Bill as Introduced

SB 408– AS INTRODUCED

2000 SESSION

00-2619
08/01

SENATE BILL ***408***

AN ACT relative to an animal owner's right to choose animal care.

SPONSORS: Sen. Wheeler, Dist 21; Sen. Cohen, Dist 24; Sen. Roberge, Dist 9; Sen. Hollingworth, Dist 23; Rep. Burnham, Ches 8; Rep. Taylor, Straf 11; Rep. M. Fuller Clark, Rock 36; Rep. Weatherspoon, Rock 20; Rep. Keans, Straf 16

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows the treatment of horses and ponies by farriers and licensed acupuncturists, chiropractors, and massage therapists.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 408– AS INTRODUCED

00-2619
08/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to an animal owner's right to choose animal care.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Purpose. Animal owners should have the same freedom to choose health care for their animals as we all have to choose health care for our ourselves and our families. Animal owners want the very best care for their animals, and will make great effort to find the best qualified persons to provide health care for their animals. More people are choosing alternative health care for themselves, and this option should be available when choosing care for their animals.

2 Veterinary Medicine; Exceptions to License Requirement. Amend the introductory paragraph of RSA 332-B:2 to read as follows:

332-B:2 License Required and Exceptions. Except as provided in RSA 332-B:9 ***and RSA 332-B:2-a***, no person may practice veterinary medicine in the state who is not a licensed veterinarian or the holder of a valid temporary permit issued by the board. This chapter shall not be construed to prohibit:

3 New Section; Practice of Veterinary Medicine; Non-surgical Treatment of Horses and Ponies. Amend RSA 332-B by inserting after section 2 the following new section:

332-B:2-a Treatment of Horses by Certain Non-Veterinarians.

I. Notwithstanding RSA 332-B or any other provision of law to the contrary, any farrier or licensed acupuncturist, chiropractor, or massage therapist may engage in the practice of veterinary medicine, as defined in RSA 332-B:1, III(a), with the exception of surgery, on horses and ponies, if contracted or asked to do so by the owner of the horse or pony.

II. No provision of this section shall be construed to allow any person other than a veterinarian from doing any act provided in RSA 332-B:1, III(c).

4 Practice of Veterinary Medicine; Enforcement. Amend RSA 332-B:19 to read as follows:

332-B:19 Enforcement.

I. ***Except as provided in RSA 332-B:2-a,*** any person who shall practice veterinary medicine without a currently valid license or temporary permit shall be guilty of a misdemeanor, and each act of such unlawful practice shall constitute a distinct and separate offense.

II. ***Except as provided in RSA 332-B:2-a,*** no person who shall practice veterinary medicine without a currently valid license or temporary permit may receive any compensation for services so rendered.

III. The board or any citizen of this state may bring an action to enjoin any person from practicing veterinary medicine without a currently valid license or temporary permit, ***except as***

provided in RSA 332-B:2-a. If the court finds that the person is violating, or is threatening to violate, the provisions of this chapter, it shall enter an injunction restraining the person from such unlawful acts.

IV. The successful maintenance of an action based on any one of the remedies set forth in this section shall in no way prejudice the prosecution of an action based on any other of the remedies.

V. In addition to other penalties imposed by this section, a person who practices veterinary medicine without a currently valid license or temporary, ***except as provided by RSA 332-B:2-a,*** permit shall be subject to civil penalties assessed by the board in the amount of $2,000 per violation, or, in the case of continuing violations, $200 for each day the violation continues, whichever is greater. A person who disputes such an assessment may request a hearing by the board, and any final disposition rendered by the board shall be enforceable as any other civil judgement.

5 Effective Date. This act shall take effect January 1, 2001.

Amendments

Sen. Wheeler, Dist. 21
Rep. Taylor, Straf. 11
February 9, 2000
2000-3372s
08/10

Amendment to SB 408

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the application of non-conventional veterinary procedures for domestic animals.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the application of non-conventional veterinary procedures for domestic animals.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Five members of the house of representatives, 2 of whom shall be from the environment and agriculture committee, appointed by the speaker of the house.

(b) Five members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the application of non-conventional veterinary procedures for domestic animals.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the senate president, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2000.

6 Effective Date. This act shall take effect upon its passage.

2000-3372s

AMENDED ANALYSIS

This bill creates a committee to study the application of non-conventional veterinary procedures for domestic animals.

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Rep. Taylor, Straf. 11
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Copy's
Of
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Rep. Taylor, Straf. 11
February 9, 2000
2000-3372s
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IF this amendment is adopted by the Committee, please deliver to the House Clerk (Room 317) or Senate Clerk (Senate Chamber), the 2 originals and 2 copies.

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2000-3372s

AMENDED ANALYSIS

This bill creates a committee to study the application of non-conventional veterinary procedures for domestic animals.

Senate Executive Departments and Administration
March 8, 2000
2000-3691s
08/09

Amendment to SB 408

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the application of non-conventional veterinary procedures for domestic animals.

Amend the bill by replacing all after the enacting clause with the following:

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2 Membership and Compensation.

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(a) Three members of the senate, appointed by the president of the senate.

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6 Effective Date. This act shall take effect upon its passage.

2000-3691s

AMENDED ANALYSIS

This bill creates a committee to study the application of non-conventional veterinary procedures for domestic animals.

Committee Minutes

Date: January 11, 1999
Time: 1:05 pm
Room: 101 LOB

The Senate Committee on Executive Departments Administration held a hearing on the following:

SB 408 relative to an animal owner's right to choose animal care.

Members of Committee present:

Senator Cohen
Senator Francoeur
Senator Brown
Senator Larsen
Senator Roberge
Senator Trombly

The Chair, Senator Burt Cohen, opened the hearing.

Senator Burton J. Cohen, D. 24: Open the hearing on SB 408 and call the prime sponsor Senator Katie Wheeler.

Senator Katherine W. Wheeler, D. 21: Thank you very much Mister Chair. I am Senator Katie Wheeler the prime sponsor of SB 408. After people who are here testify I am going to ask if you would be willing recess the hearing rather than closing it. The bill is still in flux. We are going to have to have some amendments made. I would like to have an opportunity for people to testify later on.

This came about because of some revisions that we made last year to the Veterinary Practice Act. At that time some people became concerned that perhaps some of the health care providers that they have been choosing for their animals and mostly it was for horses, that they were not operating with in the law.

So this is clearly something that we need to examine to try and reconcile the concerns of the veterinarians, the horse owners, the farriers, and all the interested parties. So after the hearings I am going to suggest. I believe that

we have this subject matter of this bill and the one that was heard in the house this morning, put into a study committee to worked on over the summer. But I would like to reserve that option and not ask you to vote on it right now.

So I think that there are a lot of people with very legitimate concerns that would like to testify. So I appreciate the opportunity that you all are giving to this issue. I will stop my testimony at this point and speak at another date.

Senator Burton J. Cohen, D. 24: Thank you. Any questions for Senator Wheeler? Thank you very much. Representative Dan Burnham do you wish to speak?

Representative Dan Burnham, Cheshire, D. 8: Hi Senator Brown, Senator Cohen be before you. For the record I am Dan Burnham I am from Cheshire district number 8. I can never rattle off the towns anymore Dublin, Marlboro, Troy and Roxbury.

I want to add a little bit if I can to the conversation or the dudler of the debate that is going on here this morning on this timeliness. If I understand it for my constituents for years now particularly people who show horses and also who jump horses in shows have gone way beyond the practice of medicine as the veterinarians think of it at the turn of 18, 1980. You have all sorts of therapies now that are being used. Particularly massage type therapies at shows. You have all sorts of special farrier changes that you use in terms of feet changes and the type of shoes. You have all sorts of acupuncture has been prove very effect at shows when immediate pains come up in...

If you go to a show now, a big horse show now you will see whole, horse owners now hiring a whole bunch of specialists that you never saw 10 or 15 years ago. I don't know this was done deliberately, but I think the bill that Senator Katie talked about a little while ago, over the last term was past without a murmur was an attempt by the veterinarians to try and get back some of that practice. I think they pulled an unconscionably heavy-handed method.

It simply says if you read the bill or the implications are sure go ahead if you are, if you have been shoeing horses and you are called over there and something, there is a swelling of the foot and of the hoof and the rest of it. That you can't change that shoe or you can't even test for something without the farrier notifying the veterinarian and having him come over. Which is a and they have gone through what all this includes this particular concern

among the veterinarians the dentist, horse dentists are running a racket around here grinding down horse's teeth unnecessarily. This is just an exercise.

The veterinarians have the responsibility for make sure that or the law, they have passed a law says that they can't do that. You can't grind down horse's teeth anymore without checking with your veterinarian first.

It is an interesting debate and the veterinarians have a long record of trying to keep scoundrels out of the business of veterinarian practice and they have licensure and ... But I think it is time and why I am a sponsor of this bill is to settle the dust on how far the veterinarian practice can intrude on the rights of horse owner or dog owner or any other owner to call in who ever he thinks or she thinks is the appropriate expert to take care of her animal or his animal.

To belabor that with some sort of control devise by the veterinarians I think is a bad move and as you probably all you I am sure you here know. So do most of your constituents, horse constituents anyhow. I don't know about your phone, but I had a busy month or so there. I think it is a really worthy debate and worthy of taking seriously and in the long run coming up with something that does identify where the veterinarian rule stops and where the other factors come into play.

Thank you very much.

Senator Burton J. Cohen, D. 24: Thank you. Any questions for Representative Burnham? Say none thank you very much. Representative Kathy Taylor. We will go through the list of sponsors first and then get to others.

Representative Kathy Taylor, Strafford, D.11: Thank you Senator Cohen. I will keep this short because I did testify this morning. But I did want to address Representative Burnham discussion of dentist, equine dentist. Horses in general competition horses, racehorses need to have their teeth ground once a year because of the bit, the metal bit in their mouth. Equine dentists go around they do this they are fast they are good and we rely on them to do that. I think they ought be included in the list in the alternative practices with the acupuncturists and the chiropractors. As I said I won't repeat everything from this morning. But thank you.

Senator Burton J. Cohen, D. 24: Just a quick question. Horse dentist practice of that currently there is a problem with that?

Representative Kathy Taylor, Strafford, D.11: Veterinarians do float teeth. They do do that also, but there are people who have been doing this for 15, 20 or more years and they go to large barns, show barns all around and that is what the specifically do. They are very good, they are fast, they are competent, and I haven't yet to hear of one trying to round up business and do teeth more than need to be done. Because they are so busy you can barely find one to come once a year.

Senator Burton J. Cohen, D. 24: So is that currently not done.

Representative Kathy Taylor, Strafford, D.11: It is not legal in New Hampshire.

Senator Burton J. Cohen, D. 24: Any other questions?

Senator Gary R. Francoeur, D. 14: Is this on...the bill that we pasted like 2 years ago?

Representative Kathy Taylor, Strafford, D.11: Last year we pasted SB 83, SB or HB 83, House Bill I think it was. Included in the definition of the practice of veterinary medicine included treating lamenesses. There by saying if one was to treat a lameness that was the practice of veterinarian medicine. Find someone treating lamenesses without having a veterinary medicine license could be fined $2,000 a day. So this is the general result that something, the issue of the dentist, the acupuncturist, the chiropractors those are just are coming it is a timely thing, that is coming out it is all in response to the lamenesses being include in the practice of veterinary medicine.

Senator Gary R. Francoeur, D. 14: Would it have been better if we didn't put the lameness in it?

Representative Kathy Taylor, Strafford, D.11: I think this would have bubbled up eventually anyway because it is such a thriving industry. I think it is very similar to what is going on in human medicine with alternative therapies and physicians wanting to keep control of their slice of the pie. That is why it is difficult to get a referral to a chiropractor, a herbalist, or an acupuncturist because physicians want to keep you as their patient. Unlike human medicine we don't have health insurance for our horses and so to have a primary care vet would be a problem because a vet wouldn't be retainer to the insurance company giving us a monthly stiffen. We would have to pay the vet for the referral and then pay the specialist to come for the same thing. So I think that is a other problem. Thank you.

Senator Burton J. Cohen, D. 24: Thank you.

Representative Kathy Taylor, Strafford, D.11: Thank you.

Senator Burton J. Cohen, D. 24: Representative Martha Fuller Clark.

Representative Martha Fuller Clark, Rockingham, D.36: Thank you very much Senator Cohen. For the record I am Representative Martha Fuller Clark. I represent ward 2 and ward 5 in the City of Portsmouth. I am here to speak to you today with regard to SB 408 as a co-sponsor.

I think the key issue that we are looking at is language in the statutes that is overly exclusionary. That is really would be the challenge of this committee and hopefully in conjunction with the house to solve the issues so that an animal owner or horse owner can have appropriate choice of how their animals are looked after and taken care of. This particular juncture a lot of that choice has been removed from them.

Senator Burton J. Cohen, D. 24: Senator Brown.

Senator Mary E. Brown, D. 17: The previous witness said that a person can be fined $2,000 a day for violating what we pasted. Do you know if there has been any people fined?

Representative Martha Fuller Clark, Rockingham, D.36: I don't know that there maybe someone else here who could speak to that, but again it seems absurd frankly.

Senator Burton J. Cohen, D. 24: Any further questions?

Representative Martha Fuller Clark, Rockingham, D.36: Thank you.

Senator Burton J. Cohen, D. 24: Charles Putnam, actually you didn't sign up to speak but did want to be recognized in opposition. I hope that is correct. Jim Paine also, Concord also in opposition. Beverly Leo did want to speak.

Beverly Leo: I am Beverly Leo from Warner and I represent the New Hampshire Federation of Humane Organizations and I am also on the board in representing the New Hampshire Equine Humane Association.

Each of those organizations has a concern with the wording on this bill, both on the house side and the wording on this particular one SB 408. The intent of the bill to address some concerns that came up out of last years SB 83 are

certainly valid. For years the alternative practitioners, farriers, et cetera and I don't want to list them out every time I refer to them. But the alternative practitioners have been operating for better or for worst on the call of the owner of the horse. The horse owner taking the responsibility for hiring a farrier or other practitioner to take care of his horse knowing full well that person is not a veterinarian, but is addressing a particular area of the horses anatomy or behavior.

To change that as people think that SB 83 did really brought out some concerns. There are other practitioners that have always been practicing by adding lameness last year people felt that farriers were then in danger this fine process. I think that is an interpretation of the law and I am not sure how it will come down through the courts eventually as whether that is a justified concern or not. But it is justified in that there are people in the profession truly concerned. That makes us concerned and you concerned.

The problem with SB 408 is as written is that it names the farriers and the alternative practitioners as engaging in veterinary medicine and yet it still exempts them from some of the injunctions and penalties that veterinarians would face if the owners of the animals were dissatisfied with the veterinarians procedures on the animals. That is a very dangerous situation to be in. To name someone as a practicing veterinary medicine, but to exempt them from some of the penalties. The alternative practitioners that we are talking about are not veterinarians and I think that the concerns about licensing or training of these people is different entire issue that what was intended to be addressed by this bill.

The alternative practitioners are not vets and have not had veterinary training and to name them as practicing veterinary medicine seems very unfair to those who have been trained in all areas of animal care and we are speaking here specifically about horses.

They have been practicing under existing laws without having been accused before of practicing veterinary medicine without a license. Nobody has thought that a farrier who is shoeing a horse is practicing veterinary medicine. However that is the case if this bill were to pass.

In my opinion last year SB 83 didn't change that issue, but as I already said there are those that feel it did and therefore if is a concern we should be looking at. Our real concern is to protect animals and in order to do that those who work on the animals should definitely have training. I for one to hire a chiropractor, an acupuncturist, or a farrier or a dentist as a horse owner we would want to know that that person has some qualification.

I know that my farrier went to a farrier school. That is about all I know. However she has a good reputation and she does wonderful things with my horses. But, I haven't seen the certificate hanging on the back of her truck that tells what her qualifications are. That could be addressed with other concerns. Other bills looking at how we can determine the qualifications of the people who do these other practices.

But that isn't the issue that was trying to be addressed in last year SB 83 and it is not the issue that is trying to be addressed in this years SB 408. I think that there is an attempt to simplify the way we look at farriers and other practitioners by bringing in this bill. But I think what it has done it to complicate the issue thoroughly and to make some divisiveness between veterinary practitioners and non-veterinary practitioners rather than bring them together and have everybody working together for the good of the animal.

I would like to see the intent of this bill brought forward. Perhaps with someone lightened and maybe...and maybe more complex language that would really address the concerns. But, as it is worded here I think it is dangerous of the animals and it is an insult to the veterinary community the way it is worded. I don't think it enhances the practice of any of the alternative practitioners either. Thank you.

Senator Burton J. Cohen, D. 24: Thank you. Questions? Thank you very much. Call Brad Taylor.

Brad Taylor: Thank you. I am a veterinarian. I practice in the town of Boscawen. I am also President of the New Hampshire Veterinary Medical Association. I have a couple of quick points that I would like to make.

One is that the revisions made in the Practice Act last year did not change in anyway the legal definition of the practice of veterinary medicine. The addition of the word lameness got a lot of publicity, but lameness was included in the Practice Act before. It was implied not actually stated. So the definition of the practice of veterinary medicine did not change with that law last year. It stayed the same.

As practicing veterinarians our primary responsibility is the welfare of our patients, our animal patients. That is why this bill is a huge concern to us. The people who would be allowed to practice medicine as this bill is written are not well defined and are not controlled and are not licensed. Farriers are a completely undefined group. Essentially anybody who wants to be a farrier is a farrier. There is no legal definition of a farrier.

Chiropractors, massage therapists and acupuncturists are licensed to practice on humans. That by no means makes them qualified to practice on animals. They are completely different issues involved. Just as a veterinarian would never presume to practice on a person. People who are trained to practice on people are not necessarily competent to practice on animals. Without legal restrictions on who is a veterinary chiropractor, acupuncturist, farrier, or massage therapist. I think there are some very server dangers in allowing them legally to practice veterinary medicine.

Anther point I would like to make is that there are veterinary chiropractors and acupuncturists. These are licensed veterinarians with advanced training in acupuncture and chiropractic medicine. There are many of them in the State of New Hampshire dangers in allowing them legally to practice veterinary medicine.

Anther point I would like to make is that there are veterinary chiropractors and acupuncturists. These are licensed veterinarians with advanced training in acupuncture and chiropractic medicine. There are many of them in the State of New Hampshire and they are available for referrals.

One final point that I would like to make as you have heard there are many alternative services offered to horse owners and many of the people who offer those services, the massage therapist, trainers are very competent. But writing a law that allows anyone who calls themselves an equine trainer, massage therapist to present themselves to the public without control over what makes you an equine massage therapist is just opening a door for incompetent and dishonest people to be available to the public and the public is not all well educated. Most of the people who testified here are very competent horse owners. They know what they want and they know the people around, not all the horse owners are like that.

So there are no definitions for many of the things in this law and that makes it a sort of a wide-open case. Thank you.

Senator Burton J. Cohen, D. 24: Senator Brown.

Senator Mary E. Brown, D. 17: Are you aware of any abuses or any problems with these folks that are you describing that aren't trained as veterinarians?

Brad Taylor: Specific cases. Yes, there are people who present themselves as massage therapists who don't know what they are doing. They make the same diagnosis every time they see a horse regardless of what is wrong with it and they prescribe the same therapy and they have essentially no effect.

But they are good talkers and people like them and they are good with horses. So they have business, but they don't do any good.

Senator Burton J. Cohen, D. 24: Any questions? Thank you very much. Chair calls Russ Pope.

Russell Pope: Thank you Mister Chairman, members of the committee. My name is Russell Pope. I am representing Dog Owners of the Granite State. Basically we are taking a neutral ground on this. However your form didn't have neutral as a check off box.

Our main concern is since we are talking about this issue concerning horses and ponies we want to make sure that all animals are included in this discussion since dogs, cats and ferrets and various other species have been for decades utilizing the services of acupuncturists and massage therapists and other forms of alternative medicine.

I think there are some good attributes in this that should go to a subcommittee or study committee and there are certainly some exemptions here that should probably not even be considered. However our main concern is that dogs and all animals be considered in this discussion not just limited to horses and ponies.

Senator Burton J. Cohen, D. 24: Questions from committee? Thanks very much. If I can read this right Joe Moore.

