice it is rare that I see a declawed cat. I don't perform routine declaws on cats and few of my clients even ask for the service. The veterinarians of this state are with rare exception, not offering the service at all and we have identified none that are offering it as a routine service.

I understand there are perhaps a few veterinarians who are in favor of banning declaws but unfortunately, they have yet to provide a substantial body of evidence that indicates cats who have been declawed today are suffering. Our legislators should be demanding this peer reviewed research prior to making such critical decisions in regards to the appropriateness of the declaw procedure. The declaw procedure of "yesterday" is no longer in practice today, when the legislature received testimony at the last hearing on this proposed legislation the proponent of the ban described a barbaric procedure from the 1970s-given the effort failed at this time he has now revamped his testimony to be a bit less dramatic but equally inaccurate.

The profession has moved on entirely from the period of routine declaw and it has turned its back solidly on those who perform the procedure without adherence to the guidelines set forth by the American Veterinary Medical Association dictating strict client education, discouragement of the surgery and, when performed only with the highest of surgical standards and strict multi-modal pain therapy. Many practitioners are using laser surgery when performing declaw today which mitigates most of the prior concerns regarding the procedure. While no declaw is a "good declaw" there are times when it is necessary to preserve the human animal bond and the well-being of the patient. It is patently false that every cat declawed is destined to a life of suffering and there is no evidence to support anything to the contrary.

The American Veterinary Medical Association has discouraged the act of declaw for a number of years now. The standard of care requiring multi-modal pain therapy has been defined and the well functioning Maryland Board of Veterinary Examiners already ensures practitioners adhere to the accepted standards of practice within this state which would require veterinarians to comply with this standard. Additionally, the American Association of Feline Practitioners has taken a stance discouraging the act of declaw. Most veterinarians today are not performing the declaw procedure. Most of organized veterinary medicine today discourages the procedure from being performed in all but the rarest of circumstances. In spite of the encouragement of these organizations to forego the procedure, that is not a reason to create legislation which would ban it. The fact that the profession has acknowledged the procedure should only be performed in rare

situations and only under the strictest of care guidelines, after counseling clientele about the alternatives, should exemplify the fact that the veterinarians of Maryland are members of a well-functioning profession capable of addressing the concerns of our patients and clientele. The Centers for Disease Control also acknowledges the importance of the VCPR when it discourages declaw for disease prevention practices but recommends that concerned individuals speak with their veterinarian.

If the steps the veterinary profession have taken nationwide and within Maryland to reduce the frequency of declaw aren't considered proof enough, the legislative body should seek information regarding the number of cats in this state that are available for adoption and declawed. The number is very small. I myself called every county shelter in the state to find more information about those that were declawed. There was only one available under the age of 6 and none of the cats available for adoption were cited as behavioral surrenders. This legislation is neither required to ensure the welfare of cats or to regulate a profession already performing at the highest standards. This legislation may in fact be harmful to the welfare of cats in the state.

On rare occasions when a cat needs to be declawed for a non-medical purpose such as destructive behavior that can not be mitigated otherwise, the act of declaw is likely the only option to keep that cat in a loving home. In my experience, by the time a client comes to me requesting declaw of their cat we can generally reduce the destructive behavior with training and other modalities like claw caps etc. However, there are occasions when these techniques fail or when it's simply not possible for an arthritic client to apply caps to her cat's paws on a monthly basis. When a destructive cat begins to damage a rental property etc. clients who really do love the animal are sometimes forced to make a difficult choice. Removing the ability of these clients to have the cat declawed to keep the patient in the home is really not in the best interest of the cat. Shelters are overwhelmed with unwanted cats and older cats surrendered to a shelter for destructive behavior are unlikely to ever be adopted.

While the number of declawed cats in our state shelter system is exceedingly low, the number of cats in our shelter system is always high. Adding to the number, by limiting the ability of people to keep a destructive animal after declawing it will almost certainly result in higher rates of abandonment and euthanasia. I also question the motives of this legislation. I am concerned the motive is more about limiting the legal practice of veterinarians and less about protecting cats. There simply is no proof that cats are in need of protection from declaws-the preponderance of evidence suggests cats aren't really being declawed and the shelters don't have any available for adoption. There's certainly no evidence that suffering cats are flooding our shelter system.

