

Wednesday, January 19

Written Testimony of the
Maryland Veterinary Medical Association



Prepared for the
Maryland General Assembly
House Environment and Transportation Committee Hearing

Re: HB0022 Animal Welfare – Declawing Cats – Prohibited Acts

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Matthew Weeman DVM, MS
Position: Oppose HB22

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.

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 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.

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 as HB445 the proponent of the ban described a barbaric procedure from the 1970s. The profession has moved on from that period and so should this legislature. Today, I rarely perform a declaw but when I do it is practiced with the strictest surgical standards and multi-modal pain therapy. Many practitioners are using laser surgery when performing declaw today which mitigates most of the prior concerns regarding the procedure. The vast majority of the time I will decline to perform a declaw, however there are occasions in which a declaw is the right course to take in order to keep a cat within a loving home.

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>

Sincerely,



Dr. Matthew Weeman
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House Bill 22 (Declawing Cats) – OPPOSE

January 17, 2022

Chairman Barve and Members of the Environment and Transportation Committee,

As the first cat-only veterinarian in Maryland, a past-president of the American Association of Feline Practitioners and the Maryland Veterinary Medical Association, I have some insight into most feline health and welfare considerations. During this session I am asking the members of this Committee and entire Maryland State Legislature to **oppose HB 22** prohibiting the declawing of cats.

I understand and agree with many of the reasons HB 22's supporters oppose declawing, and I have not performed declaws in more than a decade. Most people don't even know why cats use their claws, and that it's normal behavior, not "bad" or "destructive" behavior. Even fewer know why, how, and where to provide resources for cats to use their claws safely. Thankfully, there are solutions that satisfy both normal behavior (cat's perspective) and desirable behavior (person's perspective). It just takes education, collaboration, and patience to ensure a happy and healthy home.

In the past, my position on this bill was favorable with amendments. The opportunities to discuss possible amendment parameters has occurred multiple times over the past couple of years. Our oppose is a direct response to the advocates being completely unwilling to compromise despite our openness to come to an agreement that works for everyone. I am open to further dialog. It just takes education, collaboration, and patience to pass meaningful and effective legislation to ensure a happy and healthy community.

Respectfully,

Jane Brunt, DVM
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House Bill 22 (Declawing Cats)—Oppose

January 16, 2022

To: Maryland Environment and Transportation Committee

From: Rebecca Owens, DVM, Chief of Staff Banfield Greenbelt Maryland; Maryland Licensed Veterinarian #4509; Co-Chair Maryland Veterinary Medical Association Continuing Education Committee

Contact Information: Home address—2318 Westport Lane, Crofton, MD 21114

Email—rebeccaowens820@gmail.com

Phone—mobile (904)599-5939 and work (301) 441-1139

Dear Honorable Committee Members:

Thank you for accepting my written testimony regarding my opinion and expertise on declawing of cats. I have been a small animal veterinarian since 1995 and have practiced in both Maryland and Florida. I am currently practicing in Greenbelt Maryland and see on average 80 pets per week for routine care.

At the start of my career declawing cats was routine and I became very skilled at this surgery, performing perhaps 3-4 every week for several years. Clients requested it because they did not want to be physically harmed by their cats as well as wanting to protect their physical property (furniture) from destruction. I used general anesthesia, and multi modal pain control for this surgery. I experienced very few complications because I took extra care with this type of surgery in my attention to detail. In the past I have even declawed my own cats and have not witnessed any ill effects from it. Both post operative and long-term behavior was all normal. More recently, declawing has fallen out of popularity among pet owners due to concerns surrounding the necessity of the surgery. A better understanding of natural feline behaviors are now discussed and recommended with clients. The popularity of the surgery has dramatically decreased over the years. I have not performed a declaw surgery in over 5 years.

In my day to day practice few clients ask about the procedure. When I am asked about it I counsel the clients on alternatives to the surgery such as training their cats to use a scratching post, keeping the nails trimmed at home, or applying soft tips to the claws. On rare occasions a client will ask about the surgery due to a personal health concern with being scratched. For example, if a client is taking blood thinners or is immunocompromised then the conversation may lead to the potential for the surgery. In my experience if a cat is scratching their owner, then it is a behavior issue and the cat is biting that owner as well. These cases tend to do better with behavior modification

therapy—a combination of medications with training and environmental changes that will decrease the unwanted behaviors.

On rare occasions I have recommended the surgery with polydactyl cats (cats with extra and deformed toes). Even then I will only declaw the extra toes that tend to overgrow into the paw pad thus causing the cat pain. In these situations, the cat actually benefits from the surgery by avoiding overgrown nails and pain.