Joe Moore: Senator Cohen, members of the committee. Thank you for the opportunity to speak on this bill. Before I begin I would like to tell you that Dr. Clifford McGinnis who is a state veterinarian had intended to speak today. He is laid up with the flu, which doesn't happen to him very often. I know that he feels strongly enough about this. That if he wasn't really sick he would be here. He is opposed to this legislation on the basis of his responsibilities to animals and animal owners and to the general public in the State of New Hampshire.

As state veterinarian he is responsible for making sure that infectious and contagious diseases that are important to humans and other animals do not escape diagnosis. That they are promptly treated and the proper control measures are taken. He has served diligently on behalf of the veterinarians, but more importantly on behalf of the legislature, the public health community of New Hampshire to carry out his duties. Also to make sure that animals are treated in manners that are not cruel or in humane. I am sure that he will be available to assist any subcommittee work on this and he sends his regrets for not being able to be here.

He also asked me to distribute a let from Peter Grasso from the Board of Pharmacy expressing the Board of Pharmacy concerns about allowing people to practice veterinary medicine who are not licensed. Particularly concerned in the use of drugs and other things under the control of Mr. Grasso and his role at the Board of Pharmacy. So I only have one copy and I will leave that to be copied. **(See Attachment A)**

My own testimony I have outlined for you. **(See Attachment B)** You know this has been a long week since this has came to our attention. We have meet as a group to deal with it. To view our opinions and to share them with you and to try and figure out what is going on as professionals. Also to see how this legislation could have possibly been brought forward in the form that it has been brought forward.

My own experience, I am the Director of the New Hampshire Veterinary Diagnostic Lab at the University of New Hampshire. The legislature mandated that laboratory, funds that laboratory, under the oversight of the Commissioner of Agriculture partially funds it, the University partially funds it and we fund it partially on fees. Our mission is to make sure that infectious and contagious diseases in animals are promptly diagnosed. These are serious diseases that could impact large numbers of animals or people in the state. There are many examples where our work has been important.

I am the Coordinator of the Pre-veterinary Medical Program at UNH. It is one of the biggest under graduate programs at the university. We send 10 students each year, about off to veterinary school to be trained. So I am familiar with their riggers of their preparation to get into their profession. I am familiar with the requirements that the veterinary schools have and the demands they place on their students to learn their profession and what it takes to get licensed in the state.

I served many years on the Board of Veterinary Medicine, the Medical Association, which is probably a self-serving association. But I think that if you think about all the things the association has done for the good of people other than veterinarians. There is a spay/neuter program in the state that the veterinarians helped organize. Give up their time; give up their money to do good for animals and for people in the State of New Hampshire.

That is not something they are trying to make money on. We are not highly motivated to make money or we wouldn't be veterinarians. We might be acupuncturists or chiropractors, but we wouldn't be veterinarians.

Frank Lowe the Dean of Tuffs Veterinary School in graduating his seniors a number of years ago called veterinarians the most compassionate of the

professions. I think there is some truth to that. People begin to be veterinarians because they love animals, they care about animals and they care about their work. We work very had to get there and very hard to do a good job in the work.

I have served on the State Board of Veterinary Medicine, which is the licensing board for the state. It begins with you. It begins with your looking at proposals for a practicing, for a licensing board, what we require for people to do anything. Veterinarians are licensed other professions are licensed, other trades are licensed. The licensing begins with education, credentials, the standards of performance...

...I seriously doubt it is going to be an easy task to have a subcommittee put together and determine how someone who has gone to school that has never been trained formally in veterinary diseases. Forget lameness, forget muscles, forget about the important things that veterinarians do in making their diagnosis. How hard it is to look at an animal and determine what is making it sick.

Not knowing what you don't know is a big problem. I can give you the symptoms of rabies in a horse, the symptoms of rabies in a kitten both, which have occurred in this state that an animal owner might have very well called up a chiropractor. If your legislative body had said it is okay for chiropractors to practice veterinary medicine or a massage therapist and say my cat has a sore leg come treat it? That cat had rabies. The cat I am thinking about had a family of 5 people, a grandmother, 2 sisters, 2 daughters and here grandchildren who go post exposure treatment.

The veterinary who made that diagnosis made a very astute diagnosis and was concerned enough to call Dr. McGinnis and have that cat examine by the state laboratory and have it checked for rabies. That could have gone untreated. That little kitten could have died, could have gotten buried in the backyard with a nice little ceremony and five people could have contracted rabies.

That is what we do. That is why it is important that our credentials be respected and understood. When we wrote the Practice Act, I was on the board for 5 years, 3 of those years under the chair of different veterinarians we spent hours on your behalf putting together the Practice Act, that you voted into action last year. We made revisions not just in lameness but in other things to make sure that the citizens of New Hampshire were properly protected.

That bill is about citizens. The licensing board is about citizens. It is not about veterinarians, we did not make the rules to protect veterinarians. As a board member one of our duties is to address complaints veterinarians have or clients have about veterinarians.

If you think that any veterinarian is self serving to serve on a board that they have to call up one of their colleagues and tell them that they have screwed up or might have screwed up and we want their records and we are going to come and talk to their employees, we are going to talk to their clients, we are going to demand to know why they made a mistake or if they made a mistake. If they did they are subject to penalties. The are subject to our reprimand. They are subject to having to go to get better informed or better educated about what they do. They are subject to losing their license.

We have taken licenses away from veterinarians because of public health issues. We have investigated veterinarians because they have messed up lameness diagnosis. I don't know how you begin to find credentials of someone who went to acupuncture school, chiropractor school. Chiropractor school is all about human biology, human diagnosis. Another chiropractor school says it begins with the importance of diagnostic imagery that is taking a x-ray of your patient.

If you go to a chiropractor of yourself they take a x-ray of your spin and tell you what they are going to adjust. You tell me how they are going to take a x-ray of a horse's spin in a barn. Are they going away from the standards of the training in order to practice veterinary medicine at the expense of the client, at expense of the animal, at the expense of people in society?

I ask you to ask three questions when you think about this bill. Is it good for the animals? Because the animals are at our mercy, we have domesticated them. We have taken responsibility for them. We are obliged to do the best for them. Unfortunately, animal owner with the exception of the Olympic equestrian team who has a team of veterinarians besides therapists and acupuncturists. Most animal owners in this state don't begin to know who to call for which problem their animal has, they can't make the diagnosis. It should begin with the veterinarian because of their diagnostic ability. That is will all the animals that we have domesticated.

Is it good for consumers? No bill is good for consumers if you can't as a legislature with your licensing board ensure that there are credentials and ensure that there is accountability and ensure that there is an on going means of keeping people abreast of changes, of problems and things that occur.

Dr. McGinnis gets calls from the state, federal veterinarians, alert your practitioners to this disease. He sends out a memo or he calls us. He makes policies: These people are not at all involved in that. They could easily over look one of those important disease. Think about West Nile Fever last year. The last thing that I will ask you to do is to ask if this bill is good for citizens of New Hampshire and the citizens of New Hampshire also depended upon your laws to make sure that their own health and safety is taken care of.

Animals have 150 different diseases that can be transmitted from animals to people. They can kill people. They can make people sick. It is important that the right people are on the frontline making the decisions about those issues. I won't take any more of your time although I could stay here along time.

Senator Burton J. Cohen, D. 24: Thank you. Questions from the committee? Senator Francoeur.

Senator Gary R. Francoeur, D. 14: You had mentioned that you have pulled licenses and stuff. How long have you been on the board?

Joe Moore: I have completed my term on the board. I was on the board for 5 years, you are appointed by the Governor. Like you individuals here in this room it is a voluntary position. Essentially you get a little two-lined thank you by the Governor when you are done and you are gone.

How many licenses did we pull on the board one when I was there which is a very significant event? On a monthly bases the board meets for 4 or 5 hours and deals with all kinds of issues about veterinary medicine, the regulation of veterinary medicine, and routinely we have complaints from the animal owners who have gone to veterinarians and have legitimate or non-legitimate complaints. Each one of those is investigated. Every time a veterinarian and it doesn't happen on other boards. That is how seriously we take our work. We call the veterinarian up and we find out what is going on. We investigate them.

There have been on a routine basis disciplinary actions taken against veterinarians. I can't give you an exact number, but in short of pulling license.

Senator Gary R. Francoeur, D. 14: How many complaints a month do you get or is it a couple a year?

Joe Moore: It is more than a couple a year. I am sorry I don't have the numbers in front of me.

Senator Gary R. Francoeur, D. 14: Just roughly.

Joe Moore: There will be a meeting where you will have 5, there will be a meeting where you have 2. So in the neighborhood of 20 a year. That is uninformed answer.

Senator Burton J. Cohen, D. 24: Senator Trombly

Senator Rick A. Trombly, D. 7: Thank you Mister Chairman. Can veterinarians recommend chiropractic or acupuncture care for an animal?

Joe Moore: Under the present statute no. Veterinarians and there are large numbers of them in the state who are trained as veterinarians and just like veterinarians do and other specialty areas have go back to get specific training in acupuncture and chiropractic because they believe in it.

There are some very competent and some very busy veterinarians who are also who are also acupuncturists and chiropractors. I would have a very hard time as a member of the board because of what I told you about the training of a chiropractor. Saying that a veterinarian had the right to go work with a chiropractor and acupuncture. Maybe there is some way to work that out, but it is going to take a lot of work.

I also have here a document from NIH it was a study group on what to do with acupuncture in humans. How are you going to deal with the problem when they acupuncturists, MD's, all kinds of scientists, an audience of 1,250 people, 2 days of presentations about what acupuncturists roles should be in medicine and they can't answer it. You are asking us to answer that in this state.

I don't this we can. I would follow it up with a question for the committee and that is what are you going to tell the Board of Veterinary Medicine? Which as of the beginning of this millennium says that the people that your legislators are hiring to treat their animals are doing so illegally. Are you going to rescind the Veterinary Practice Act for a year until you get this study group or to the practitioners? The Board of Veterinary Medicine, which serves at the Governors pleasure and on your laws, are they going to be arresting people for violating a law that you are leaving on the books? How are you going to deal with that?

Senator Rick A. Trombly, D. 7: Thank you.

Senator Burton J. Cohen, D. 24: Senator Roberge a question.

Senator Sheila Roberge, D. 9: Is there any place that you publish these people that you are fining that do not obey the rules?

Joe Moore: There is a, it is public record. Any time there is disciplinary action taken, there is not you are innocent until proven otherwise and so a complaint is not published. The complaints are dealt with in non-public session according to statute in New Hampshire. If a veterinarian comes to a settlement agreement and the board member says I don't want to have a hearing I don't think this is that serious, but we think you better know a little bit more about this area of your practice and that area. We want you go back and get additional education or we want you to do this or that. That is a settlement agreement.

Veterinarians can now be fined under the new statute. Those are public record and they are published. I am not sure what house state agencies publish that information.

Senator Sheila Roberge, D. 9: You don't know where it is published though.

Joe Moore: You can call the Board of Veterinary Medicine and get list.

Senator Sheila Roberge, D. 9: Anything more serious obviously is published.

Joe Moore: I could be mistaken I think that the statute that I am familiar with says that it has to be put in public notice some how.

Senator Sheila Roberge, D. 9: But any finding that there is no problem you don't publish and anything beyond that you feel it is published, but you don't know where it is published. Is that correct?

Joe Moore: I think that I am right about that and if not I am for sure it is public record available to anyone.

Senator Burton J. Cohen, D. 24: Senator Larson for a question.

Senator Sylvia B. Larsen, D. 15: Actually some of my question was answered.

Senator Burton J. Cohen, D. 24: Senator Brown.

Senator Mary E. Brown, D. 17: Yes, I am wondering if you have received complaints from consumers who didn't realize perhaps that your board didn't

have authority over non-licensed folks. In other words people who receive services for their animals and were not happy and complained to your board?

Joe Moore: I recalling that we had 1 such complaint and the board had no authority over that individual because they were not govern under the Practice Act. In being educated within the last week about how rampant the legal practice of veterinary medicine is in New Hampshire, again at the knowledge of people in the legislative body and I am surprised by it. It doesn't surprise me that a chiropractor would not have an advertisement in the paper that they are treating animals because there is a board now that could take them to task for that.

I am certain that people are not encouraged by their chiropractors to let their veterinarians know that they have been to the chiropractor. I know specifically from a veterinarian that I talked to yesterday who said that the owner had taken their animal to a chiropractor and would not divulge information on who that chiropractor was.

Senator Burton J. Cohen, D. 24: Any further questions from the committee. Say no thanks very much. Anyone else...

Joe Moore: ...I could add. I understand there is a study group and I would volunteer my services if they are needed for that.

Senator Sylvia B. Larsen, D. 15: Could I ask, is this the last speaker?

Senator Burton J. Cohen, D. 24: Yes.

Senator Sylvia B. Larsen, D. 15: Oh because I was going to wait and maybe ask someone who I thought maybe had more, came from a different perspective. Is there a large group of chiropractors, acupuncturists and farriers seeking to do veterinary medicine? Because personally I haven't seen that there is a high demand for...

Joe Moore: ...I don't either. I should say that having said that veterinarians go back and get training in these areas does say to me that veterinarians don't discount the value of these things. They are concerned about credentials. I also don't think contrary to one of the sponsors of the bill that the veterinarians are very concerned that this is going to impact their cash flow at all. I think that the majority of people are still going to do it. I am getting back away from lameness to my point that there are many, many more important issues about veterinary medicine and diseases of animals that are involved in the initial diagnosis or could emerge more...in the initial

diagnosis of animals that cannot be properly assessed or evaluated by someone who has not spent 4 years going to veterinary school.

Senator Burton J. Cohen, D. 24: Thank you. Is there anyone else wishing to speak?

Brad Barnes: I will speak. Brad Barnes. I am a veterinarian down in Hamstead New Hampshire. In answer to the response of one of those questions. I do this there is and there aren't any human trained chiropractors and acupuncturists lined up to treat horses is not only because naturally they have go out and brave the weather to do it, but I think it is also because the laws prohibit them from doing it.

I think that if you open the window of opportunity for them that is probably what our concern is, is that we would be inundated with improperly trained people. It would start putting the benefit of horse at risk.

I am not really sure where to start with all this because I sat in on the meeting this morning and I have heard some of what has been said this afternoon. In a nutshell I guess I would say that if we are modify the Practice Act as it is currently written. It should be modified such that we encourage the different disciplines to work in concert together for the benefit of the horse rather than creating a legislation that will drive them apart and force them to work independently.

With many of these legalities with their training being emphasized on the human if they are in fact forced to work independent of the veterinarian, which many of them will do. If they are not libel then I think the horses will be put at risk.

The other issue I have is if you read the Practice Act it does talk about or it does define the practice of veterinary medicine. I encourage you to read that and because it basically says that they can do anything. In essence if this bill were to pass as written a farrier could be putting on 4 sets of shoes on a horse and at the same time being diagnosing the horse with pneumonia and prescribing antibiotic therapy for it. A dentist could be floating teeth on a horse and turn around and at the same time diagnosing with pregnancy.

I mean it makes no sense to open the gate like that. Also just as...clarification earlier they were talking about floating teeth and what its rule is as far as maintaining proper bit seat for the performance horse. There are also many dean surgical procedures although by the dentist not looked at a surgical procedures that are corrective in nature and if done improperly it can literally cripple a horse. So one of the concerns is where do you draw the

line with dentistry? Okay are they going in just removing the points of the horse so the horse can accept the bite more readily and chew its food easily or are they going to get in and sort of extracting teeth and cutting teeth because they feel it is necessary. I have seen some bad jobs done in the past. I am not going to sit here and belabor that point, but I think that we all have both success stories and failures that we could report on.

For what it is worth I am one of those veterinarians that seeking further education. I am half way through my certification for veterinary acupuncture. I am a believer in it. I have had numerous injuries of the years. The only reason I am able to work is because I see an acupuncturist on a monthly basis and I am convinced of that, but I don't think my acupuncturist would want to come over to my house and treat my horse.

Senator Burton J. Cohen, D. 24: Thank you. Any questions? Say none. Thanks.

Trish Carion: My name is Trish Carion. I work for the Rochester Equine Clinic in Rochester New Hampshire and 2 years ago we embarked on a program that incorporated a number of physical therapy modalities, a number of adjunctive therapy modalities into this horse medicine program. It has been successful.

I belong to an organization in the UK called the National Association of Animal Therapists. It is registered with the Role of Veterinary College. That means that they recognize it as an association and part of that membership we are required to work under referral only by a veterinarian. That referral can come in many different forms.

I also represent the International Lions of Animal Therapy and Healing, which is a new organization. It is a year old. I am treasurer for it and it has been formed by a number of prominent people in a variety of disciplines including energy medicine, emanual therapy, physical therapy, herbalists, et cetera. What we are attempting to do is self regulate. To come up with some standards and guidelines for education for all of the wide variety of disciplines, which is a huge undertaking. I don't think that it is appropriate or feasible to think a bill could do such in this short time.

So I think that licensure and qualifications are something that must be set aside. I think the intent of the bill is quite right in making available to the horse owner a whole host of adjunctive therapies that are available and can readily be had and perhaps help the horses, help the animals. I think we should embrace all animals and not just limit it to just equine.

I guess after hearing everything I was rather dreading coming here today and thinking it is such a quagmire, it is such a big mess because there are so many different view points. I am actually quite optimistic. I mean listening to people speak you would think that we are worlds apart but we are not really. Because ultimately everyone wants the best for the animals, horse owners, veterinarians and adjunctive therapists.

I think that middle ground can definitely be had. I think that no one is saying that there are no qualified practitioners in terms of adjunctive therapists, but I think that it is a legitimate question and a concern to know that pertinent information is being exchanged. I really feel that if you open up a dialogue, if you by law require a dialogue to exist between what I consider the primary care person, the veterinarian and any adjunctive therapist.

I think that if you inquire and necessitate the existence of dialogue whether that it is a referral form or exchange of some sort a liaison for each case then that lends itself to good relationships. We have poor relationships and conflict most often when there is a lack of dialogue.

So I think if that can be incorporated I think we serve many needs. I think that we serve veterinarians, we serve horse owners and we serve therapists. I also don't believe that economics is such a big concern. I think that it makes for a good argument, but I think that at the end of the day I think that there is plenty of business to go around. I know far more veterinarians that have their hands full and couldn't be bothered to be giving an hour long massage to a horse when they have got several colic emergencies lined up. So I think that that doesn't really hold true.

I think that there are legitimate concerns and I think that it must have been a mistake when they were wording this. I cannot imagine that it was meant that these specific adjunctive therapists including farriers would practice veterinarian medicine as a whole. I cannot believe that because that would involve so much. So I think that is a given that that needs to be reworked and I think that everyone would agree on that. We mustn't lose sight I think that there really is common ground. I think that a dialogue is necessary.

I think that a relationship, a cooperative relationship that has been referred to needs to exist and to work in concert. I think that way everyone is happy. The owner should have it available, but I think that veterinarians should be at least allowed to have a dialogue to make known specific information could preclude or could make certain therapies contraindicated. I think that we cannot underestimate the knowledge that the veterinarians have obtained through their education.

I think it is improper and I think that you will have come to know that adjunctive therapies consists far more than just acupuncture, chiropractic, and massage. They are probably the most commonly thought of, but there are many more out there. By being on this organization I have come to find out that there are many many. So I think you will run it having to incorporate more.

You will nee to define also what those involve and maybe by defining non-invasive techniques or some other way. But that can be reworked. I am optimistic. I think it can common ground can be reached.

Senator Burton J. Cohen, D. 24: Senator Trombly.

Senator Rick A. Trombly, D. 7: Thank you Mister Chairman. I have a hearing next door too so I will ask my question briefly and ask if you can respond briefly. My problem with looking at this bill and what you said is that I don't know whether we should encourage veterinarians to investigate acupuncturists and chiropractic for animals within that profession. That will allow for the expansion of this type a therapy or whether or not we should say to the chiropractors and those people who are practicing acupuncture that we should set about a course of action that is going to lead down the road for them being able to do it?

I think that is a very hard question to do because I think it is an agreement on we should do what is best for the animal, but my general sense is of what you are asking. I want to know if this is what you meant. Which course would you recommend for us? Giving hope to chiropractors and acupuncturist if they don't become veterinarians there may be a procedure and a place for them to work on animals or should we encourage veterinarians who have the training, the physiology, and the anatomy to expand this field within their own profession?