I don't understand the impulsive urge of state legislators to get involved with this. For perspective, state legislators have believed constituents want: cage free eggs, free range chicken, rBST free milk, and bans on antibiotics but in reality the cage free eggs are not selling, the free range chicken is being discounted at a tremendous loss and rBST milk is not a premium product, it's now standard. The largest organic dairy on the Eastern Shore of Maryland is now sitting empty. Our legislature banned therapeutic administration of antibiotics for dairy cows last year and we have yet to figure out how to safely implement that plan, let alone enforce this ban. This present bill is not about dairy farms or food animals but we do have the ability to reflect on the actions of this state's legislature to determine the negative impacts the decisions it makes in

regards to veterinary medicine can have on the constituents of this state. When we lose our dairy farms we compromise food security for Marylanders. I am of the firm belief that few of our state representatives take the time to appropriately consider these impacts. The practice of veterinary medicine is complex. It is ill-advised to have a state legislature that seeks to regulate veterinary medicine through legislative authority. Veterinarians are already subject to the board of veterinary medical examiners review and oversight. The board believes the decision of a declaw should be between a veterinarian and client with whom a Veterinary-Client-Patient-Relationship has been established. Additionally, as a profession, the American Veterinary Medical Association has taken a stand on declaw and has firmly defined the standard of care in regards to the procedure itself. Veterinarians are responsive, there has been no evidence to support the legislatures need to regulate it. Our state legislature should not risk making a deleterious decision in regards to the practice of veterinary medicine within our state.

This is animal rights driven legislation that is effectively undermining the health and well being of animals and the public.

I firmly believe that what we are seeing is a new arm of the animal rights agenda here and precedence will matter. Maryland should not set the precedence of negating the veterinary client patient relationship. The state legislature must not delegate animal welfare decisions to the public, animal rights agencies or the cat sanctuaries. As a profession we are functioning responsibly and ensuring that when a declaw is performed there is a high standard of care. For this reason, I am opposed to delegating my scope of practice to the state legislature. There is simply no reason for it. State legislators who vote in support of this bill are voting to delegitimize the veterinary professionals of this state who have made it clear, that we, as the experts on animal welfare have this under control. We are capable of functioning as a profession and self regulating. We are capable of ensuring the health and well-being of our patients. We are capable of adjusting to and elevating the standard of care and ultimately we are capable of serving as the decision maker, in consultation with our clients, about what is the most appropriate way to take care of their pets. This is not a responsibility the state legislature needs to take on. Veterinarians are not performing this procedure for financial gain.

At the end of the day the veterinarians of this state rarely perform declaws because less people want them and veterinarians have indicated they take the decision to perform this procedure seriously, they counsel clients prior to doing so-as is now required by the AVMA and they are required to adhere to the standard of care which includes certain operative techniques as well as multi-modal pain therapy or risk punitive professional measures by their respective state board of veterinary medical examiners who looks to the AVMA as a resource when defining the “standard of care”.

I don't believe for one minute this is constituent driven. The voters of Maryland could not care less. This is animal rights activism at work. The HSUS came out with the campaign to correlate a declaw with amputation of the tip of the finger and that made people uncomfortable. Including some veterinarians who really should take a better look at their anatomy books and recognize that a lot of bones may be named the same and yet function differently between species. Anthropomorphism is a signature move of animal rights agencies and our state legislators should be willing to forego the desire to respond favorably to such tactics.

Some argue that no person should have the right to amputate the digit of a cat for any reason. That is a matter of opinion. After making laws forbidding the declaw procedure it becomes a dangerous matter of precedence. I happen to believe ripping the sex organs from animals is a pretty painful practice and last I checked we didn't consult the animals prior to performing that procedure. Removing the ovary of a cat has no more benefit to her than removing her claw. It's done for the human. In some ways it's done in the interest of public health. Our legislators should be careful to understand the precedent they set when they are limiting the scope of veterinary medicine by legislative mandate. Upon banning declaws, activists will use this as an opportunity to ban other necessary procedures in the name of animal rights and it will be easier to do when the precedent for limiting the scope of the VCPR has already been set.

This proposed ban on declaws is going to be a pivotal piece of legislation we, as a state, will look back on. I hope our state legislators can have the integrity to listen to the veterinary professionals and oppose, this legislation to make certain we don't come to realize the powerful negative potential of such legislation.

Resources:

<https://www.fb.org/market-intel/cage-free-eggs-were-once-expected-to-dominate-the-egg-market>

<https://www.iasoybeans.com/news/articles/food-label-fatigue-consumer-survey-shows-iowans-find-branding-claims-misleading/>

<https://www.forbes.com/sites/serenitygibbons/2019/04/27/why-your-customer-surveys-are-probably-inaccurate/#2e18949465bf>

<https://www.avma.org/resources-tools/avma-policies/declawing-domestic-cats>

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