I seriously question the need to pass laws regulating the practice of my profession as it relates to animal welfare issues and as such, oppose House Bill 22. Veterinarians are already leaders in their communities as animal welfare experts. The day I graduated from veterinary school I took an oath to "...promote animal health and welfare, relieve animal suffering, protect the health of the public and environment...". I live this oath every day.

Please feel free to contact me for any further details or clarification surrounding my opinion on House Bill 22.

Sincerely,

Rebecca Owens, DVM

Jeanne Sanders, LFACHE
9912 Foxborough Circle
Rockville, Maryland 20850
301-520-7243

jeanegracesanders@gmail.com

January 16, 2022

To Whom It May Concern:

Re: Proposal to ban cat declawing in Maryland – OPPOSE

This letter is to respectfully request that the proposal to ban cat declawing in Maryland be declined. My request is based on the following:

My late husband developed Mild Cognitive Impairment that rapidly progressed to Alzheimer's Disease. Our beloved cat, Jonas, was his constant companion serving as his service and support animal. Jonas could comfort and calm him when nothing else would. Jonas was devoted to him and would follow him from room to room and sit with him for hours.

Jonas was not declawed and as my husband's disease progressed, he could not mentally process or prevent Jonas' claws from pricking him as Jonas sat in his lap. It was agonizing to see my husband's dismay and confusion when this happened. I recognized that the only viable solution was to have Jonas declawed.

I discussed this with Jonas' vet, Dr. Amspaugh of Quince Orchard Veterinary Hospital. He knew my husband as he had always attended our pets' appointments until his disease progressed to the point of not being able to do so. He agreed and Dr. Giebel, head of the practice, compassionately and promptly declawed Jonas using laser which minimized any discomfort to Jonas.

I cannot fully express the joy I experienced when Jonas could sit for hours with my husband again without causing him confusion because of the claws hurting him! Jonas remained his service and support animal until my husband's death a full year after Jonas was declawed.

This is not my family's only experience.

Currently my sister is battling Stage IV metastatic cancer. Her kitten, Lancelot, is her service and support animal. My sister's treatment has resulted in her being wheelchair bound and suffering from lymphedema. She cannot risk having Lancelot's claws scratch her and result in an infection. This could be deadly for her! Lancelot is a comfort and support to her just as Jonas was to my late husband. Having him declawed is the only option for him to remain with her.

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I know that Dr. Giebel will do so with the same compassion he demonstrated with Jonas.

I recognize that these anecdotes are my family's experiences. I am confident, however, that other families across Maryland experience similar issues.

Please do not remove the discretionary ability for Maryland veterinarians to exercise their clinical judgement in performing cat declawing! To do so will result in a profound loss of service and support for Marylanders with compromising circumstances.

Thank you for your review of this information.

Sincerely,

Jeanne Sanders

Jeanne Sanders, LFACHE



January 17, 2022

Ms. Marisa Francis
Executive Director
Maryland Veterinary Medical Association
8574 Paxton Street
Hummelstown, PA 17036

Re: MD HB 22, concerning Animal Welfare – Declawing Cats – Prohibited Acts

Dear Ms. Francis:

I am writing to express the American Veterinary Medical Association's opposition to HB 22, which would prohibit the declawing of cats and impose disciplinary actions, including the revocation of a license, for performing the procedure. Although the AVMA discourages onychectomy (declawing) of cats as an elective procedure and encourages veterinarians to counsel their clients about non-surgical alternatives, we have grave concerns about legislative and regulatory actions that remove the professional judgment of veterinarians in determining when to perform specific veterinary procedures.

Good animal health and welfare is supported by the veterinarian's ability to apply professional judgment within the context of the veterinarian-client-patient relationship

The adoption of HB 22 would circumvent the professional judgment of Maryland veterinarians and disrupt the veterinarian-client-patient relationship, which has long been the foundation of veterinary medical practice. Best health and welfare outcomes for veterinary patients, clients, and the public require that decisions involving the diagnosis and treatment of veterinary patients—including the performance of surgical procedures, such as declawing—be made by the animal's veterinarian in consultation with the animal's owner. This ensures that each animal receives the best possible care that is uniquely tailored to its needs. Veterinarians must retain authority to exercise professional judgment in making clinical recommendations that are in the best interest of their patients.

Viable alternatives to legislative and regulatory action

With respect to onychectomy, and as an alternative to legislative and/or regulatory action, the AVMA strongly recommends that veterinarians thoroughly educate cat owners about the normal scratching behaviors of cats and that they support their clients in exploring and implementing alternatives to declawing.