Trish Carion: My answer is quite simple. Knowledge is knowledge. How you get there matters much less. I think that if we have a way of insuring that someone who is working on an animal is qualified. That is very difficult for sure. Liability, lawsuits, et cetera can take care of that in a sense. It is our check and balance.

If someone incompetent works on an animal and comes to harm that animal then someone is definitely going to be sued. It is the normism. I don't feel that the veterinarian should necessarily be liable even if they are involved in a liaison. Okay. That should be a concern of the veterinarian. If I make a referral will I be liable? But, I think that certainly, I think that this must have been a mistake as well in formulating this bill that they should be held

harmless these adjunctive therapists. Because I think that everyone is held liable. You know you must answer for your actions.

But, knowledge is knowledge. You might be human educated and have gone about seeking specialized education so that you can apply that knowledge that you have obtained in a human to the animals. You can also like wise be educated and have been a pioneer in a therapy in the veterinary field on animals but yet you don't hold a four-year degree from an acupuncturist school. Right? Okay.

Knowledge is knowledge. How we set up a safety a net to ensure that is critical. I think that the legal system will take care of that to a certain degree. Secondarily I think that if the primary care veterinarian is involved and you don't have to have one you can require as the UK does that a...

Senator Burton J. Cohen, D. 24: ...Any further question? Say none. Thanks very much. Any one else wishing to speak? Seeing none we will recess the hearing as requested by the sponsor of the bill and get back together again and perhaps there will be some work done in the mean time. Thank you all.

Respectfully Submitted
Zita-Maria Wescott
Committee Secretary

Attachment A

THE STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY
57 Regional Drive
Concord, NH 03301
Telephone (603) 271-2350
FAX (603)271-2856
TDD Access: Relay NH 1-800-735-2964
www.state.nh.us/pharmacy/

Peter A. Grasso, R. PH.
Chief, Compliance Investigator

January 6, 2000

Department of Agriculture
Division of Animal Industry
Attn.: Clifford McGinnis, DVM
P.O. Box 2042
Concord, NH 03302

Dear Dr. McGinnis:

Pursuant to your request, I have reviewed ***HB 1483*** and ***SB 408***, both of which amend the Veterinary Practice Act to allow a "farrier, licensed acupuncturist, chiropractor or massage therapist" to practice veterinary medicine, as defined in RSA 332-B: 1, III (a), with the exception of surgery, on horses or ponies.

I am assuming that the intent of the legislation "may" have been to allow these designated practitioners to *physically* apply their skills to the horse or pony. However, the language of these two bills, appears to grant much more authority when they specifically allow the practitioner to "engage in the practice of veterinary medicine."

According to RSA 332-B: 1,III (a) "Practice of Veterinary Medicine" means to:

> *Diagnose, treat, correct, change, relieve or prevent animal disease, lameness, deformity, defect, injury, or other physical or mental conditions.*

Of serious concern, to me, is the following language:

> ***"....including the prescription or administration of any drug, medicine, biologic apparatus, application, anesthetic, or other therapeutic or diagnostic substance....."***

In effect, this language grants authority, to these individuals, to **prescribe, possess and administer restricted, dangerous, prescription drugs**. This raises the issue of qualifications. Is a person (for instance, a farrier) that is trained to "shoe horses" qualified to possess, prescribe and administer prescription drugs? A similar question of qualification is raised about a massage therapist, chiropractor or licensed acupuncturist.

Also of significant concern, is the direct conflict these bills create with current statutory authorities. Specifically, RSA 318:42 "Dealing in or Possessing Prescription Drugs", which grants authority to certain practitioners to "possess, administer, dispense, compound,....." prescription drugs. Since no mention of these practice modalities is noted in RSA 318:42, the question arises as to which statute would take precedence.

Based upon the qualification issue, passage of either bill may not be in the best interest of the health and safety of the public. Also, based upon the statutory conflict issue, passage of either bill would create an enforcement nightmare.

In closing, I thank you for bringing this issue to my attention and providing me with the appropriate documentation for review and comment. If I could be of further assistance in this matter, please feel free to contact me at any time.

Sincerely,

Peter A. Grasso, R.Ph.
Chief Compliance Investigator
New Hampshire Board of Pharmacy

Attachment B

Testimony on House Bill 1483

January 11, 2000

Joseph Moore, VMD
Durham, NH
603-862-2726

Employment and affiliations

I am the current Director of the NH Veterinary Diagnostic Laboratory which is located at the University of New Hampshire. The laboratory has oversight from the NH Department of Agriculture Markets and Food. I also serve as the Coordinator of the Preveterinary Medicine Program at UNH.

In the course of my thirty years as a licensed veterinarian in the State of New Hampshire I have been engaged in private veterinary practice and have served as a member and president of both the NH Veterinary Medical Association and of the NH Board of Veterinary Medicine.

I am opposed to HB 1483

As you consider my remarks and those of others testifying, I would encourage you to ask:

1. **Is this bill good for animals?**

   Domestic animals depend on humans to care for them. Their diseases are unique, often difficult to diagnose and animals do suffer pain, illness, and death. Care for sick animals should be provided by appropriately trained professionals who are subject to strict licensing standards and are accountable for the services they render.

2. **Is this bill good for consumers (animal owners)?**

   The state legislature, through licensing boards is responsible to consumers to assure that professionals whose services they contract have proper training, certification and oversight. Consumers should be able to address their concerns or problems to a responsible investigative board or agency. Consumers should not be able to pick up a newspaper and read advertisements for a service, condoned by the state legislature, that has no promise of standards, quality, or accountability.

3. **Is this bill good for citizens in NH?**

   New Hampshire citizens, whether animal owners or not, entrust their own health and safety to laws and policies of the legislature. Diseases of animals pose, or warn, of threats to the health of humans. The prompt diagnosis and control of those diseases is dependent upon early and competent diagnosis of diseases by individuals who are specifically educated and trained to recognize them.

HB 1483 seeks to amend the licensing requirements for the practice of veterinary medicine in New Hampshire to allow individuals who have no formal training in veterinary medicine to provide veterinary care for animals.

Veterinarians are unique in the world of medical professions, because their education and training, unlike any other medical profession, involves multiple species of animals. As veterinarians pursue each subject in their professional education, they learn, in great detail, the similarities among, and differences between, the various animals they will care for. For example, horses and cows can be similar in size, but they have entirely different digestive tracts, nutrient requirements; different reactions to the same drugs; and different symptoms when they are infected with the same parasite or virus. Chickens and non-human primates have two legs and walk upright, but they have entirely different skeletons and brains, and are both also very distinct from another two legged mammal - humans. In addition to learning differences between species, veterinarians learn, in great detail, the similarities and differences that exist amongst various breeds within a given species of animal. For example, Dachshunds and Great Danes are both dogs. These two breeds have many similarities, and incredible differences, in their muscles and skeletons, their temperament, and the diseases they contract. Veterinarians must also learn the differences and similarities that occur when single disease presents itself in animals of the same species and breed, but of different ages or sex.

All of these similarities and differences are the challenges veterinarians face when learning their profession and dealing with their sick patients. It is for this reason, also, that veterinary medicine has evolved throughout history, in one society after another, from a profession based on apprenticeship to one based on a formal, comprehensive, comparative education with standards for schools, curriculum and degrees awarded.

The present NH Veterinary Practice Act appropriately requires licensed veterinarians to:

1. Possess a veterinary degree, or its recognized equivalent, from an accredited college of veterinary medicine.
2. To achieve passing scores on national veterinary knowledge and clinical competency examinations.
3. To pass a NH State Examination covering state laws, rules and ethics.
4. To complete annual continuing education courses to improve their knowledge and skills.
5. To be accountable to the Board of Veterinary Medicine for misconduct, incompetence, discipline and other conditions of practice.

In my opinion, it is in the interest of animals, animal owners, and the general public to maintain the present Veterinary Practice Act standards for the privilege of practicing veterinary medicine in New Hampshire.

HOUSE BILL 1483

TRAINING AND CREDENTIALS REQUIRED TO APPLY FOR LICENSE TO PRACTICE VETERINARY MEDICINE IN NEW HAMPSHIRE

NH Veterinary Practice Act Requirements

1. Degree from US or Canadian accredited college of veterinary medicine
2. Passing score on National Board Examination and Clinical Competency Examination
3. Passing score on NH State Examination: Jurisprudence, rules and ethics

Education

Requirements for *admission* to colleges of veterinary medicine

I. Undergraduate course requirements (3-4 years)

Biology: General biology
Anatomy and Physiology
Genetics
Microbiology
Cell Physiology
Advanced Biology

Chemistry: General Chemistry
Organic Chemistry
Biochemistry

Math: Calculus
Statistics

General Physics

English

Humanities

II. Animal Experience

III. Standardized Tests: Graduate Record Examination, Veterinary or Medical College Admission Test.

IV. Application, Essays, Recommendations, Interviews

Typical Veterinary School Course of Study (Tufts University)

YEAR ONE

Fall	Spring
Gross Anatomy I	Gross Anatomy II
Histology	Physiology
Physiological Chemistry	Immunology
Human/animal relationships	General Pathology
Clinical Skills	Molecular biology
Clinical Animal Behavior	Hematology

YEAR TWO

Fall	Spring
Parasitology	Clinical Genetics
Neuroscience	Pathology - systems
Microbiology	Epidemiology, public health
Pharmacology	Toxicology
Clinical Diagnosis	Reproductive Physiology
Clinical Rotations	Diagnostic imaging
Problem based learning	Clinical skills/diagnosis
	Clinical rotations

YEAR THREE

Fall	Spring
Large Animal Medicine I	Large Animal Medicine II
Small Animal Medicine I	Small Animal Medicine II
Large Animal Surgery I	Large Animal Surgery II
Small Animal Surgery I	Small Animal Surgery I
Reproductive Diseases	Nutrition
Comparative Medicine	Ophthalmology
Clinical Pathology	Clinical Rotations
Anesthesiology	
Jurisprudence/ethics	
Applied Anatomy	

YEAR FOUR
Clinical Rotations Summer, Fall, Spring

Large and Small Animal Medicine	Radiology/imaging
Large and Small Animal Surgery	Pathology
Ambulatory Medicine (Field service	Critical Care
Comparative Medicine	Ophthalmology
Anesthesiology	Clinical specialties

SPECIALTY TRAINING AND CERTIFICATIONS: VARIABLE, 2-4 YEARS

1-11-00
1:05

SB 408

Cohen -

Wheeler = Vet. Practice act.
Need to examine.
would Suggest put into
Study Committee.
Speak @ noon date

Cohen -

Rep. Burnam - Chester district #8
Want to added
To debate
Show horses.
Have gone way beyond
all kinds of therapies.
immediate pains
go to big horse show.
Horse runs into fencing
Specialists.
Can't change shoe w/out
telling Vet.
grinding down Horses teeth
unduness[illegible]

- keep Scoundrels out of the vet practice.
To Debate that by some Really worthy debate take Seriously

~~Cohen~~

Rep Taylor - equine dentists.

Cohen - House dentists.

Taylor - yet to hear of one

~~Cohen~~
~~Taylor~~ -

Franco -

Taylor - SB 83 last year
Treating lameness w/out vet Med.
Those are just doming
Fran - Would it have been better

Taylor - difficult to get referral
Don't have Insurance

Cohen -

Rep. Fuller Clark - w/regard to
SB 408.
overly exclusionary. to
solve issue so that
junction.

Cohen

Brown - Previous witness
2000 a day
any people find.

Clark -

Cohen Charles Pittman, John Gain
Beverly Lee

Leo - NH Human organizations.

- Have problem w/words.
Have been working for better or for worse.
To change that as SB83 did.
People felt that farmers were endanger

Problem is as written

dangerous situation to be in.

alternative Prar. Not Vets.

Hobo different issue than what it was originally

SB 83 didn't change that issues

Real concern protect animals

want to know qualifications

Qualifications could be addressed

Not addressed in SB83 or this Bill here

Complicate issue thoroughly would like to see.

Dangerous to animals & Insult to vets.

Colvin -

Brad Taylor - Vet., President of Vet.

Revision did not change anyway.

Def of Practise did not change

Prime respons: welfare of animals

No legal def of farrier

doesn't make the qualified to work on animals

W/out legal restrictions Server dangers.

There are vet Chiro + acupuncture. many in NH.

Many alternative Sevices offered to Horse owners.

Public is not all well knowledge.

So Conn-

Brown Abuses of

Taylor - yes there are people who don't know what

they are doing.

good talking

Cohen -

Russ Polk - Dog owners of the Granite State.

Main concern Horses + Ponies.

Dogs, Cats, ferrets

good attributes that should go to

Dogs + all animals be Concluded in this

Cohen -

Joe Moe - Dr Cliffrock Magicos opposed to this legislation

Responsible for infectious and contagious diseases

Concur use of drugs

His testamony outlined.

Serious diseases that could affect huge #'s of animals.

Spay Neuter program in this State.

Frank Howe
Called vet to be most
Caring

Means of Recourse.

How hard it is to determine

could have gone untreated.

Maid revisions.
licensing board is about
Citizens.

subject to penalties.
loose license.

Messed up laminess diagnosis.

expense of client +

Animals are @ our mercy

Should be given to/ vet

Dr Mignon.

is good for Citizen of NH.

150 different diseases.

Cohen.

Francoeur - how long been on

Moore - finished time on Board.

Monthly bosses
Routenly Complaints.
investigate.
disipline actions taken.

Fran - when
thru many complaints

Moore -

Fran. Rufly

Moore - 20 a year

Trombly - . . .

Moore - No
Very Competent Vets.

Alot of work

Document on NFH.

I don't think we can.

What are you going to tell the Board of Ed. Med.

@ the governor pleasure.

Inarably

Recuse - Do not obey rules.

Abuse - public record

Complaints not for public

Settlement agreement

Final

Those are public

Redacte -

Moore

Roberge

Moore - Has to be put in public notice

Roberge - feel it is publish

Moore -

Brown - Recieved complaints. None licensed

Moore - I am recalling / Complaint Being educated in

People are not encourage by Chiropractor to tell us?

Others.

Moore - understand Strictly

group.

Larsen - is there a large group of — seeing to do vet Med.

Moore - Vet go back and get training in these areas-

Vet's very concerned

Many more important issues.

Cohen -

Brad Barnes - I do think that there are not many laws prohibit

Benefit of horse @ risk.

We are going to notify force them to work indivi.

Horses will be put @ risk.

floating teeth.

Can cripple a horse.

Cohen -

Irish Canine - Physical Therapies

Belong to organization in UK.

required to work under

Self regard.

Wants best for animals..

Reason

ligitement Concerns.

Improper

Comony thought of.

Non invasive.

Cesar -

Tomsky - whether we should encourage.

Lenin - knowledge is knowledge for sure.

Tomsky -

Lenin - Vet should be liable.

Adjunctive therapist.

Amen.

Recess Harvey 2:00pm

Date: February 15, 2000
Time: 2:10 pm
Room: 101 LOB

The Senate Committee on Executive Departments Administration held a hearing on the following:

SB 408 relative to an animal owner's right to choose animal care.

Members of Committee present:

Senator Francoeur
Senator Brown
Senator Larsen
Senator Roberge
Senator Trombly

The Chair, Senator Gary R. Francoeur, opened the hearing.

Senator Katherine W. Wheeler, D. 21: Thank you very much Mr. Chairman and members of the committee. I am Senator Katie Wheeler the prime sponsor of SB 408, relative to an owner's right to choose animal care.

The reason I submitted any legislation at all dealing with this topic was that last year I sponsored a bill to revise the Veterinarian Practice Act. I thought that that was totally non-controversial and not a problem. I support the state veterinarian and was happy to do it.

I had no idea that the effect it was going to have of people reading the Practice Act which they hadn't probably read in a very long time and realizing that some of the things that people were doing with their animals was against the Veterinarian Practice Act.

So I have been wrestling with that since then and I haven't come up with a good solution. This bill was my last effort before the deadline with Legislative Services and it is not very good. So people who oppose it, I understand completely and I will just mention a few things that need to be changed although it could all be changed as far as I am concerned.

Whatever we do should not be limited to horses and ponies and we shouldn't make an assumption that people who are licensed to practice acupuncture, chiropractic, and massage therapy on people are trained to do it on animals. So those two things at a minimum need to be changed in the bill.

The house has a similar bill that was, prime sponsor Representative Weatherspoon, it too had serious flaws in its first draft. It had been my understanding that the House Environment/Agriculture Committee was interested in amending the bill to make it a study committee. I just heard that that is not the route they are going to take and therefore if we feel that this is a topic that is sufficiently of concern to the people that we represent that the senate, this maybe the committee that needs to make it a study committee.

I would urge you not to just kill the bill. It is a big issue. I have been called from people that I know and respect, even family members on both sides. I understand the commitment that veterinarians have to give the best healthcare possible to the animals that they treat. I truly understand that and I understand that they are only ones trained in veterinary medicine.

But the people, I have particularly talked to horse owners, who have talked to me who have said that for years they have used such and such, an alternative healthcare provider for there horse and that person is extremely well trained in that particular area. I have talked to equine massage therapists and I have been very impressed with the training that the person had. She wasn't a veterinarian, but she was trained as an equine massage therapist.

I said that I was not ready this year to sponsor a bill to license separately any of those practices. I know how hard it was to get licensure bills passed and I didn't think that we were really ready to license equine massage therapists and equine chiropractors and equine acupuncturist as much as that might need to happen.

Some of the ideas you are going to hear today will be to have a separate board for the alternative healthcare practitioners for animals. I think that is an idea that is worth talking about. I think that all the ideas that you hear today are worth taking about. So I won't go on any further except to say that this bill is an attempt to address some serious concerns of many of our constituents. It is not well drafted. You will hear a lot of ideas today. I hope that you will take them all under serious consideration. I hope that at a bare minimum you will have an amendment to turn it into a study committee.

Thank you very much.

Senator Gary R. Francoeur, D. 14: Senator Wheeler what was last years bill number? Do you remember?

Senator Katherine W. Wheeler, D. 21: Senate Bill 83. Actually that is a good one to know because if you pull it off the computer you will see the Veterinarian Practice Act. So you don't have to find it in the statutes you can find it in Senate Bill 83.

Senator Gary R. Francoeur, D. 14: Didn't this all become, I am trying to remember what. I remember they're being one criteria in SB 83. Talked about lameness.

Senator Katherine W. Wheeler, D. 21: Lameness worried the farriers when we add lameness to what veterinarians could diagnosis and treat. That was really the only substantive change to the Practice Act was the addition of the word lameness. The other changes were important for the veterinarians but it wasn't effecting any other person. I don't believe. Well I stand corrected. Apparently there were many other substantive changes that people are interested in talking about.

But it did pass last year and it passed without the numbers of people that you see in the room today.

Senator Gary R. Francoeur, D. 14: Believing that most of these people are here because they are unaware of what happened last year. From what you have heard.

Senator Katherine W. Wheeler, D. 21: That is probably true.

Senator Gary R. Francoeur, D. 14: Would the correction of the way we changed the lameness last year is what you feel created all these problems now?

Senator Katherine W. Wheeler, D. 21: That is one of the reasons. It is my understanding that the farriers were extremely concerned about the addition of the word lameness in the statute and I was just told before this hearing started that what the house committee is thinking of doing is simply eliminating the word lameness.

Senator Gary R. Francoeur, D. 14: That was what is what I was going to propose.

Senator Katherine W. Wheeler, D. 21: That is part of the issue but that is only one part. That is the part for the farriers but we still have the equine massage therapists, the equine chiropractors, the equine dentists.

Equine dentists they are not mentioned anywhere here. That is a very serious issue too.

Senator Gary R. Francoeur, D. 14: Any other questions? Thank you.

Senator Katherine W. Wheeler, D. 21: Thank you Senator Francoeur.

Senator Gary R. Francoeur, D. 14: Senator Beverly Hollingworth is not going to speak but she is in favor of the bill. I don't believe that I have any other senate sponsors here.

Representative Kathy Taylor.

