



Colorado Veterinary
Medical Association

**Testimony on HB16-1324
House Committee on Health, Insurance, & Environment
March 17, 2016**

Good afternoon, Chairman McCann and members of the committee, and thank you for the opportunity to present these comments. I am Dr. Will French, a veterinarian at Littleton Equine Medical Center, and today I am speaking as an officer of the Colorado Veterinary Medical Association (CVMA). With more than 2,100 members, CVMA is the voice of the veterinary profession in Colorado.

CVMA strongly supports House Bill 1324 because it closes gaps in Colorado law that are restricting access to compounded medications needed to treat injuries, manage pain, and often save the life of an animal patient.

Why do veterinarians need compounded drugs? Veterinarians frequently find themselves in situations where treating a sick or injured animal involves a compounded drug because:

- An FDA-approved drug is not commercially available (due to shortages that are becoming more common for both veterinary drugs and human drugs that can be used in treating animals) , or
- An approved drug needs to be modified (for example by flavoring, diluting, or changing the form of the medication) to sufficiently treat the patient , or
- There is no approved product from which to compound the needed preparation.

What are the barriers to obtaining compounded drugs? Compounded drugs must be obtained from a specialized registered prescription drug outlet, and orders must be based on a patient-specific prescription. However, a patient-specific prescription may not be able to be filled immediately by a compounding pharmacy. Veterinarians work in a wide variety of settings that are often distant from these compounding pharmacies, and animal patients' lives are in jeopardy because of the delay in acquiring the compounded substances. Colorado does not currently allow a veterinarian to hold office stock of a compounded drug from which a limited number of doses could be dispensed in such cases.

Perhaps this personal example will illustrate the need for immediate access to compounded drugs:

The drug Phenylbutazone, also known as Bute, is a non-steroidal anti-inflammatory drug used frequently in equine medicine. Bute is the strongest and best pain reliever for horses, particularly for lameness or musculo-skeletal related pain. There is an FDA approved version of Bute in a paste that is easy for owners to administer – but over the past two years this medication has frequently gone on manufacturer back order, leaving it virtually impossible, sometimes for months at a time, to stock Bute paste for our patients.

There are a number of diseases and conditions for which Bute is helpful and necessary, but when a horse is diagnosed with laminitis the need for Bute is absolutely critical. Laminitis is an extremely debilitating inflammation between the sensitive and insensitive tissues of the horse's hoof. Horses become extremely lame and uncomfortable, and in severe cases many horses spend the majority of the

day lying down because it is too painful to stand. In worst case scenarios, the bone can detach from the hoof and fall through the bottom of the hoof capsule. Some have likened it to a person's finger nails being slowly ripped off of their nail bed.

Bute is the first-line, and best, treatment for cases of laminitis. If the inflammatory process can be caught and stopped early, the horse has a chance at life. Many cases of laminitis are treated on the farm because some horses are simply too painful to transport to the hospital. It is especially critical that owners be able to safely and effectively give Bute to these cases as an ongoing treatment for their horse.

Without this bill I am unable to carry compounded Bute on my veterinary truck unless it has a prescription for a specific patient on its label. The very nature of laminitis means it can strike at any time, and unfortunately it doesn't pay attention to weekends, normal business hours or holidays. If I have to call in a prescription to a pharmacy in order to make Bute paste specifically for that patient, it could delay that patient's access to life-saving medication by days. I work at a large equine hospital and we see between 50-75 cases of laminitis each year. Spread across Colorado, hundreds of horses annually are affected by this disease. This one medication for one disease is just one example of how important access to compounded medications is for veterinarians and their patients.

Under current Colorado law, it is not sufficiently clear that a compounding pharmacy can supply compounded medications to a veterinarian for administration in the veterinarian's office – as a result, many compounding pharmacies have declined to do so. Additionally, a veterinarian is not presently allowed to maintain an office stock of compounded drugs that are essential for treating the animal patient until a patient-specific prescription can be delivered by a compounding pharmacy.

In closing, we ask for your support of House Bill 1324 to remedy these problems by amending the Colorado Pharmacy Practice Act to:

- Permit a resident or nonresident compounding pharmacy, which meets the registration requirements established by the Colorado Board of Pharmacy, to provide a compounded medication to a veterinarian without a patient-specific prescription for office use or for office stock
- Permit the veterinarian to maintain office stock, for in-office administration of a compounded medication, subject to the 10% office-use limitation that is clarified in this bill
- Permit the veterinarian, if a patient has an emergency condition, to dispense the compounded drug from office stock in an amount not to exceed five (5) days' worth of doses

We are pleased that the American Veterinary Medical Association is in support of House Bill 1324, and has provided a letter in that regard. We are also pleased that the Animal Health Institute, the national trade association for animal pharmaceutical manufacturers, is in support of this bill.

We believe House Bill 1324 provides significant, beneficial, though limited changes that will ensure Colorado veterinarians have the medications we need so our animal patients can receive the life-saving care they need. Thank you for your consideration.