The AVMA assists veterinarians in their efforts by providing educational resources (example attached) that can help them communicate effectively with their clients. If such alternatives fail, with a potential consequence being the relinquishment and/or euthanasia of the cat, then onychectomy becomes the option of last resort. These statements are supported by a survey of veterinary practices that revealed most veterinarians recommend nonsurgical alternatives to onychectomy and that veterinarians who perform the surgery do so infrequently, at a rate of one procedure or fewer per month.¹

Pain management and patient outcomes

Veterinarians recognize that onychectomy is a major surgery. Perioperative pain management is necessary and required for this procedure. Just as for other surgical procedures, advancements in knowledge and technology mean that onychectomy procedures have evolved. Contemporary approaches to onychectomy have resulted in fewer surgical complications and better patient outcomes.

Declawing is a controversial procedure; however, we speak for the profession in voicing our opposition to HB 22 and ask that every effort be made to ensure that veterinarians retain their ability to apply their professional judgment when it comes to medical and surgical decisions that impact the health and welfare of their patients. Veterinarians have an obligation to consider the unique needs of the patient that is in front of them and a duty to inform their clients of a given procedure's risks, benefits, and alternatives. Declawing is neither unique nor singular in that regard. We thank you for supporting our patients, their owners, and our profession by protecting the ability of veterinarians to act in their patients' best interests.

For questions regarding this letter, please contact Dr. Kendall Houlihan, Assistant Director, Division of Animal Welfare, at 847-285-6685 or khoulihan@avma.org.

Sincerely,

A handwritten signature in black ink that reads "Janet D. Donlin". The signature is written in a cursive, flowing style.

Janet D. Donlin, DVM, CAE
Executive Vice President and Chief Executive Officer

¹Ruch-Gallie R, Hellyer PW, Schoenfeld-Tacher R, et al. Survey of practices and perceptions regarding feline onychectomy among private practitioners. *J Am Vet Med Assoc* 2016;249(3):291-298.



Important things to consider when making the decision **DECLAW...OR NOT?**

Scratching is a normal behavior of cats. It conditions the claws, serves as a visual and scent territorial marker, allows the cat to defend itself, and provides healthy muscle engagement through stretching. In many cases, a cat can be trained to scratch only appropriate surfaces. However, a cat's excessive or inappropriate scratching behavior can become destructive or cause injury to people in the home.

ALTERNATIVE TRAINING AND MANAGEMENT OPTIONS

- Providing appropriate scratching surfaces, such as dedicated posts and boards that are tall enough to encourage full stretching. What constitutes an attractive surface or location varies by cat, so don't be afraid to get creative! Scenting with catnip may help too.
- Frequent nail trims - every 1-2 weeks
- Nail caps - replaced every 4-6 weeks
- Positive reinforcement training, beginning with kitten kindergarten if available
- Pheromone sprays and/or plug-ins
- Discourage use of inappropriate surfaces by attaching sticky tape or tinfoil
- Punishment is not an effective deterrent

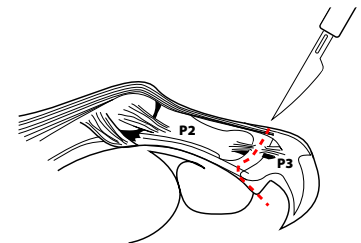
WHEN THE ALTERNATIVES AREN'T ENOUGH

When undesirable scratching is not able to be successfully managed, or a member of the household is immunocompromised with a higher risk of health complications as a result of accidental scratches, declawing may be the only alternative to relinquishment or euthanasia. While not a first choice, nor a minor procedure, if properly performed declawing may allow a pet cat to remain in an otherwise good home.

Declawing is the surgical amputation of a cat's claws and the third toe bones to which they are attached.

Most cats will still exhibit scratching behavior after declawing. If performed,

this elective orthopedic surgery requires general anesthesia and comprehensive pain management under the care of an experienced veterinarian. Like any major surgical procedure, possible complications include short- and long-term pain, bleeding, infection, and wound reopening.



MAKE A THOUGHTFUL CHOICE

Because elective declawing is performed for the benefit of the owner rather than the cat, the procedure remains controversial. The decision to have a cat declawed should be carefully considered in consultation with your veterinarian. Declawing should only be performed after reasonable behavior modification attempts and alternatives have been exhausted. Declawed cats should not be allowed outdoors, unless they are under direct supervision.

To learn more visit [avma.org/declaw](https://www.avma.org/declaw)