Representative Kathleen Taylor, Strafford, D. 11: I am here but I am not going to speak. I have handed in written testimony. Thanks. **(See Attachment A)**

Senator Gary R. Francoeur, D. 14: I want to make sure. I want to give all the representatives. Well start down the list. Barbara Carpenter.

Barbara Carpenter: Good afternoon I am Barbara Carpenter from Kensington New Hampshire I am an animal owner. We have a lot of calls at home, SB 408 was written. I did a rewrite, **(See Attachment B)** which corrects thing like where it says horses and ponies we meant all animals and where it says that caregivers give you practicing veterinary care on animals. That was never intended. We never intended that adjunctive caregivers practice veterinary medicine. It was totally incorrect to say that and it has nothing to do with what adjunctive caregivers are going to do.

See Attachment C

Senator Gary R. Francoeur, D. 14: Questions from the committee? Prior to SB83, which dealt with, I will look through SB 83 as quick as I can. It was heard last year. The biggest item that we heard was the lameness and the farriers. Was there any indication from people that you know that they were aware that SB 83 even in existence last year?

Barbara Carpenter: No and in fact when we had the first hearing, November, with the Board of Veterinary Medicine they explained that that bill had been in existence since sometime in the 80's but no one was paying

attention to it. No one was asking us to comply with it. None of us knew about it. They only added lameness and I think that they added the fine or something like that. Aside from that the bill had existed for a long time. We did not know about it.

But you know I don't want a law where I have to go behind their backs to do what I want to do for my animals. I want the law to be clean and work for all of us.

Senator Gary R. Francoeur, D. 14: You feel that it worked out fine before when you could ask whether you wanted to come work on your horses teeth, feet or whatever without going to the veterinarian?

Barbara Carpenter: Absolutely because I think that we all, I have all kinds of different animals. I want the best care for all my animals. I am not going to find some second rate person who cheap. I am going to find someone who can really do the very best for my animals as we do this for ourselves. You know you go to one chiropractor and he is not very good, you hear about another one you switch around. You know it is the same thing. We care very much for animals. We want...some of us can afford more, some of can afford less, but we don't want to have to go through vets to get every type of treatment. It would become very expensive for us.

Senator Gary R. Francoeur, D. 14: Thank you. I am going to hear some opposition. I believe it is Eileen Peterson.

Eileen Peterson: I would like to...

Senator Gary R. Francoeur, D. 14: Okay, you don't wish to speak?

Eileen Peterson: If I could do it later?

Senator Gary R. Francoeur, D. 14: I have got a whole list here.

Eileen Peterson: Well then I will say no thank you very much.

Senator Gary R. Francoeur, D. 14: Paul Simard

Paul Simard: I am Paul Simard. I am a farrier and I represent Southern New England Farrier Association. It originally started with the lameness and I believe that was knocked off today. Southern New England Farriers is requesting an amendment to SB 408. We would like to have the word farriers removed from being included in this bill. **(See Attachment D)**

We are basically a self-supporting sort of operation. There are 700 farriers in an organization in New England. I don't know how many there is in the state of New Hampshire but we govern ourselves by our own peers. We have an organization that is pretty well organized. We certify ourselves, we give ourselves testing, we have forging contests, lameness exams on horses and we work on keeping these horses going sound.

So we are self-testing on ourselves and we just want to be eliminated from this. When we do work with veterinarians if it is a prescription by a veterinary we do what we are told by them and we work with them. We have never had a problem at anytime that anybody does have a problem with a veterinary it is more or less a personal sort of matter. Those things are really dealt with on a in house basis.

So we just want to be off the bill. We would just like to govern our own selves and not having anything to do with the other people who have alternative therapies.

Senator Gary R. Francoeur, D. 14: Currently if a horse is lame, by read of the Practice Act, the Veterinarian Practice Act you can't do any correction unless you are a veterinarian or...

Paul Simard: ...We will do the correction after the veterinarian gives us the prescription.

Senator Gary R. Francoeur, D. 14: Okay your group wants to have the veterinarians tell you how to shoe the horse or...

Paul Simard: ...They don't want to tell us how to shoe a horse. If a horse had a particular lameness that needs veterinarian assistance they will help you give us that prescription. We have always had a good relationship with them. We just don't need to be regulated and licensed or any of that sort of thing. We have always had a very good relationship with them.

Senator Gary R. Francoeur, D. 14: Okay you want it to stay as it is.

Paul Simard: If it isn't broken we don't want to fix it.

Senator Gary R. Francoeur, D. 14: Okay.

Paul Simard: We want to keep it like it is.

Senator Gary R. Francoeur, D. 14: Joseph Bramante.

Joseph Bramante: My name is Joe Bramante. I am a horse dentist. I have been licensed at Rockingham Park for the last 20 years as a horse dentist, equine dentist, licensed by the New Hampshire Racing Commission. I have been licensed in the last 20 years in Massachusetts by the Massachusetts Racing Commission and I have been licensed in the last 3 years by the Delaware Park Racing Commission.

The Senate Bill 83 puts my profession in a situation where I am under the thumb of the veterinarians. They don't want me to work unless I have permission. Now this is not the horse people against the veterinarians. The veterinarians have been absolutely wonderful in my life. When I first started they would look at my work and tell me Joe you need to do a little more work here. This is good. Dr. Simmonson told me what tools to order. Dr. Shein when I first started gave me tools, gave me floats.

The veterinarians have been wonderful. This is not the horse community against the veterinarians. This is the horse community against a very small group of veterinarians that are trying to create a monopoly in the State of New Hampshire.

Now there is about 15 licensed veterinarians at the Rockingham Park during the summer. None of them know anything about this. The only thing they know about it is what I tell them when I see them. When I tell them what is going on in this state they shake their head. In the first place they can't believe that these people have enough time to go to hearings. They would like to have a day off.

So when I tell them what is going on and Dr. Beckman is here he is going to speak on our behalf, a veterinarian. We have a letter hear from Dr. Michael Schafer who supports Senate Bill 408. **(See Attachment E)** There are many veterinarians who are on the side of the horseman. They would like for the horse people to simply be able to, if they have an injury with a horse be able to choose who services their animals.

Now let me tell you where this all stems from. In the last 4 or 5 years just as in the situation with people where you drive down the street and you see these new massage therapy places open up and chiropractor places open up. The same thing is happening in the horse industry. The horse people on the track and off the track are realizing that sometime an injury to a horse is better serviced by a massage therapist, a chiropractor, a acupuncture person better than what the veterinarian is able to do.

As they see these alternative services work more and more they seem to like it more and more. It is a growing industry. So that is what has caused the

problem for the veterinarians to try and create the situation of squeezing those people out of the state.

Now the problem I have with it is with this small group of veterinarians that is trying to seem like they are riding in on a white horse trying to protect all the horse people and the horses. While they are trying to squeeze the acupuncture people out of the state they are going to acupuncture school 2 nights a week. While they are trying to squeeze the chiropractor people out of the state they are going to chiropractor school. So you see there is a little more here than meets the eye. I hate to be the one to call the king naked but somebody has got to say what is going on here.

So I have letters here from over a Hundred horse people from all over the state. **(See Corresponding File)** The horse community is not totally united. I had one person tell me they wouldn't write a letter out of the Hundreds of persons I talked to and that person is here and is probably going to speak but the horse community is as close to being united as it is going to be.

I have letters from the people at the race track, the 4-H Clubs, the Arab Association, Ms. Wheeler was faxed a letter from New Hampshire Horse Council that was intended to me yesterday but the fax got messed up so she faxed it to Ms. Wheeler. Stating simply that the horse people of this state would like to have the same amount of rights that the horse people in the other 49 states have.

If you want your horse serviced in the other 49 states you pick the phone up. You know a woman named Tammy Cludier in Freemont. She told me that she has a board in her barn and the board says that the massage person is coming such in such a day. If you would like your horse-massaged write on the bard and the massage person will take care of you when he gets here. Well she gets a phone call that the vet is coming. Run down to the barn and erase the board. Don't let the vet see. The vets coming don't let him know that the massage person is coming.

People are worried about being turned in. I mean this is ridiculous. Now I spent a year with a guy that I think is the best dentist in the world. He is 77. He is still doing teeth. He is my idol. A guy named Bob Myer. He taught me in New Orleans. I spent a year with him, 4 or 5 hours a day and believe me this was a hard thing to learn. But I do it and I love it.

The veterinarians, now I have that training and I have 20 years experience. The horse people and there are horse people in this room that I work for. They love me doing their animals. As I do the horses more, the second time I

do the horse the horse is much more relaxed than he was the first time because I have done what the guy as told me to do. Give the horse a good experience. When I do the horse a second time the horse is much more relaxed. The horse is not afraid of me. He remembers the previous time I worked on him. That I didn't hurt him and that is very important to me.

Hopefully one day I would like to find somebody to fill my shoes when I decide to hang up my tools. It is going to be hard to find somebody who cares as much for the animals and is worried about that as much as I am. I am trying to find somebody, but I haven't.

I have the training. I have the experience. If the veterinarians want, if their goal is to keep the people out of this state who are not properly trained and cannot do the work. Then why are they threatening me? If their goal was, if they are worried about the horses and the best care for the horses they shouldn't be threatening me.

When I spoke at the hearing, the last hearing in the house, the veterinarians Dr. Salkovitz comes up to me after the hearing and tells me he is going to fine me $2000 if I do a horse in this state. Now this is not right. These horses deserve the best care they can get.

Could you imagine going to a dentist and here comes a guy with a drill that has no training? Now come on this is a little crazy here. Now I have a letter her from the Rochester Equine Clinic where they say in the letter that in veterinarians school education, they are talking about dentistry, education in veterinarian school in their words is minimal, minimal. They don't teach dentistry in veterinarian school. They don't teach acupuncture in veterinarian school. They don't teach chiropractor. They don't teach massage. Yet the veterinarians want to come in and say they have to be the only ones who can do this work, over see this work.

They have no training in these fields. This is ridiculous. They are going to oversee a massage therapist. They have no training in massage therapy. I put a letter on everybody's desk from Connecticut, from Connecticut. What happened in every state that the veterinarians have been able to get a law passed to squeeze out the other people? What happened is when the horse people get wind of what has been done to them. This is the Connecticut bill right here. **(See Attachment F)**

When the horse people get wind of what is done to them this is what happens. They fill the room up and they scream and the legislators realize what's happened and they turn the legislation around. So in Connecticut they squeezed out he dentists and then they got this bill passed. **(See**

Attachment F) I have got it in front of everybody. It says, I will just read one sentence, the floating of teeth in horses by persons experienced in that practice shall not be deemed to be the practice of veterinary medicine...

...in the other 49 states if you want a dentist you pick up the phone and call your dentist. He comes and you know what if he doesn't do a good job then you don't have him anymore. The horse people are not stupid.

One of the letters from a lady named Kathy Kelly. **(See Attachment G)** She says that when I ask my vet to do a horses teeth he tells me to call my dentist. I have a pile of letters here and that is in the pile of letters.

The theme of these letters **(See Corresponding File)** is simple this is America, this is America if you want somebody, if you want to go to the chiropractor for yourself you go. If you want your horse to see a chiropractor, a massage therapist you pick the phone up and you arrange that. This is America we are able to do for ourselves. We don't need big brother looking over our shoulder. It the other 49 states the people to have the freedom. The only state that they don't have the freedom is the live free or die state. Something is definitely wrong here.

Any questions?

Senator Gary R. Francoeur, D. 14: Senator Trombly.

Senator Rick A. Trombly, D. 7: I am trying to get this right. Right now a dentist can only perform the floating if they are referred is that correct?

Joseph Bramante: Permission.

Senator Rick A. Trombly, D. 7: Permission.

Joseph Bramante: Dr. Salkovitz told me if you do any horses teeth in this state we are going to fine you $2000 unless you get permission from a vet. I have been doing this 20 years. Here is the letter for Galloping Gazette from the Rochester Equine Clinic. Quality of dental care: education for veterinarians for school is minimal. They have no training in horse dentistry.

I am going to tell you something. A vet can take a needle and put some medication in it and give it to the horse and make as much money as I do wrestling with a wildcat for 25 minutes. The busy veterinarians wouldn't do teeth if their life depended on it. They are a little smarter than that. They don't want to be in a horse's stall wrestling with some horse bouncing off the

walls. They are smarter than that. I am not that smart so I have to get in there and wrestle with the horse.

Senator Rick A. Trombly, D. 7: Just a follow up.

Senator Gary R. Francoeur, D. 14: Sure go ahead Senator Trombly.

Senator Rick A. Trombly, D. 7: So the treatment by you is permissible, lawful and legal if a dentist simply says to you, you can treat that horse.

Joseph Bramante: A veterinarian?

Senator Rick A. Trombly, D. 7: A veterinarian.

Joseph Bramante: In this state the way the law is written I need permission.

Senator Rick A. Trombly, D. 7: I am trying to get it right. So if a vet points to you and says that you have permission to work on Ms. Smith's horses teeth. You can do it and you are not going to be fined or arrested.

Joseph Bramante: Right.

Senator Rick A. Trombly, D. 7: Correct. Just a follow up. Then what I am trying to struggle with here is why do not the horse owners simply get a veterinarian that makes these referrals and eliminate the problem?

Joseph Bramante: You know I am having the same problem. I can't understand why a person would have a veterinarian who would say to them I am restricting who you can use. If I was the horse person I would say to the veterinarian there is the door have a nice day. I have no idea why these people and I have had people certainly I have had people say to me I am not using this vet anymore. I have had people say that to me. I hope that catches on because this is America we don't treat people like this.

I have Dr. Beckman who has told me go ahead and work and do whatever you need to do. I have been doing this for 20 years and I take a lot of pride in the job that I do.

Senator Rick A. Trombly, D. 7: Thank you.

Senator Gary R. Francoeur, D. 14: Senator Larson.

Senator Sylvia B. Larsen, D. 15: Have you had any experiences where you were asked to work on a horse and you couldn't work on a horse in New Hampshire because there was no vet that would allow you to?

Joseph Bramante: I have had experiences where a person has called me to work on their animals found out what has gone on in this state and called me back afraid that they are going to get turned in. That something is going to happen. I don't want to get fined. You know they are afraid. People are, like the woman that told the kid run down and erase the board the veterinarian is coming. This is ridiculous.

I mean people are looking over their shoulder here. They are worried about who is coming. I could see myself or a massage person being in the barn and they here a truck drive up, oh my goodness is it the vet? You know this is what is going on here and it doesn't go on in any other state in this country.

Senator Sylvia B. Larsen, D. 15: Do you practice at Rockingham Park?

Joseph Bramante: I run the show at Rockingham Park. When I go to Rockingham Park I run around the barn like a chicken with my head cut off. When the veterinarian sees a horse that needs to be done he tells the guy call Joe.

Senator Sylvia B. Larsen, D. 15: So you are practicing.

Joseph Bramante: Absolutely.

Senator Sylvia B. Larsen, D. 15: There are times...

Joseph Bramante: Right now we are not racing there. I am going to tell you something. The 15 veterinarians that are at Rockingham Park think this is funny. They think this is ridiculous. They can't understand how these people have time to go to hearings. They don't have time to blow their nose. So none of the veterinarians at Rockingham Park were notified about what has gone on in the past year in this state, not one. That is why I am telling you. This is not the horse people against the veterinarians. This is the horse people against a small handful of veterinarians that are trying to play god.

Senator Gary R. Francoeur, D. 14: Are you all set Senator Larson?

Senator Sylvia B. Larsen, D. 15: Thanks.

Senator Gary R. Francoeur, D. 14: Thank you

Joseph Bramante: Thank you.

Senator Gary R. Francoeur, D. 14: At this time we will call James Paine.

James Paine: Thank you Senator Francoeur. I am Dr. Jim Paine. I practice here in Concord New Hampshire. I represent the New Hampshire Veterinary Medical Association. I am a small animal practitioner.

As Senator Larsen can tell you we don't have alternative practices available at our clinic. But we are not opposed to them. The thing I would really urge the committee to bare in mind is that the Veterinary Practice Act is a consumer protection place. That is its purpose and the people who serve on the Board of Veterinary Examiners do it in the public's interest. In the publics interest and the interest of the animals.

I don't think you will find the veterinarian in this room or in this state necessarily who would be opposed to the alternative practices. You need to keep in mind that those have got to be applied appropriately. In the context of the animals in the publics best interest the people who are best prepared to do that for you are veterinarians. Now I don't want to be an acupuncturist. I certainly don't want to float teeth.

I will very happily make referrals when appropriate. As Mr. Bramante said he does his work based on referral, practitioners in the park say you need to have Joe come over and do the horse. That is well and good. What you don't want to do is you don't want open this door to practitioners of these alternative crafts, therapies whatever to free lance on these things without the proper training there.

There are a number of other representatives of the profession here who can speak to other details. I think I will close there.

Senator Gary R. Francoeur, D. 14: Senator Brown.

Senator Mary E. Brown, D. 17: Thank you Mr. Chairman. You mentioned something about not opening the door. I am getting a sense that maybe what we did last year is close the door on some folks who have been doing this for a long time. Did you really intend to do that?

James Paine: This is my understanding of that scenario. The inclusion of the word lameness was intended to be a clarifier because and somebody might speak to this better subsequently. The board had issues with people not understanding that the medical diagnosis and treatment of lameness was

in fact a function of veterinary medicine. It is implied in the original act before it was modified last year, but it wasn't clearly stated.

So the inclusion of lameness was a clarifier. It didn't change the interpretation of the act in anybody's opinion. The farriers got a letter from the chairman of the board that said they weren't going to be held liable for the practice of hoof trimming, for customary and reasonable practice of a farrier. **(See Attachment H)** That was clear.

Did I answer the question?

Senator Mary E. Brown, D. 17: I am sensing for many year people have used certain folks in the care of their animals. Evidently were quite satisfied. It appears is that what we did last year changed that for these folks. Now they feel they have to go through a vet or get permission. Why should they have to do that?

James Paine: For a number of reasons. I operated on a knee on a dog on Monday that had been receiving on acupuncture for a lameness for 4 months. This dog in fact had a torn ligament in his knee and had been limping for 4 months and it was inadequately diagnosed and treated. To that practitioners benefit, that practitioner was a veterinarian and ultimately did recognize that this was not going anywhere that there was something more wrong with this animal and pursued it further.

My fear is that somebody who is not trained is going to not make those judgements. In regard this was made slow and I think that the veterinarian involved would agree to that. Somebody who is not trained to recognize disease, anatomy, physiology of the species can't be expected to make even those judgements in a lot of cases.

Senator Mary E. Brown, D. 17: Thank you.

Senator Gary R. Francoeur, D. 14: Senator Trombly.

Senator Rick A. Trombly, D. 7: My recollection of last year was we dealt with lameness not acupuncture, chiropractic...

Senator Gary R. Francoeur, D. 14: It dealt with all of them.

Senator Rick A. Trombly, D. 7: Did it deal with all of them. I do have a question. I listened to Mr. Bramante who I think made a very interesting presentation. What I came away from that is this. There is a small group of vets that won't make referrals. But there is a large number of vets who will

and they make referrals to people who are competent and capable to do the jobs such as he is. What is the problem? If you hirer a vet and won't make the referral why don't you fire that vet and find one that will? I am not certain about the need for this legislation if everything can be done in this legislation is currently legal, license, and somehow there are standards for these people to perform. If the sole problem is here a few curmudgeons that won't do what you want, you own the horse, you pay the vet. Am I wrong in that state of the law is?

James Paine: My understanding and my opinion is that you are right on the money. If I go to my doctor and I have back pain and in the numb leg and the restriction of insurance not with standing and I want to go see a neurologist or something. I ask him and repeatedly I don't get satisfied I find a new doctor. I have done it before and I will do it again.

So I think that it is a non-issue. I agree with you entirely Senator Trombly.

Senator Gary R. Francoeur, D. 14: Further questions? Thank you.

James Paine: Thank you.

Senator Gary R. Francoeur, D. 14: Sandy Sowden.

Sandy Sowden: Hi my name is Sandy Sowden. I am a horse owner. I have been a horse owner for 10 years in the State of New Hampshire. A couple of these questions that you just approached the vet with I can answer. One of the this is have you ever tried to get a vet on a short notice? It is very difficult. There are very far and few horse vets to go around in certain general areas.

They have their traveling time and they have the emergency time. To get somebody who will write you a prescription in that area is very gray because not only do you have to go out of your jurisdiction sometimes to get a vet and a lot of them will not take extra horse out of their practice. So it is very difficult to get a vet that you are working with if he is not going to along with you to write a prescription.

I have been very lucky I have one that will. My horse is like very in need of a lot of these particular therapies because of the fact of his age. I think what has happened here is right now I have a farrier issue were I was at a barn and he has to have special shoeing and the vet prescribed a particular shoeing and I have had it done. I have since moved from the barn and the farrier does not travel to where I am at.

So I have to drive 2 hours to a clinic to use the same farrier and I am charged $30 more because of going to a clinic. For a 2-hour drive. So I have a 4-hour drive all day long with my horse and I have to pay $30 more for that service because I am going to a clinic. That upsets me because it costs a lot of money to have a horse and I don't have that much to go around.

One of the things I did want to say. There is a very good book here that I just picked up the other day from a friend of mine. This is dealing with, basically all we are dealing with, with this legislation. It is called a good *For the Good of the Horse.* It was written by a woman in England and it covers every therapy that there is that we are dealing with, from dentistry to saddle fitting to everything. There is a lot of good quotes and there are a lot of quotes that have been taken out of context in here and also good ones that have been taken in context.

But a little story that I want to express is when I first bought my horse and there is testimonials that I could give you all through the histories that I have had him. But this one kind of puts it in a generalized perspective of what we are dealing with, with vets and with alternative therapies and other people that are knowledgeable in different fields. This is not a vet bashing it is not meant to be a vet bashing I respect the vet who did the work on him. I would use him again.

My horse what 5 years old and he came up terribly lame and for 6 months I had a very lame horse. Where the alternative therapies at that point were to either put him down or to nerve him, where they cut the nerves to his feet and then he wouldn't know where is feet are. So my bill was $1500 at that point with no corrective, getting out of this lameness. So a gentleman from the track came up to the barn where I was at. He happened to be a trainer from the track. Was 70 years old and had seen every injury known to man.

My vet had basically given up hope. Either put him down or do the nerving. I brought 40 dollars of DSMO under his suggestion which is a liquid, was told to put it on and 3 days later my horse was sound. It is not that the vet didn't know it is the vet had run out of options in his particular expertise and said that you can try it, I don't think it will work but go ahead.

Not everything is black and white. Not everybody knows everything. I certainly have used enough therapists with acupuncture, chiropractic to know there is a lot more out there. There is a lot more options for us and for my horse. I do take pride in thinking that I am a very responsible horse owner and animal owner. I do seek out the very best care that I possibly can for my animal.

This is particular law that was brought up in the State of Pennsylvania was voted down being unconstitutional. I think there is a really good reason for that. I think part of it is about money. I think part of it is about protecting us and I really feel that if there were some board or something that the state had that if people were willing to follow it. That could remedy some of it. But I really feel that we have the right to choose.

I don't like paying $30 more for a traveling fee. That I could have gotten if the farrier had come to my barn. That is about money. For the same person and the clinic is getting that money not me.

So I think that this one article basically, just this little clip I want to read. *Throughout the western world our approach to keeping horses are undergoing a change. Increasingly we regard our horses less as servants and more as partners. Our concern for their mental and physical wellbeing coupled with the increasing demands that we place on them now requires us to rethink some of our traditional ideas.* I think basically it says it all.

That we have to look, there are other options and not everybody knows everything about everything.

Senator Gary R. Francoeur, D. 14: Questions from the Committee? Thank you. Brad Taylor.

Brad Taylor: Thank you. I am a large animal veterinarian in the Concord area. Most of what I have written down here is a reiteration of what you have already heard, but very quickly. The Practice Act contrary to what you have heard here is a consumer protection organization of the State of New Hampshire, the Government of the State of New Hampshire.

It is not an organization of veterinarians. It is a government agency designed to protect the consumers of this state. Most of my clients who own horses are not race horse owners they are not wealthy they just own a horse or two horses. The practice act is designed to protect them as well. If this bill passes my clients who do not have the experience or the resources to make sure that they are dealing with a qualified individual will have no way of ascertaining the qualifications of people they are dealing with, massage therapists, dentists, the acupuncturist.

The passage will allow world class trainer to more but it will also open the door for anyone regardless of their qualifications to take advantage of animal owners and through them of animals. Consumer protection is always a trade off with absolute freedom of trade. That is where the Government of the

State of New Hampshire comes in. Do we just want to just let anybody do anything or do we want to regulate what happens?

The Practice Act has been in place since 1917 in more or less its current form. It was put there at that time to protect the animals, the public health, and the animal owners of this state. Most of the 50 states of this country have Practice Acts very similar to the one currently in place here in New Hampshire.

Senator Gary R. Francoeur, D. 14: Senator Larson.

Senator Sylvia B. Larsen, D. 15: Do you make referrals if a person requests? Do you suggest referrals to acupuncturists, equine dentists, equine chiropractors?

Brad Taylor: We have a veterinarian in my practice that is as qualified at dentistry as any equine dentist I have ever known. So that work is done within our practice. There is a veterinarian very near us who is a trained veterinarian, licensed veterinarian, and also trained acupuncturist and chiropractor and if we need to make a referral we make it to him.

There are veterinarians in this state who are trained to perform acupuncture and chiropractic medicine.

Senator Gary R. Francoeur, D. 14: You have mentioned this as being consumer protection. I was looking through my notes from last year and there were only 18 complaints to the board about veterinarian practices. Has that changed at all? I mean I am looking at a lot of people here today to say the there was only 18 complaints that have solved a major problem.

Brad Taylor: That would probably be a better question for one of the members of the board that is here. But I don't believe there has been a dramatic increase or decrease in the number of complaints that are being filed.

Senator Gary R. Francoeur, D. 14: Thank you. Gail Harrington.

Gail Harrington: Hi my name is Gail Harrington I own a horse business which is involved in teaching people how to ride, caring for there horses in terms of boarding, training the horses and sometimes breeding the horses. I have about 30 horses in my care, 7 of which I own. I also have 4 dogs and 5 cats.

My business as part of the horse industry you have to look over the whole animal healthcare sector as a matter of business in general. It is a business that is improving and growing year by year and is destine to become even bigger in the next decade. In every other field of development we find that there are sectors that you have specialization and this animal healthcare area is refusing to allow specialization to occur. Specialization meaning: specialists in service of care to animals.

Now my particular interest with the horses. We have a very good vet who we go to who succinctly comes to our barn to services the horses. We have a person that we call in for massage specialist, chiropractic, acupuncture each one of those fields we have people that we involve. If a horse looks like it needs to have a veterinarian there that is the first call, but our vet is very busy all the time. If we call him for an emergency he is generally there within an hour. We don't consider if a horse needs a massage or a horse needs acupuncture that is not an emergency call.

So that is something that goes on a veterinarian schedule and when he can get out there he will generally do that. Most of the...

...the horse in veterinary fees. That does not include what I pay to the masseur or any of the other people, in particular not the farrier or the person who does the teeth. When Mr. Trombly asked why don't you fire your veterinarian if he will not refer? It is because my veterinarian is a very important member with my team and because I have a disagreement with him about who will work on the teeth or who will massage does not mean I want to get rid of him as my provider of very good veterinary care.

We have a difference of opinion and up until this year I just called the person that I wanted to call and so did my customers. There has been no misdiagnoses or any major problems with lamenesses or horses having improper care along the way. I don't want to get into that kind of a war with my veterinarian.

As Mr. Bramante was explaining about the lady who washed down the board. I sent a person who worked for me last week because an alternative therapist was in the barn over to the veterinarians office to pick up the medications that were needed for another horse. So that we would have a crossing of the way because there is a $2000 fine now.

Previous into January of this year as Dr. Salkovitz said in November no harm no foul. A veterinarian might have noticed someone massaging but didn't report whatever. Now there is a repercussion. That person who I respect who maybe providing an alternative therapy in my barn could

possibly have ramifications and that would not be a good thing for that person. In tern I don't want my veterinarian in particular performing the skill because I don't think as the consumer that he is going to do it as well. I am sorry that a veterinarian may disagree with that. I have had very good luck with very good top people in their fields.

Now perhaps the State of New Hampshire needs to come up with a manor of licensing or validating the skills of these people. That is a further burden upon the state but to eliminate the availability of these people's services to the 20 or so customers plus myself that I take care of is depravation of our rights.

I understand the reason for consumer protection laws. I don't particularly see myself as, you know, a poor victim here. I have a college degree in science. I am an educated person and I am capable of making my own decisions. I don't I understand why I have to dicker with my veterinarian over the care of my particular animals. Never mind the customers that I am helping to watch out for.

That is all I have to say. Thank you.

Senator Gary R. Francoeur, D. 14: Thank you. Clifford McGinnis please.

Clifford McGinnis: Thank you Mr. Chairman, members of the committee. I am Clifford McGinnis I am the State Veterinarian and Deputy Commissioner of Agriculture. I am here a little differently than the practicing veterinarians or what they do. Although I practiced 20 years as a large animal practitioner which I would like to address after I talk about what I do now.

One of my duties as State Veterinarian is to act as the Public Health Veterinarian because in a small state they do not employ a Public Health Veterinarian as they do in the larger states. So as the State Veterinarian and as working with Public Health. My job is to certainly be sure that Zone Arctic Disease, which are disease that animals have and probably rabies is one that you people can really associate with right now because you have a problem, is that people don't get it and we don't have people die.

This bill I find the most atrocious thing I have ever seen as far as trying to protect the public against Zone Arctic Diseases and animal welfare. This bill states that a farrier, an acupuncturist and so forth can practice all veterinary medicine except surgery. Well this is unbelievable. You want someone who says well if I become a farrier and I can be a veterinarian in all locks of medicine except doing surgery.

I don't know if anybody has stopped to realize how dangerous this is to the public's health. If someone that maybe doesn't even have a high school education says well I can be a veterinarian and do everything that a veterinarian does except surgery if I just am a farrier. What are the requirements to be a farrier? There is no licensing and he slaps a sticker on his door that says farrier. He is our practicing veterinary medicine, doing diagnoses, doing treating, handling drugs, he has never had anatomy, physiology, pharmacology, he has never had any of the science studies that gives this person the capability to properly diagnose or care for an animal.

This in its self is enough to put this bill to bed. Our public cannot be subjected to the dangers of the people that are not trained to report diseases. Now as licensed veterinarians or veterinarians who practice in this state under law have to report 20 some different diseased to me. That if they suspect it or diagnose it in their practices, that includes tubicolous, brucellosis, rabies, salmonellas, and a host of other diseases that can and will kill people, E. coli, you have heard about the 0157H that is killing people from bad feed.

Those have to be reported to me and then I work with public health. Right now we just had a meeting last week with Public Health with Dr. Montaro from Public Health. We are planing for this year of how we prevent the new West Nile virus that was in New York from coming here and having people die.

So I cannot believe that a bill is made that would allow people who are not capable to practice. That has got to be addressed if nothing else on this does that people can do this. The next thing is the amendment to get farriers out of this bill. I would also support that.

There are a couple other things I want to address as a former practitioner. I practiced for more than 20 years and it was on cattle and horses. I went to Colorado State University where I did get a good education in tooth care, tooth surgery and how to properly care for horses and their mouths. I did all my work.

In my practice I also had some of my clients who used equine dentists. That was fine with me. They didn't want me do their care and they wanted one. I had no problem with that. If I had ever thought that there was abuse to the animal or improper care I certainly would have notified the board.

I was on the board in 1982 when we were being sunseted. I don't know if any of you were involved then. But in 1982 all the licensing boards were going to be sunseted because we weren't doing things right. The doctors were self-

serving because only doctors were on the board. Nurses the same, veterinarians, undertakers, the whole route of us were loosing our right to have a practice act and practice. As it end up veterinarians had to rewrite the Practice Act. We had to put a lay person on the board and we had to have an office instead of the person who was secretary of the board could do this work at home. All of those things were done and we were not sunseted.

At the time we wrote the board and the definition of the Practice Act was not changed. The Practice Act, SB 83, did not change anything for chiropractors or acupuncturists or dentists or anyone else. The word lameness was added and it caused a big... The lameness was we don't want anyone tapping joints, we don't want anybody trying to do nerve blocks and that was some of that rationale.

The letter was sent to the farriers that this does not change your role as farriers. This is your profession. You know how to do it. I had an excellent working relationship with the farriers. I never had one I didn't get along with. We had some disagreements on how to do it but we came to a resolution and we did that.

As far as these alternative or papa-professionals want to practice veterinary medicine. I am probably this group that has been referred to that wants to stifle everything. There has never been allowed any law that allows these people to practice legally. We know they have been doing it and unless we have received a complaint they have been left alone to do, as they want to.

But my recommendation to you is and if this is going to a study committee is to make some sort of a basis for these alternatives or these para-professionals that want to practice say chiropractor or float teeth or whatever, fine. Set a standard of what they can do or what they can't do. Have a board so that they are licensed. You know who they are and they have got somebody they have to answer to just like all the rest of us.

I don't know if you noticed last week but there was something that I thought very kind of odd that some fingernail cutter, what you call them, a manicurist in Manchester got fined or something because they didn't get licensed. I thought that was a little over board but I mean they have got a board. I think to protect the people and we are there as consumer groups, as a consumer protection.

But I think the alternative medicine. It is here. I think it is okay. I think they have got to have proper training. They have got to have somebody to answer to. I don't or none of my colleagues believe that they should be run out or that they are trying to be stopped. This is the way the law has been

and it is the way it is now. It needs to be fixed so that these people can do their job, know what their limits are and they know who they have to answer to and they are a legal entity and that they are an asset to the industry.

This is all I am asking and it is all my colleagues are asking. I don't think that there is a problem with that. Any questions?

Senator Gary R. Francoeur, D. 14: Last year when we added lameness into the category. That seems to have brought out the acupuncturists, massage people, and these different groups.

Clifford McGinnis: Right it did.

Senator Gary R. Francoeur, D. 14: Did you have, without the lameness in there you didn't seem to have the statutory authority to do anything with them.

Clifford McGinnis: Oh yes you do. If you will read the definition of the Practice of Veterinary Medicine, it says to. The practice of veterinary medicine is to diagnose, treat, correct, change, relieve, or prevent animal disease. Then lameness is included, but if you leave lameness out this is the way it read before SB 83. To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury or other physical or mental conditions.

This was already illegal unless you are a para-professional and you are somehow licensed to do veterinary medicine. But before you can treat something you have got to diagnose it. You have got to know what you are treating. You can't take your car into be fixed as say my car don't work. The guy says I will put a transmission in it. Well hell if he didn't diagnose it how does he know what to treat.

So it was illegal in here already. You take the word out it still means that these people should be regulated, licensed and prove they have the capability to properly diagnose and treat an animal. I don't have a problem with them doing that.

We are heavily regulated. We need to be in school 8 years. We have got continuing education, national boards, ...competency boards, but the way this law is now it is saying a farrier can go and practice.

Now the farriers do not want to be veterinarians. The farriers also don't want all of a sudden 200 new colleagues because they want to practice

veterinary medicine as charlatans. This is why I agree that they get off this bill.

Senator Gary R. Francoeur, D. 14: In the testimony today we have heard that there was a letter to the farriers that the board sent out. That said they were not...

Clifford McGinnis: Right away when this came out the farriers addressed us that they couldn't do anything anymore and this board was sent out and it was signed by Dr. Salkovitz as President of the New Hampshire Board. **(See Attachment H)** When we changed that we had no intention of altering or stopping anybody's livelihood by this one word. It just wasn't something we thought was a problem.

It apparently raised a big problem and these other things have come about. Which I don't know is all that bad. I think at sometime or other this para-professional issue has to be addressed. We did get one complaint from a horse owner that a human chiropractor was treating the horse and they called their veterinarian and was lamed elsewhere. Well that is fine.

The gentleman is not equipped to treat horses in my opinion. He has been trained to treat human beings. It is a different kind of a spine. It is a vertical spine not a horizontal spine and there is a lot of differences and there is a lot of different pressure points. We don't have a problem if they are properly trained.

Senator Gary R. Francoeur, D. 14: Any questions? I had asked earlier about the number of complaints to the veterinary board. Has that increased?

Clifford McGinnis: Over the last 30 years it has.

Senator Gary R. Francoeur, D. 14: From 1998 you gave us the statistics when you where hear testifying.

Clifford McGinnis: We get about 16, 18, 20 ever year. Everyone is investigated by a veterinarian. We do have an on board attorney general, Attorney Kristine Spath. If we find that there is a problem of who do we legally handle this. Whether we issue a reprimand or require them to go to a certain continuing education to, perhaps they had an anesthetic death in the investigation we find that their anesthesia skills were maybe not what they should be or their was a mistake.

In one case a few years ago I investigated one veterinarian for 2 years, we prosecuted him as being a bad veterinarian and he never practiced again.

Senator Gary R. Francoeur, D. 14: Okay thank you. Jere Beckman.

Jere Beckman: Mr. Chairman, members of the committee and tape recorder. My name is Jere Beckman. I am a licensed veterinarian in the State of New Hampshire. I have practiced in the state for 36 years. I received my veterinary education in California. I have been in a solo practice, corporate practice, partnerships and I am now a solo practitioner. I also served 5 years for the State Para-mutual Commission as the Commission Veterinarian of Rockingham Park.

This dispute that you are hearing today really is part of the veterinary profession against the citizens right to take care of their animals as they see fit and to employ who they wish. As I see it from my position as a practitioner it really doesn't matter who is going to control who and who is going to benefit from the economic rewards of the control.

I don't believe in my practice any way that the Veterinary Practice Act as written should be allow to control the horse owners right to choose who they have provide their care. Particularly regards to the issues that are stated on this bill SB 408. We are talking about farriers, acupuncturists, chiropractors; massage therapists and it should be amended to include people that do dentistry on horses.

Now in all my years in practice, first of all some of these procedures were not there when I started. They have come on the scene in more recent years. The farrier and the dentist have been there for decades. I have never in my experience worked with horses run in to any of these people who have caused problems for clientele that I work for. That is a fact.

I have run into many instances where practitioners, veterinarians, have created problems that weren't too nice. I would urge this committee to ask the veterinary board to examine the numbers of complaints filed against these professions; I will call them that are on this bill over the last 10 years and who filed the complaints. Were they by owners of animals or other veterinarians and what was the resolution of those complaints?

I think that is very important because then it tells us somewhat of what the real problem is. If there is a problem. Now it is interesting to note that I have a letter her it is not dated it came from the State of New Hampshire Board of Veterinary Medicine.

It says: *Notice to veterinarians.* I am going to read you the first paragraph. It says: *At this time only traditional continuing education credits,* notice the word traditional, *continuing education credits are recognized for annual*

renewal of license. Seminars and programs must be pre-approved by the board. So I don't even get the choice anymore. If the board wants to see fit. They can decide what meetings or what programs I go to, to benefit myself and my clientele.

Remember they are not different than I am. We are all graduate veterinarians. Maybe some of them has a few years experience, but I have more than any of them. I think I know my business.

Any way the following are not excepted. These are not excepted for continuing education credits. *Veterinary info network or any online programs, compendium, practice management, holistic and chiropractic programs.* So as a veterinarian if I went to get enlightened on chiropractic activity for horses. The board would not except that for continuing education credit. Okay?

There is a problem there in terms of what is okay for me and what is not okay for me. I have a suggestion if I may. This thing can be resolved I think rather easily without upsetting the practitioners, the veterinary profession or horse owners. I have written out which I will leave with the secretary a proposed amendment to this bill which I believe will satisfy this whole argument without creating any problems for anyone.

Thank you.

Senator Gary R. Francoeur, D. 14: If I could, could you give me a brief synopsis?

Jere Beckman: **See Attachment I**

Now I have heard it here in the testimony. Well we are not going to do that. Well all they need is a complaint. As a practitioner if I went to the veterinary board and I said hey. There is 15 guys down to Rockingham Park doing horse dentistry and I want you to do something about it because the law says they can't do that anymore. They are not licensed veterinarians. What are you going to do?

They are going to have to fine them and tell them to cease and assist. The racetrack will close down. That is just one instance because those people who have their horses they want those services. They are willing to pay for them. The people that do it, I know most of them and have done it for year and they do a good job.

On page 2 and 3 of the bill. I would suggest you remove all language after 332-b:2. Except for the effective date of the bill. In its place I would add the following amendment.

See Attachment I

Thank you.

Senator Gary R. Francoeur, D. 14: Questions? Senator Larson.

Senator Sylvia B. Larsen, D. 15: We currently have licensing for chiropractors that treat humans. I was trying to go through in my head. We have debated acupuncturists. I believe we did license the just recently. We have licensure for dentists. I think what we are hearing is an issue that all of those, what used to be considered alternative practices, are in fact have a place for the consumer to go if there is a problem. Also a sense that those people have go through some training to treat humans, human beings.

As a veterinarian I think you probably recognize that animals have a unique skeletal structure and probably teeth a little less unique. That they have equally defined and different structures that perhaps need training before you treat. I mean if you are trained as a human chiropractor you probably are not as familiar with a spine of a cat.

Jere Beckman: Doesn't take to long to pick up...anatomy and look at it...

Senator Sylvia B. Larsen, D. 15: ...alternative practices one of the things you don't believe it is important for animals?

Jere Beckman: I have reservations about licensing period. I mean as a veterinarian we graduate from school. The school says well you are capable of understanding the material, we are going to give you a degree. You take your state board. They decided whether you understand what they want you to understand. Then they grant you a license.

Now in veterinary medicine in this state, I suppose it is in most state, we have to renew that license every year. I mean it gets costly. It is getting more costly and it serves no useful purpose to renew it.

I would rather say you gave me my license and I am going to practice. I will send you a notice that I am practicing until I quite. You know I am out there. If you get complaints against me then you haul me in and we will find out what I am doing wrong.

In the case of these other people maybe they do want, maybe some of those folks that are providing these services we are talking about do what some kind of a board or something to give them some credibility. So they don't have to worry about some practitioner complaining and then they get hauled before the veterinary board and the next thing you know they have got a $2000 fine. Then they have to get a lawyer and appeals and all of this business. When they have done nothing to hurt a horse.

Now I am speaking horses because that is where most of this trouble is coming from.

Senator Gary R. Francoeur, D. 14: Thank you. Any questions? Thank you. I still have quite a list and I am trying to get everybody in here. I would like to ask people who testify to please if you can limit it to 2 minutes. So we can move it along so that the committee can hear everybody's testimony. Jamie Robertson. Ann DiGovanni.

Ann DiGovanni: Good afternoon Mr. Chairman, senators. My name is Ann DiGovanni and I am a graduate from Purdue University with a degree in animal sciences, a bachelors. I have been into horses and the horse industry and currently in the horse business for 30 years.

I read the SB 408 and I look at it in the standpoint of the animal. In my opinion the animal trusts me to provide proper care because this animal can't speak. I look at proper care, as animal owners want the very best care for the animals. Make the best effort to find the best-qualified person.

In my opinion the best-qualified person to look at my animal is my veterinarian. In the past I have used a dentist. I have used a massage therapist. My veterinarian has no problem with that. Has never restricted me.

But as far as to say that these people under this bill can practice veterinary medicine under the Practice of Veterinary Medicine Act to me goes a little bit beyond safe medicine for my animal. I do not believe that their qualified to diagnose deformity, defect, injury. I know you have read it.

So basically to make it short I really do not feel unless they have some kind of licensing, some kind of schooling, some kind of qualifications to work on my animal. I am going to act in the best interest of animal and that would be to stay with the veterinarian and get his recommendation.

Again I have never been prohibited from hiring people to practice dentistry or massage therapy.

Senator Gary R. Francoeur, D. 14: Thank you. Hubert Barker.

Hubert Barker: I will be very brief. I am Hubert Barker. I live in Salem New Hampshire. I practice equine dentistry for some 35/40 yeas. I have never had a problem. Practice for a lot of dentists. Some of them right here in this room. I have a list of about 6 or 8 that I work for. So have had a recommendation from that many. A lot of the other ones know me. Know my work and probably without a doubt would recommend me.

In fact the last speaker was one of them that I work for and have worked for and do a lot of work at her place. So of the things I agree that the veterinarians are talking about. I do not get into veterinary work. I do not do surgery. I do strictly teeth work.

When it comes to that I think it is the vet's job. I agree with the bill that probably would be amended. I think Dr. Beckman had recommended. Dentists be able to do dentistry. Farriers be able to shoe horses period. That is all I care about.

Fortunately for me probably I am retiring from the dentist business. But I am speaking for other dentists. I have done it long enough it is getting to the point where physically it is almost, I am unable to go into a place and do 6, 8, 10 horses. I can't do that anymore. As most of them who do teeth will attest.

Even the veterinarians don't want to go in and do 8 or 10 horses. Physically that is not their job. Dr. McGinnis spoke about he was well qualified in dentistry and he was at the time he went to school. Years ago when veterinarians come out of school they were required apprentice for a couple of years. Needless to say what they do? What is considered dirty work and that is teeth, physical work?

So they had to learn from the veterinary. Today that is not true. They can come out of school and they can go to work. Their training in dentistry in college in dentistry is limited and that is why I believe a lot of them care not to do dentist work.

Now I am speaking strictly for dentists nobody else. That is all I have to say. You have heard about almost everybody speak that they would like to have who they want to work on their horse.

One of the problems Senator Trombly asked. If the veterinary in that area doesn't choose to recommend you fire him. I don't agree with that. A problem we have run into is if, we will say someone in Hopkinton. Another Warner and somebody Cornish. Somebody in Lebanon. Is to call a

veterinarian to do one horse. Physically he is not going to do that and it is prohibited and expenses.

What we do as dentists is we combined those people. We go and we do one here in Hopkinton, 2 here maybe in Cornish and 2 here in maybe Lebanon or whatever. Then we combine in a day's work, which economically is feasible for those people, and they get by very cheaply.

If I was to go and do that and say I had a half a dozen horses to do. That means I have to get permission from 6 different veterinarians that they happen to be patients because in that spread out area there is a good possibility that they all have a different veterinarian.

So to get permission from 6 different veterinarians to do 6 horses is kind of prohibited. So I am not against anybody qualifying me as a dentist. I have done it long enough and I have enough veterinarians that I work for that will certainly recommend me. Two or three of them is in this room now.

But that is all I have to say. You have heard the rest of it. But I am retiring shortly.

Senator Gary R. Francoeur, D. 14: Kathleen Gallagher.

Kathleen Gallagher: I will try to be very brief. My name is Kathleen Gallagher and I have horse. I am also a licensed Social Worker in the State of Massachusetts. My feeling that here is a lot of educated people in this room. There is a lot of educated people around who are going to do what is best for their animal.

Not a lot of people who are going to call a farrier and have them come out and diagnose a pregnancy or a lameness or have their horse's teeth floated. But there are a lot people unfortunately who have horses in their backyard that are going to do something like that.

Come spring time when your horse needs its spring shots and the farrier is coming out to pull of the winter shoes they are going to have their farrier do their vaccinations and so forth and so on because it is going to be easy. It is going to be convenient and it is going to be cheap.

I want what is best for my animal and that way I am going to go through my veterinarian to do what is best for my animal. Whether he says my horse needs a massage or that my horse needs his teeth floated or my horse needs special shoeing.

Also I feel as though people who are going to practice on equines as do I should have a license. I mean I am required to redo my license every single year. It is just a simple test and doing extra credit courses and it is not a lot. Going to a seminar here. Going to a seminar there. Everybody can find the time if it is that important to you.

So I think that the best way equines can be served is by having a board to over see people who are practicing on their animals.

Senator Mary E. Brown, D. 17: How does a non-licensed veterinarian get a hold of the vaccines that you have just mentioned?

Kathleen Gallagher: You can get them through a catalog.

Senator Gary R. Francoeur, D. 14: Thank you. Brad Barnes in favor but didn't wish to speak or do you wish to speak?

Brad Barnes: For me it is a little difficult to address the bill when the sponsor of the bill has admitted that its wording is somewhat less than desirable. Because my issue is aren't necessarily with who is listed but with the fact that they are listed in context that they can practice non-surgical veterinary medicine.

I think that if the individuals listed could one prove competency in what they are doing and two, be limited to their field of expertise. Then I don't have an issue.

Probably as a point of clarification Mr. Bramante suggested that New Hampshire stood alone with regards to its issues on alternative medicine. I took the liberty of contacting an attorney down in Virginia who's name is Gregg Scovines and he has been employed over the years by varies states to assist them in the wording of their practice acts. Particularly in regards to alternative therapies.

I have a position paper written by him if you would like a copy of it. But in essence New Hampshire is part of a small group of states that is yet to address the issues of alternative therapies in their practice act. I believe 37 states have addressed it. If New Hampshire is to pass the bill as written we would certainly then be alone because we would be the only state that would allow alternative therapies to practice non-surgical veterinary medicine.

The vast majority of states that have embraced alternative therapies have incorporated them into the realm of veterinary medicine. Mandating or

somehow suggesting that the different modalities work in conjunction with the primary care veterinarian.

I do think that if we are to concern ourselves with the well being of the animal. Then there probably needs to be some sort of Credentialing process involved and I am not sure how best to address that. But I do know that in New Hampshire we license hairdressers. So I would assume that if we enact the bill as written we would probably be prioritizing haircuts over that of healthcare.

Senator Gary R. Francoeur, D. 14: Questions? Thank you. Allen Tucker.

Allen Tucker: Thank you chairman, committee. I realize it is getting late so I will be brief. I myself have served 3 years on the Ethics Committee. I have served over 10 years on the Veterinary Executive Board and I just finished a 5-year stint on the Board of Veterinary Examiners.

Concern that we have is the bill as written. I feel that is will set a dangerous precedent. If this was in the physicians court they would actually scream at the...who were doing their procedures. It would be setting a dangerous precedent.

It would be like a podiatrist (i.e. foot specialist) evaluating and treating a heart problem. These are basically are untrained people and have a limited knowledge of the systems they are treating. I do agree with now with the previous speaker here that if we limit them to their field of expertise that would certainly be satisfactory.

I do take exception with the comment that was made that the license serves no useful purpose. After serving 5 years on the Board of Veterinary Examiners and hearing complaints and reviewing licenses. There definitely is a purpose for the license and that is to protect the consumer. We may sit on the board as veterinary examiner with the lay person but I as I said we are basically a consumer advocacy board.

The concern that I have if these people are allowed to practice " in their field of expertise" be it dentistry, massage therapy, acupuncturists, etc. If they are allowed in their field of expertise like Senator Trombly who is not present at the moment it is that if things are now and allowing them to do that. Possibility of licensing or overseeing their jurisdiction amongst their own board, peers or lay member.

To try and put them in the veterinary board would be extremely difficult because since they are not licensed veterinarians if a complaint came to the

veterinary board. We basically are not saying we would be out of our jurisdiction but it has not been our jurisdiction in the bast because again they are not licensed veterinarians.

If that was the case I do feel that you would have a lot of untrained lay people that would basically clogging up the court systems. As I said if it has been working with you know possibilities with some minor corrections. Limiting themselves to their field of expertise. Licensing them or recognizing them in their field of expertise. I think that would be a more appropriate...the way the bill is properly worded right now because basically it grants them to do everything. Maybe not intended so but it grants them to do everything except surgery.

To diagnose, medicate, prescribe medications, etc. is really under the field of the Practice Act. We have gone through very stringent standards to maintain our Practice Act. Just like the physicians. Just like the nurses. Just like the pharmacist. Just like any other board. If they want to be recognized they should be under some jurisdiction board. I am not sure it fits in the realm of the Veterinary Medical Board.

If there is any questions I will answer them.

Senator Gary R. Francoeur, D. 14: Any questions? Thank you. Go ahead Senator Larson.

Senator Sylvia B. Larsen, D. 15: Your suggestion that they be allowed to practice but be limited with in their field of expertise. Then raises the issue of how do you define where expertise is.

Allen Tucker: They have got to go through everything just like the veterinarians have done. Create a practice act what their standards are. You know as I said we have been at it for several years and not that we are trying to make a lock up on the market.

It is just that basically the rules and recommendations as governed by their peers or other state boards of peers and had at least the minimum standards to follow. Would be more appropriate than saying that they are allowed to go out and practice veterinary medicine and tag along with us.

I think those people that have working relationships with again the alternative care people you know probably in certain areas have very good working relationships. We would like to hope that that would continue. As I said that now all of a sudden when Senator Trombly was here he said that if

it is working this way. Why do we have go by law and now open up Pandora's box to everybody?

Because again once they realize that they can practice any modality that they want and the only thing that they can't do is surgery. There is a lot of fringe people that might all of a sudden think that they are a farrier so they can do a little practice of veterinary medicine or they are an acupuncturist to do a little veterinary medicine.

The other thing is too. When the Doctor was saying that there is no studies recommended for complementary and alternative care. There is 14 meetings here involved with complementary and alternative care. Being at this year's AVMA conference in Salt Lake City, June 22nd-26th. There is plenty of continuing education for alternative care.

Senator Gary R. Francoeur, D. 14: I have got a question for you. You said you sent out a letter. Did the board send out a letter?

Allen Tucker: I didn't send out a letter. I have been off the board for 2 years. If they sent out a letter I am not aware of it as of now.

Senator Gary R. Francoeur, D. 14: It would have been in the last. If the board had sent out of a letter you could use those as alternative lessons to...

Allen Tucker: A lot of times people would come in and want to get 12 hours of CE. People said that had busy practices and sometimes to squeeze the 12 hours in is tough because you design a period of time to go for CE and you have an illness in the family or something happens. So that CE doesn't come around.

Alternative CE was financial planning meetings, we don't allow that...We want something that you go to a meeting and learn something about good veterinary care for the benefit of the animal. Again these meetings at the time when I was sitting on the board, the American Veterinary Medical Association actually has subcommittees on these alternative care therapies and they actually have specialists. If it is approved by the AVMA for alternative care in medicine then it is also approved by the NHVMA, the New Hampshire Veterinary Medical Association.

If it is approved by the AVMA, but a lot of people again say they have an expertise in these fields come out and give a meeting and can I get 6 hours if I go to this meeting. If it is not approved my the AVMA or recognized by the Veterinary Medical Association then we as jurisdiction in the past from the

New Hampshire Veterinary Medical Association is only accepting what American Veterinary Medical Association has excepted.

Senator Gary R. Francoeur, D. 14: Thank you. One more.

Senator Mary E. Brown, D. 17: I am trying to understand the whole thing. I know with people and medicine, Doctors, there was a resistance for a long time to alternative care. Either because it wasn't credible or because it was a threat to they're profession. Is that true in the veterinary medicine world? Do you feel they are credible, incredible or threats?

Allen Tucker: The people that we have been following have been trained in some of the alternative therapies. Matter of fact you have one here in Concord. Right now we have like 4 people in our office, you know, amongst our 5 veterinarians. They still use them for alternative care. Again a graduate veterinarian of license veterinarian and alternative care I don't think. It is something newer.

Dr. Beckman, you know, these modalities weren't available when he was out. They have only become a lot more known about in the last 8 to 10 years because they are using a lot more of it in human medicine. Being...as far as nutrition. Being macro antibiotics, I mean there is a whole field out there and there are subspecialties as far as studies.

The concern...the thing that we have is that if we group them all and try to put them under the aspect of practicing veterinary medicine. Again there maybe a level of expertise that they should be either recognized or certified but not under the Veterinary Practice Act.

Thank you.

Senator Gary R. Francoeur, D. 14: Beverly Leo.

Beverly Leo: Hi my name is Beverly Leo. I am from Warner. I represent the New Hampshire Federation of Humane Organizations. But I am also on the board of the New Hampshire Equine Humane Association and I am a member of the New Hampshire Horse Council and I am a horse owner.

So I bring many issues to this issue. Although in the beginning I brought none because when SB 83 was being consider last year and passed it didn't seem and issue that the New Hampshire Federation of Humane Organizations needed to get involved in. That it didn't seem to be in our arena. It seemed to be minor changes to the veterinary practice act and we trust the veterinarians to manage their own profession.

However you saw and we saw sort of the blossoming of this issue. I am speaking today in opposition of what is in front of us SB 408 as written because it does classify non-veterinary practitioners who may definitely have their own areas of expertise but have not gone to veterinary school. It classifies them as practicing veterinary medicine.

I think there might be a better way to deal with them. Also within that same practice act this specifically limits the liability of those non-practitioners. It puts them into the arena of veterinary medicine without all of the punishments that might accrue to a veterinarian who might miss treat or miss diagnose an animal.

That bothers us. It doesn't seem to be quite the way to address the issue. It does seem to be now a real issue. Our interest with the Federation of Humane Organizations is the welfare of an animal. Its seems as though animals need protection in this state. We have done a lot of things to do that.

This bill however doesn't seem to protect animals. It doesn't seem to really help the alternative practitioners including dentists and farriers. It doesn't seem to protect animal owners either. You know witness the concern of animal owners taking notes down about scheduled visits.

Practitioners which is under my interpretation perfectly legal but the point is that there is an unclear interpretation of SB 83. It wasn't the intent to cause $2000 fines if you call a farrier and yet that is some peoples interpretation of it. That being the case I think something needs to be done to clarify the intent when lameness was added to SB 83 which is the only real change.

Yet what it did was bring to light the fact that all of these practitioners seem to be practicing in a gray area. It wasn't a problem, acupuncturists, dentists...

...the fact that that economy existed. The New Hampshire Horse Council has brought forward to Senator Wheeler a suggestion in a form of a letter **(See Attachment J)** to set up an alternative board or board to look at alternative practitioners outside of the veterinary practice board. I think that would be a very good way to look at this but in order to go forward this particular bill really needs to either be killed or put into study. The issue shouldn't be killed though.

I think it is a living issue. There are many people behind me who really want their professions protected and many of us who want animals protected. The New Hampshire Federation of Humane Organization strongly supports the veterinarians in their want to protect their own practice and in coming

forward with the Veterinary Practice Act, which does protect consumers. I think for most of us our first line of defense for our animals is our veterinarian but there still needs to be the freedom to call for what the owner may judge to be a non-medical problem to call on a non-medical professional.

I think we need to look at some different way to do that. I would suggest that we take seriously the letter, which I don't have in front of me and I hope you have in front of you from the New Hampshire Horse Council. That is one way to do it and other people have proposed a board, a separate board.

Thank you.

Senator Gary R. Francoeur, D. 14: Questions? Thank you. Elene Arquropailos. Joe Moore.

Joe Moore: Senator Francoeur and members of the committee. I am here again. I am a veterinarian. I am head of the Veterinary Diagnostic Lab in Durham. I like Dr. Tucker have served many years in the board of New Hampshire Veterinary Medical Association and also served 5 years on the board that wrote the Practice Act that has been subject to a lot of your concern today.

I have been trying to get a sense of all this. I have spent the last couple of days reading a book about that thick, about that big and it is an illustrated history of veterinary medicine that goes back to mid evil times and goes up until the present time. It is much like the discussion today. Just about everything that has moved veterinary medicine one way or another has to do with horses.

Horses were the creatures that plowed the fields and fought the wars. Every time their care was put into the hands of lay people problems were recognized and veterinarians came to the floor even in terms of schools or credentials or whatever. So what we are trying to do is part of history in away here and the one thing that we are moving into is some of this type of care is a little out of the traditional veterinary medicine up until this point of view.

I resent any insinuation that my presents here is a matter of my having time to be here. Rather than the fact that I really care about my profession and that I care about all the animals that I have ever taken care of and that I will take care of. That I care about the people who don't own animals who are subject to the knowledge that I have to help prevent them from getting involved with diseases.

Last Monday Dr. McGinnis and I and about 15 other public health people in New Hampshire spent 2 hours up the road a the Kimball somebody estate talking about West Nile Fever which is a zone arctic disease. It killed 17 horses in Long Island last summer, 7 people. It is carried by mosquitoes, it is a virus. There are birds involved in the cycle. There are horses, there are people, there are other animals.

This task force is working on behalf of the citizens of New Hampshire to make sure that if that disease emerges this year that we are prepared for it. The state association at their annual meeting this year had 2 hours of lecture by experts from Cornell about Lyme Disease Vaccine for dogs and the disease.

The researchers that were here are working the public health people at the State of New Hampshire to try to unravel the puzzle of Lyme Disease for humans and animals in New Hampshire. Our association members paid money took a day off and listened to these people so they know what the ramifications of the vaccine that they choose to give or not to give to their animals is.

You can't order in a catalog a vaccine give it and know what you are doing. Veterinarians have an education that is central to the care of animals. These other issues I don't dispute the fact that acupuncture has a place in veterinary medicine. That chiropracting has a place in veterinary medicine. That farriers are the all time partner of veterinarians. Every veterinarian that I have ever known that is an expert in equine lameness got down to the point of putting the shoes on and turned it over to the farrier and treasured a artist.

Farriers are artists. Farriers are very talented people and they shouldn't be denied their work. Anybody should be able to pick whoever whatever farrier they want. Most of what farriers do is putting shoes on. Like going to the shoe store and they ought to be able to go to the shoe store and by a pair of shoes for your horses without getting into trouble with the Practice Act. The Practice Act never intended to do that.

I take great issue with a chiropractor who is trained in human medicine and I have catalogs from chiropractor schools. I have catalogs from acupuncture schools. Talking about the importance of x-ray diagnosis before they do anything to their patients that standup and have different bones. They don't have bones like horses. You tell me a chiropractor that can manipulate the spin of horse and I will invite you to my autopsy room and show you how hard it is to take a spin of a horse apart.

I can't do it with hatchets and knifes and saws and everything else without working up a pretty good sweat. That it is not a live animal with muscle twitches and everything else.

We worked really hard on this Practice Act and it is a good practice act and all deference to Senator Wheeler it didn't include two simple changes. Lameness and whatever else she said. It had a mount of changes. It took three years of work. When I finished my job at UNH I grabbed a sandwich and I came up here at night. Practitioners that work longer hours than I do came up here at night. We stayed here till 11/12 o'clock at night.

Then took a whole day off to work on the Practice Act to refine it. It had things in it that would not enable us when we had a complaint against a veterinarian to legally within the other statutes of the state punish that veterinarian. The Attorney General tore his hair out when we had a complaint when we called up and said this is how we are pursuing a complaint. You can't do that. You will never be able to prosecute somebody.

We prosecuted our own colleagues. We are not here protecting our profession we are working on behalf of consumers that right letters and say we have a problem please help us address it. We help them address it and we took licenses away. Maybe 20 doesn't sound like many complaints a year. Maybe it sounds like a lot.

I think it is a lot. It took a lot of time for me to call up and get somebody on the phone and investigate those complaints. Have hearings for them. Take their licenses away. It was done with the good intentions of animals and animal owners not the veterinary profession. The veterinarian profession is getting hammered pretty hard with this stuff and it is unfair and it is not right.

We are a good profession. We work for less than any other professional that I know of per hour to do our job because we care about a sick animal. Dr. Taylor has a veterinarian that took a dog home for a weekend to have him with him on his weekend off to take care of it because he was worried about it. There aren't very many pediatricians that will take a kid home for the week to take care of them.

We are trying to do what is good and we are trying to do what is fair and we are not trying to keep people out of business. I don't have any concern about telling some human chiropractor to go and take care of their patients in their hospital. It they want to put Fifi on the x-ray table and then have you get on the x-ray table after them. I don't think that is right. I don't think the

OSHA people would like that either. I think they ought to stay in their own field.

Farriers and dentists, we have got a problem. Mr. Bramante is licensed along with stable hands and everybody else at Rockingham Park by virtue of a statute. It is a license that the requirement is you pay $5 and you are licensed. You can practice your dentistry.

As of 1/ 2000 it is my understanding that the enabling legislation for that has ended. So he is unlicensed even at Rockingham at this point. So there are some problems with dentists. There are some problems with farrier. In my own mind if someone's profession is dealing with animal husbandry and I can be convinced that maybe and have some colleagues argue with me. I can be convinced that an equine dentist is part of animal husbandry.

I have not problem being convinced that a farrier is part of husbandry. It is very easy to have you send a message, trash this bill, but send a message back to the veterinary profession. The Board of Veterinary Examiners and say give another shot at these alternatives measures and see if you can't revise your practice act to meet our satisfaction.

I think it can be done, everything has been complained about. Veterinarians don't have credentials to be acupunctures. It is in the Practice Act. The Practice Act is comprehensive. It is complicated. Word after word was hashed over and rehashed over. It is good. I would go over it with you line by line. Do you want to go over it and tell you how good it is?

I will go over every argument that you had. This is not a good thing that we are doing. It is wasting your time. It is wasting everybody's time here. It is wasting my time about something that is covered or something that irresponsible in terms of animal health, human health, and the practice of veterinary medicine in New Hampshire.

That is my two minutes. I would be happy to answer any of your questions.

Senator Gary R. Francoeur, D. 14: I understand it is a waist of a lot of peoples. But I mean a guy that is a dentist here today it is very important to him that he can get fined $2000 for infractions on his practice. How can you help him today so that next year he is not in violation of the statute and possibly be fined?

Joe Moore: I asked you that question the last time. I asked you if you wanted to rescind the Practice Act. To be honest with you there were 6 people on the Board of Veterinary Medicine when I was one it. One of them

was a lay person, 5 veterinarians. One of them was Dr. McGinnis. There are things that when you go through the Practice Act that are black and white. It is easy to say you can't give anesthesia to a cat because you aren't trained to give anesthesia to a cat.

You get into the business of equine dentistry and farriers. I think those are gray areas. We struggled with them. We came up with language we thought was okay. We thought we weren't preventing anything that happened before from happening at this point. There is nothing in the statute that says that dentistry is the practice of veterinary medicine. I don't believe.

The lameness issue can stay or go away. It is there anyway. The diagnosis of lameness involves x-rays. It involves sticking needles in joints. It involves sticking novocaine in places where nerves are. Farriers don't want to do that and they can't do that. We wrote them a letter and said don't worry about it. **(See Attachment H)**

I don't think there is a real problem. I do think it would be in the interest of the farriers and the interest of the dentists for the Board of Veterinary Examiners that your legislative body has given the responsibility of regulating veterinary medicine in New Hampshire. The Governor has appointed people that she believes are capable of that responsibility to be in charge of the Practice act and to modify it like we did.

We did that of our own incentive. You didn't tell us to do it. We said that we have to me some changes here and we did it. I think that you could sent a message back to the Board of Examiners to specifically address the issues you might have on your mind.

If I was on the board today and I am not. I would try to find away to accommodate dentists. I would probably try to work with them to figure out what their credentials are. What their limitations are and so forth. I would do the same with the farriers. I might find a way for an exception and a rule or something.

There is no way you could ever convince me to let Dr. Moore the chiropractor from Dover treat a dog. I don't think he should. Not that he does. I picked his name out of a hat. I think that there is some people out of their realm. If they are trained to treat people. Let them treat people.

Let the veterinarian if there is a need for acupuncture, some chiropractors in veterinary medicine. Let the veterinarians like they do for other things. Ophthalmology, pathology, go get some extra training after their degree. They have the base knowledge and Dr. Beckman things you can pick

up...which is an anatomy book the farriers could read to practice veterinary medicine. It is now...it is now 3 volumes since he graduated. It took us a whole semester of lab everyday and lecture everyday and studying every night to learn the anatomy of the animals that we treat.

So you can't expect someone that doesn't even know what a cell is to go learn anatomy and physiology and practice veterinary medicine. I think you have to respect credentials. You are dealing with animals. You are dealing with animals that can suffer if they are miss diagnosed. They have pain and everything else.

Let the veterinarians give it another shot to work out the Practice Act and come back to you a year later. I don't think that Mr. Bramante...federation commission now is going to be in any trouble practicing his dentistry. I don't think any of the farriers are going to be out of business. I honestly think that there has been a major effort to get people riled up unnecessarily. It was never the intention of the Practice Act to do this.

I think there has been a lot of furor that is miss guided.

Senator Gary R. Francoeur, D. 14: I understand that you are not on the board at this time but maybe you could talk to some of the member of the board. Maybe if they would submit a letter similar to that they did for the farrier to this committee. That might solvé the problems of some equine dentists. If you would talk to those on the board since you used to work with them.

Joe Moore: I would be happy to offer. This is an honest blast from the top here. I thought of that while I was over there. So I might be really out of line with the boards. I respect that those members of the board are the ones who are calling the shots now.

I was the one that wrote the letter about continuing education. At that time we were really struggling with alternative therapies. We were struggling with about computer based learning. We had real reasons for thinking veterinarians ought to get together for meeting, get educated every year.

There were veterinarians that gave us trouble every year and submitted courses they had taken in computers or business to try and get credit to be better veterinarians. The intention was to get them to take medical courses to be better.

The continuing education is also something. The new Practice Act put rules in to allow all those things to happen. There is a new letter that the

veterinarians have that allows them to get some of their credits by computer or Internet type education and magazines but they do have to go to meetings as well.

Senator Gary R. Francoeur, D. 14: Questions? Senator Larsen.

Senator Sylvia B. Larsen, D. 15: I would probably have asked this of Dr. McGinnis but since you are also a trained veterinarian. I have a question. In a human anatomy for example you could have stiffness in your shoulder which is actually kidney problem. Are there different pains in an animals or is it possible that you are treating what looks like, you might miss diagnose a disease because it shows up as a muscle problem?

Joe Moore: There are comparable situations. Many in animals that are compounded by the fact that the animal doesn't come in and say I have a pain in my shoulder. You have to figure that out.

The wisdom that one of my old radiology professors shared with us when we were in veterinary school was that every fracture has a patient attached to it. One thing that you learned as veterinarians is you start way away from the problem that you are dealing with. You consider the history of the animal. The history of the owner, the environment of the animal.

All the other the age, the sex, the breed. All the other variables that might be impertinent to the problem at hand. Finally you get down to the sore shoulder and determine how to treat it. Very often the sore in the front leg is a result of a sore back leg in animals because they walk on four legs, shift wait to the opposite front leg. It looks like a front leg lameness when it in fact there is an abscess in the sole of the back foot.

I read an article to the house committee about a horse who went to Kansas State because it had an abscess in the sole of its foot and it had some muscle twitches and the veterinarian consider the rest of the animal had concerns. Told the owner to get back and get back and get back because he was worried about this. That animal turned out to have rabies. If it had been treated solely for a foot abscess and sent out to field it could have exposed humans and other people to rabies.

So it is very much. Your question is very important and very important about why veterinarians have to be...

Senator Gary R. Francoeur, D. 14: Thank you.

Joe Moore: Thank you.

Senator Gary R. Francoeur, D. 14: Trish Kerian please.

Trish Kerian: Thank you. My name is Trish Kerian. I work for the Rochester Equine Clinic, which is an equine referral hospital. Ninety percent of our work is on veterinary referral from referring veterinarians. I work there as a physical therapist in conjunction with the sports medicine program there.

I have concerns about the bill. I think that it has raised an issue that does need addressing. I don't feel that it should necessarily be killed but I don't feel that it warrants passage as it is. We have heard from both sides, pro and against that there are definite problems. There are problems with this that need addressing. Some amendments have already been submitted and I think that it certainly should not go to a vote but it should perhaps go to study.

I don't think necessarily that the Veterinary Board should have another go as it were to revise the Practice Acts. I do believe that this bill could be amended to or redrafted to suit all our needs and reach common ground, which I think that we are all after.

There is a need for I feel veterinary involvement if not supervision at least a dialogue and an awareness and a referral clause in whatever legislation is passed. Why? If humans are able to choose amongst different practitioners why mustn't a horse owner be able to choose for their horse?

Good question. However, these different adjunctive therapies with the exception one could argue farriery and dentistry are relatively new therapies. Thus they are not yet formalized in terms of training and licensure. I am involved with a national organization that form just over a year ago. To undress as an umbrella group, to self regulate and develop over time a licensing board and to assure credentials in the different fields.

Energy work, you know acupuncture...there are many. Bach flower essences, aromatherapy, acupuncture, chiropractics, physical therapy, massage therapy, other manual therapies, they go on. It is a huge undertaking and it cannot happen over night.

The best that we can offer then is that there is some sort of safety net. If you care at all about consumer rights. If you care at all about consumer protection then you must involve someone that you can at least rely on. Has profound knowledge of the equine or animal. At least include them in the loop.

This could be argued to be problematic. Well then it interferes with free practice of the therapies. No it does not because it can be worked out to have a referral. You can define that referral via phone, via fax, via written whatever. You can also define it down to not prescription of said therapy but awareness of and a referral. That referral also would relinquish liability.

By definition according to some of the other veterinary acts and according to AVMA, referral does indicate a relinquishing of responsibility. So then therefore your veterinarians would not be held liable. The liability can be defined and to rest with the practitioner, the adjunctive practitioner.

Another thing that could help define this and find common ground would be to define maintenance services. Farriers, dentists, and other practitioners have maintenance procedure, maintenance services. This could be defined within the fields of expertise. It is not a difficult thing to sketch at least fields of expertise. Whether it is physical therapy, manual therapy, AVMA and AAEP governing bodies on American Veterinarian Medicine Association and American Association of Equine Practitioners have already addressed some of these definitions of therapies.

So it is not beyond the scope of this. We can at least define who these people are. What they are practicing. What their fields of expertise are. What it involves. Also define maintenance services. Why is maintenance key? Well maintenance quite differs from lameness or other injury assessment diagnosis. I believe the veterinarian is the one to make the diagnosis because one has to take into account the entire animal.

It is a complicated process as Joe Moore and others have referred to. To get to the answer and sometimes that is even difficult. If one goes about this in a systematic methodical way via in study group for instances. You can work out these kinks and maybe not everyone is going to agree on every point but it should reach common ground and eliminate the major points of contention.

For instance by listing the individual therapies or practices and listing their fields of expertise you can define the confines of these fields. Then simply state that these persons will not be considered to be in violation of the state Practice Acts or other wise illegally practicing which they have been because they have not been provided for previously.

They will not be other wise illegally practicing veterinary medicine providing one that they do not practice outside the realm of their defined area of expertise. Two, that they either (a) operate on a referral on a licensed veterinary practitioner based on their diagnosis of an issue or problem or (b) in the case of maintenance services or treatment do so on the request of the

owner. But is strongly encourage to keep the designated veterinarian updated and informed as to this treatment.

Yes some people would do this out of courtesy and out of wanting the best for the animal. You know what not everyone practices well. So this is at least defining what proper conduct maybe if there were future problems.

In the case of treatment and services, which are not, maintenance i.e in response to a specific complaint there could be an issue. They would then be in violation if treating and addressing an issue other than the specific issue in condition referred by the veterinarian or in violation if they failed to refer back to the veterinarian for further consideration if a lameness or other unsoundness or illness or condition is detected or therefore asked by the owner to address which can happen.

So this set some guidelines of ethical practice. So therefore you are then avoiding the issue of diagnosing which is part of veterinary practice. If they want to the practitioner, the therapies, they want to partake in that role of diagnosis then must then refer back to the veterinarian...

...referral and perhaps attach an expiring date. If an initial referral is made there may need to be an expiring date. So that that referral doesn't go on ad infinitum and be miss construed to allow practice on an ongoing basis.

These are just some issues that I have raised. I know that we have been here a very long time and I am terribly late getting on as well. But I think that it is an issue that is coming up across the country. It is an issue that needs addressing. It is an issue that has not been addressed previously and the Veterinary Practice Act is on the books and I have a file of different practice acts from different states.

Do not provide for these therapies so in a sense these practitioners, these therapists are practicing illegally. So I don't think that we should let the law remain as it is because a $2000 fine is not appropriate. It can certainly become problematic not only for dentists but for others who are out they're practicing. All it does take is as someone has quoted earlier is all it does take is a complaint to bring this into the courts. To cause a good deal of grief for someone earning their livelihood.

I do no that there are people out there practicing well. I hear that there are people not practicing so well. It may not come down to simply that they are not qualified. It may come down to they are not ethically practicing and I feel that we cannot write an act, we cannot write piece of legislation that doesn't also outline ethical practice. I think that the referral clause and the

procedure that one should take as a complementary practitioner should be included as well.

Furthermore I did at the last meeting want to become part of a study group or subcommittee. I was not contacted and I understand that there were subsequent meetings. Perhaps not by this body but I would certainly be in favor of that. I think that you have a great deal of resources, people involved in this very field that would be happy to oblige.

Senator Gary R. Francoeur, D. 14: Questions? Thank you. Jim Clark-Dawe.

Jim Clark-Dawe: Thank you chairman, senator. My name is Jim Clark-Dawe. I am vice-president of New Hampshire Horse Council. I submitted a letter to you. **(See Attachment J)** It is a copy of a letter that I sent to Senator Wheeler.

The New Hampshire Horse Council was involved when the New Hampshire Legislature put in the Equine Liability Act and we helped in working with developing an amendment. When this first started coming about and the problem here is that some people did get excited about this. It was like when a genie gets out of a bottle. We now have to figure out what to do with the genie. That unfortunately is where we are.

Then vet act did not change substantially as far as any effective proportion to people doing to people doing things. The only addition was the addition of the word lameness. There was always a penalty clause. There was always a violation to be in violation of the Vet Practice Act that would take you back into the criminal code. I don't remember if it is a thousand or 2 thousand dollar for a violation. It has always been you are not supposed to do it. No one was concerned about it. No one was worrying about it. Unfortunately we are no longer there.

What I am suggesting is a development of a board of alternative or adjunctive treatment modalities. I am not sure that is necessarily the best solution. It is the best one that I have been able to come up with. To be honest originally my thought was to go under the Board of Veterinary Medicine and see what they could do.

The letter that Dr. Salkovitz sent out to the farriers was a result of me calling up Dr. McGinnis. As a result of me receiving a call from the Southern New England Farriers Association. He sent me that letter. After that letter I spoke to the Southern New England Farrier Association and as you maybe aware the Board of Veterinary Medicine does have rule making capabilities.

What I suggested so that the farriers had legal protection because that letter does not constitute in my mind legal protection was adding in a clause, which they can do. They have already done it for acupuncture. Defining acupuncture as veterinary practice. Defining farriers as not veterinary practice.

We had discussions about that for awhile and discussions have now broken off. So that maybe what we need to do is to deal with somebody other the Board of Veterinary Medicine in resolving this. It is a difficult issue. There are lots of definitional problems.

When this first came about I tried finding anybody else in this country who has dealt with this legislatively. I tried to find if there was a model act because I know as senators a model act is always a great place to start from. There isn't one. It looks like the State of New Hampshire, whether we regard that as fortune or not, we are in virgin territory that no one else has dealt with as legislative issue.

There are some states that have dealt with it to some extent. It is a regulatory issue. I am not sure that anybody has really come up with anything that would be terribly recommended as an attorney.

The issue here is really a fairly simple one. Should the vets be a gate keeper to receiving services? Just as HMO's have set up doctors as gatekeepers. Do we want that for veterinarians? For human beings that is not necessarily required.

To give you an example, if I go out and play basketball all weekend long at my age. Following my exercise regime that my doctor has been prescribing and I come up sore Monday morning I can go out and get a massage and take some aspirin.

A few years ago, one of my horses I was out early spring. The trail was very muddy which with more mud on the trail it makes it awfully hard for the horse to move. He said he wanted to run I said maybe we should walk we settled on a trot. The next morning he comes up lame. I gave him butte and I had somebody else give him a massage. It was a classic over use syndrome.

Horses are predominantly athletes. If you think about how a the classic because they do such wonderful coverage as football players where they have a wide range of treatments. Some of them, yes you have the team physician looking at you. Other times the team physician really isn't involved depending on what the problems are. There are a wide range of problems with horses as result both of their innate frailty. They are probably one of

the few species that have benefited by human kind. Otherwise they would probably be extinct but they are also the only species by in large that is also a working animal were we put pack on them, we put in my case probably about 230lbs on their back. I wish that was a little bit less for their sake.

We ask them to move heavy loads. If you go to horse pulling contests. As a species they are the only ones with that broad range of use. Is that they are using animals. So the question really here is do we want vets as gatekeepers? The New Hampshire Horse Council would say no. Among other reasons we are looking at a reduction in cost. Every time you call your vet you are going to have for them. If you don't need to call us your for something you will save yourself some money and some time.

I think the alternative or adjunctive people need to be regulated in some way. Senator Wheeler said I can't use the word license that is why I am not saying the word license. But they need to be regulated in someway as been stated. The vet act is an animal protection act. It is a consumer protection act. I don't see the state realistically wanting to move from that position of protecting animals.

Unfortunately animals cannot speak out on their own behalf. Just as this state protects child. I don't see it being willing it to say we are not going to protect animals.

Does anybody have any questions?

Senator Gary R. Francoeur, D. 14: Senator Larsen.

Senator Sylvia B. Larsen, D. 15: Just a quick one. Your suggestion on what the board would be authorized to do. I am not sure that it includes chiropractie. It talks about manipulation of the skin or muscles, which sounds more like massage than chiropractor.

Jim Clark-Dawe: I meant to include chiropractor. I...as manipulation, to be honest I sort of expect that what is in that letter that will survive is the word board at the most. I think a lot of work needs to be developed and definitional issues. Such as should chiropractor be included and what is chiropractor. Should acupuncture be include and what is acupuncture.

Senator Sylvia B. Larsen, D. 15: Do you believe that it could be a subcommittee of or rather create a new board with new offices and new secretaries could it be in fact a subcommittee of the veterinary board.? Not with veterinarians serving necessarily but a subset of the veterinary board.

Jim Clark-Dawe: I think that would be reasonable. I could see definitely setting up a either under the veterinary board but basically an animal protection board encompassing the entire spectrum. I think they could definitely share offices and things like that. I don't think they need to be isolated. I think there is a strong need to work with the veterinarians to come up with a solution here. It can't be done in isolation from anybody.

Senator Sylvia B. Larsen, D. 15: Thank you.

Jim Clark-Dawe: Thank you very much for your time.

Senator Gary R. Francoeur, D. 14: J. Anderson Bloom.

J. Anderson Bloom: My name is Joanne Anderson Bloom. I am a licensed speech and language pathologist. I am a trained occupational therapist but not license. May 10th will be for 44 years a horse owner. Now I have much more experience in horses that I do in either field that I am trained in or the one that I am licensed in. If we talk about experience or hands on and hours and whatever.

Trying to sift all this information from this afternoon has been very difficult and I have crossed out my notes a many time. Before I came I thought that the argument or getting the main idea as I have told some of my students in the past. It we were trying to get the main idea I think there are 3 main ideas that we have presented here.

The first being that is it a given that we want our animals to have the very best possible care. The second one is that the Board of Veterinary Medicine in charged to protect the public health. The third which people have spoken to in a not quite forthright way is to protect owners from being misled by incompetent, unscrupulous and unauthorized persons and from unprofessional and illegal practices. Not just by people who are not veterinarians but by people who are veterinarians as well?

How do we go about doing that? How do we go about assuring that those three things happen? People have talked about rabies. I have thought about that. You could speak about Lyme Disease or the West Nile Fever. Many anecdotal stories could be told about horror stories that have happened with any number modality practitioners or veterinarians.

But I don't think that is really what we need to be concerned with. I think what we really need to be concerned with is someone back here who is talking about the ethics and defining what it is that these practitioners of modalities do. It seems that people have taken, it is the war of the roses, people have

taken two sides and they see it as two sides. I don't really see it as two sides. I don't see that I am say that people are incompetent if I am saying I don't know if they are competent.

They maybe absolutely positively competent to do what they do but I have no way of knowing that. No one has given me authorization to do that. I am sure that if I try to get into the state house into one of the room I feel that I am a competent person. Someone might stop me and say are you authorized to enter here? Just in a very primitive argument.

So what happens when someone comes to your door and says I am an equine masseuse. I am equine dentist. I am equine practitioner. How do you know what their training is? If someone comes and they are a veterinarian you have some sense of the basic requirements having been satisfied.

Someone spoke to the issue of alternative and adjunctive therapies being specialization. In my mind as a speech pathologist specialization involves a board area that is honed and sharpened and condensed and comes down. It doesn't necessarily that someone who is only knowledgeable in minutia is the expert in that area because in order to understand that minutia is needed here you have to rule out all that is not need here.

Again I am very familiar with the medical model. How do we know what is what is not? Literally by saying we know that it is not this and it is not this and it is not this and it is not this, it could be this. We don't always get the answer but we may answer many question ruling out doing a differential diagnosis. I think that the education of veterinarian will offer that to us.

I am not sure that there is a board of licensure that can be written down for all of these specific therapeutic modalities. I don't know. I would not presume as an occupational therapist to practice on a horse and I have had horses longer than I have been an OT.

Senator Gary R. Francoeur, D. 14: Questions? Thank you.

J. Anderson Bloom: Thank you.

Senator Gary R. Francoeur, D. 14: Irving Salkovitz.

Doctor Irving Salkovitz: Dr. Salkovitz. I am a practitioner in Lee New Hampshire. I would like to thank the chairman and members of the board allowing me to speak. I happen to be Chairman of Board of Veterinary Examiners at this point. You may have hear my name embellished 2 or 3 times during the course of this sessions from Mr. Bramante and others. I can

go and clarify the fact that I never threatened him with a $2000 fine. Perhaps that was how it was interpreted but that it was not how it was delivered.

Most issues have been discussed to this point so we won't belabor them. My responsibility as Chairman of the Board of Veterinary Examiners is overseeing the pursuit of excellence, the performance of veterinary medicine, the care of the animal and the care of the public in the State of New Hampshire.

To that end I am responsible to policing my own colleagues, veterinarians. To that end they are all required to be licensed and to maintain continuing education, to maintain requirements of expertise. In pursuit their expertise on a yearly basis. If the board so desires or the state so desires to abolish licensure and think it is archaic, as another veterinarian has stated with I this meeting, so be it.

In which case my life will be made a lot easier. I could get rid of insurances. I could get rid of my continuing education and I could assume that my 1971 to 1975 knowledge is sufficient to carry me now into the year 2000. I think that State of New Hampshire recognizes that there is a certain standard and pursuit we want to follow for the benefit of those patients we treat and the owners.

To that end I think we are really trying to avoid the issues for perhaps political reasons. I think certainly dentistry falls out side of chiropractic and acupuncture and perhaps massage does too and certainly farrier does historically. So I think to address the issue of blacksmithing of farriers and horses is redundant and unnecessary. It has existed to this point and it is going to continue to exist.

In terms of dentistry that also has been a industry that has existed for years. The AAEP which stands for the American Association of Equine Practitioner just this year or perhaps last year wrote a ruling. So they are the parent association of 90% of all people practicing a horse in the United State. Highly recognized group within veterinary medicine. Finally made a statement that they feel now that the practice of floating teeth, not dentistry, can be done by dentists if you will, non-equine dentist, under the auspices or guidance or acknowledgment of a veterinarian.

The problem with floating teeth is not the issue of doing the job. No question, I have little doubt that Mr. Bramante and excuse me if I pronounce it wrong. His expertise and I would doubt expertise beyond 80% of the veterinarians in this state since that is all he does in filing teeth. Perhaps taking caps off

youngsters, which are the baby teeth as they evolve. But I am not convinced he is an expert in looking at pathology within the mouth, with in teeth structure, with in abscesses, pulling teeth, taking off very long teeth, using the new power tools that are available, anesthetizing horses so they don't need to feel any pain or suffering when a more rigorous procedure has to be done.

But certainly with in the limits of his specialty there is room for him to practice his...if it is defined. In terms of acupuncture and chiropractor I find interesting that I have not seen one human acupuncturist and one human chiropractor standing here today claiming that they really feel that the board should change the rules so that they could practice just human acupuncture and human chiropractor but they should equally be allowed to practice on animals.

If in fact they want to do that why should they not have to pass some standards of rigors. Have malpractice insurance. Have emergency service requirements. How about continuing education requirements and have standards that we ask the veterinarian with in the state to follow.

In reference to massage therapy I think that is a vague area that falls outside as much a non-innocuous procedure as acupuncture or chiropractor. It may fit in the realm of being regulated but with in their own industry. There are no recognized standards of animal massage therapy or physical therapy exist in the country. That is evolving.

All these issues of holistic alternative therapy probably just started evolving within 5 years. If you read the newspapers and the news issues within our journals over and over again our parent organization the National Veterinary Medical is struggling with trying define and categorize all these preamas to see how they fall within the realm of veterinary medicine.

Finally issue being. If you are going to allow people to do their things they have to show expertise. They have to show knowledge. They have to be licensed. They have to be insured. They have to prove some sort of standards they show of excellence and continuing excellence. We can't do it any other way. All these half issues are half-truths.

If we what to have some temporary licensure or temporary thing because New Hampshire wants to step forward. I will recognize it but it their own industry doesn't have standards how can we release that when...

Thank you.

Senator Gary R. Francoeur, D. 14: Senator Brown.

Senator Mary E. Brown, D. 17: Could you clarify for the record please. Is Mr. Bramante under any risk of a $2000 fine for doing what he has been doing for last 30 years?

Doctor Irving Salkovitz: I don't believe that is the case. I imagine he could be in trouble if in fact he causes injury to a horse. He is practicing without insurance. What he does is not innocuous. He could fracture a jaw. He could break a tooth. He could scar a soft pallet. He can cause problems.

So it is not as if his procedures don't have the risk. Not to mention risks to himself. If all the years he has been practicing he has never caused a problem within a horses mouth he is a blessed man.

Senator Gary R. Francoeur, D. 14: Just do a follow upon on.

Doctor Irving Salkovitz: Could I make one more addition. I think Dr. Moore made reference to it but the other veterinarian here Dr. Beckman also do to is own lack of paying attention to detail should know that the letter here reported is out dated. Dr. Moore was off the board just within a year and within a year the rules have changed.

So the Board of Veterinary Examiners has already addressed other modalities for requiring licensure has been published. It has been published in our annual meetings but published in our monthly newspapers. So the knowledge is out there.

We are already evolving and excepting alternative therapy education. We are excepting Internet education. We are excepting magazine education, certain credit hours. In addition to that we are signed on to a national board which now is reviewing for us the whole industry of continuing education and they are sending to us lists of what they feel is in the standard that should be excepted for veterinarians on a national basis. They send that to all the board within the United States.

So everything is changing at a rapid rate. Just like it is in all other aspects of our society.

Senator Gary R. Francoeur, D. 14: Thank you. Just to get back to a letter that is from the board to farriers. Was that issued last year?

Doctor Irving Salkovitz: That was issued this year.

Senator Gary R. Francoeur, D. 14: 2000?

Doctor Irving Salkovitz: Well excuse me I am sorry that was issued in 1999. I am not even sure.

Unknown Speaker: November or December.

Doctor Irving Salkovitz: In 1999 just prior to the enactment of the bill because it had been voted but hadn't been acted because it was not January 1st yet.

Senator Gary R. Francoeur, D. 14: As far as you had just mentioned dentists. They seem to fall on almost the same category you just talked about the farriers in.

Doctor Irving Salkovitz: Yes they do. Within a definition of what they do. Farriers range it what they do is quite significant. Dentists uses this whole term. If you say dentistry...

...about the procedures...that can be done using power tools etc. A whole host of procedures can be done in horse's mouths, which would be inappropriate, unless you are working side by side with the veterinarian at the time.

Senator Gary R. Francoeur, D. 14: Is there any in your veterinary practice. Is there a section that talks about dentistry and explains what it is so that people like him are not affected by it?

Doctor Irving Salkovitz: It is grouped under one broad statement in the Practice Act, practice of dentistry.

Senator Gary R. Francoeur, D. 14: Okay maybe a copy of a piece of legislation that is Connecticut. **(See Attachment F)**

Doctor Irving Salkovitz: That is about what the AAEP does and the floating of teeth is filing of teeth. That is what floating means.

Senator Gary R. Francoeur, D. 14: So you don't consider that to be practicing dentistry in the State of New Hampshire.

Doctor Irving Salkovitz: Not in a true sense.

Senator Gary R. Francoeur, D. 14: Could you possibly give us a letter that states just like you did with the farriers. With some wording like that that would cover those that are out there doing it.

Doctor Irving Salkovitz: I think there will be room for us to work with in that realm.

Senator Gary R. Francoeur, D. 14: That is something you think you can be able to get back to the committee fairly quickly.

Doctor Irving Salkovitz: Yes.

Senator Gary R. Francoeur, D. 14: Okay. Thank you. I don't have any other names of the list. Is there anybody else who would like to speak on SB 408?

Dan Callaghan: Mr. Chairman I have been here listening. I am Dan Callaghan from DeVine Millimet. We represent Rockingham Park.

Senator Gary R. Francoeur, D. 14: For the record could you give use your name again.

Dan Callaghan: Daniel Callaghan. I am from DeVine Millimet and Branch in Manchester and represent Rockingham Park. It is of critical importance that we have veterinarians and Mr. Bramante at the track. It keeps our horses health. We would be glad to work with if a committee is formed with regard to this. Listening to a lot of the testimony you hear a couple of things that there are certain areas where everybody agrees that the Practice Act was not intended to cover.

I think that it is the work that Mr. Bramante does and the work that the farriers do. You could pass a bill that simply clarify that portion of the statue and send the balance to study because there are some issues that affect the entire industry. I think that all the groups would work on it.

If this committee is interest we offer our services to assist. Thank you.

Senator Gary R. Francoeur, D. 14: I know that if you could maybe get together and try and get something from the board and yourselves. At least a letter stating that. If you can, you know maybe a similar practice law. The secretary can give you a copy of that Connecticut statute. Maybe...there it will clearer with the statute or we don't have time do it with a statute. We can always at least do it possibly through letters at this time and try to resolve it before it becomes a crisis out there for the park.

Dan Callaghan: Absolutely and I think that the importance of all the folks have said. There seems to be a consistency of ideas. It is not that everybody disagrees, there is black and white it is a lot of gray here. I think that Senator Wheelers comments about studying the issues is important. I know that Mr. Bramante has been at the track for the 16 years that our clients have owned the track since the fire. I am unaware of any complaints against the work that Mr. Bramante has done.

From all the veterinarians at the track which as he testified earlier are number at least 15 during live racing season. Thank you.

Joe Moore: I could I do a quick follow up. The issue of legality and American Civil Liberties Union and so forth, there is a concept that practice boards, licensing boards, are a monopoly almost by definition. In terms that they define who can and who can't do something. But they do it in the interest of the public. I think that is very important.

Veterinarians do veterinary work by virtue of their license. You can call that a monopoly but in fact it is a monopoly that the legislature puts in place to protect the public.

Senator Gary R. Francoeur, D. 14: We could always put in legislation but it is in the constitution. Until it gets challenged in the courts then it could get wiped out. So that is why we try and follow the constitution but the courts make the decision of which way we are. So that is why. We can pass anything you want but guess what Claremont got challenged too.

Thank you we are going to close the hearing on SB 408.

Respectfully Submitted
Zita-Maria Wescott
Committee Secretary

Attachment A

SB 408 1/11/2000 Hearing LOB303

For the record, I am Rep. Kathleen N. Taylor, Strafford, District #11.
I am a horse owner and have some concerns on this bill, along with many of my fellow horsemen. Before I go into specific suggestions, I would like to share some overall feelings. We don't have health insurance for our horses and therefore don't feel that we need to have a 'primary care veterinarian". It would be very costly for us to have a vet make a farm call, give an assessment and then a referral to another specialist. We would then have to pay again for all these costs. If my horse were limping, I wouldn't want to call the vet first and then the farrier. I couldn't afford to do this every time. In Commerce Committee, we are struggling with the issue of physicians refusing to give their patients a referral to chiropractors. We all know the reasons why. I don't think we should begin this practice in veterinary medicine. I also question how the board of veterinary medicine will enforce these new regulations. Will we have the veterinary "police" coming around to our private barns to see whom we choose to have minister to our horses? Or will the vet whom we call when our horse needs medical care turn us in for perceived violations?

Now for specific suggestions:

1 I think that "equine dentists" should be added to the new Section 332:B:2-a in paragraph 1and also in Section 435:15. I also think that use of the word "surgery", without a definition of surgery, is a mistake. Would this make it illegal for my farrier to open up a sole abscess when my horse is in pain?

2 In these same paragraphs, it mentions "licensed" massage therapists. Should this read "equine massage therapists"? We don't currently license them nor do we currently license equine acupuncturists and chiropractors? If we do license them, which RSA's would regulate them? Human dentists and chiropractors are not licensed under RSA's pertaining to physicians. We would have to establish new laws for this purpose with regulatory powers.

3 Would registration of these professions be more practical? We could have them register with the board of veterinary medicine, listing all their qualifications and experience. If a horse owner wanted to inquire as to the qualifications of someone they were thinking of hiring, they could simply check with the registry. That would at least protect the horse owner from any "fly-by-night" practitioners. Those of us, who use these alternative methods on our horses, check the practitioners very carefully.

In closing, we try to take good care of our animals in a responsible manner. Without health insurance, we must keep the costs contained. I will be glad to answer any questions, if I can. Thank you.

Attachment B

SENATE BILL 408

AN ACT relative to animal owners' right to choose animal care.

SPONSORS: Sen. Wheeler, Dist 21; Sen. Cohen, Dist 24; Sen Roberge, Dist 9; Sen. Hollingworth, Dist 23; Rep. Burnham, Ches 8; Rep Taylor, Straf 11; Rep. M. Fuller Clark, Rock 36; Rep. Weatherspoon, Rock 20; Rep. Keans, Straf 16.

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows the treatment of animals by farriers, acupuncturists, chiropractors, massage therapists, equine dentists and other adjunctive therapists not yet defined.

00-2619

08/01

STATE OF NEW HAMPSHIRE

In the Year of our Lord Two Thousand

AN ACT relative to an animal owner's right to choose animal care.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1. Purpose. Animal owners should have the same freedom to choose health care for their animals as we all have to choose health care for ourselves and our families. Animal owners want the very best care for their animals and will make great effort to find the best qualified person to provide health care for their animals. More people are choosing alternative health care for themselves, and this option should be available when choosing care for their animals.

2. Veterinary Medicine: Exceptions to License requirement. Amend the introductory paragraph of RSA332-B:2 to read as follows:

3.

332-B:2 License Required and Exceptions. Except as provided in RSA 332-B.9 and RSA 332-B:2.a, no person may practice veterinary medicine in the state who is not a licensed veterinarian or the holder of a valid temporary permit issued by the board. This chapter shall not be construed to prohibit:

3. New Section; Practice of Veterinary Medicine; Non-surgical Treatment and prescription of drugs for Animals. Amend RSA 332-B by inserting after section 2 the following new section:

332-B:2-a Treatment of Animals by Certain Non-Veterinarians.

I. Notwithstanding RSA 332-B or any other provision of law to the contrary, any farrier, acupuncturist, chiropractor, massage therapist, equine dentist or other adjunctive care givers not as yet defined may engage in the care of animals as defined in RSA 332-B:1, 111(a) with the exception of surgery or prescription of drugs for animals, if contracted or asked to do so by the owner of the animal.

II. No provision of this section shall be construed to allow any person other than a veterinarian from doing any act provided in RSA 332-B:1 III©

4. Practice of Veterinary Medicine; Enforcement. Amend RSA 332-BI19 to read as follows:

332-B:19 Enforcement

I. Except as provided in RSA 332-B:2-a, any person who shall practice veterinary medicine without a currently valid license or temporary permit shall be guilty of a misdemeanor, and each act of such unlawful practice shall constitute a distinct and separate offense.

II. Except as provided in RSA 332-B:2-a, no person who shall practice veterinary medicine without a currently valid license or temporary permit may receive any compensation for services so rendered.

III. The Board or any citizen of this state may bring an action to enjoin any person from practicing veterinary medicine without a currently valid license or temporary permit, except as provided in RSA 332-B:2-a. If the court finds that the person is violating, or is threatening to violate, the provisions of this chapter, it shall enter an injunction restraining the person from such unlawful acts.

IV. Okay

V. Okay

Attachment C

GOOD AFTERNOON. THANK YOU VERY MUCH FOR YOUR CONSIDERATION OF SENATE BILL 408.

CORRECTIONS TO SB 408...WHERE EVER IT SAYS HORSES AND PONIES IT SHOULD READ ANIMALS. WHERE IT SAYS THAT ADJUNCTIVE CARE GIVERS PRACTICE VETERINARY MEDICINE IT SHOULD READ CARE FOR ANIMALS. IT WAS NEVER INTENDED THAT ADJUNCTIVE CARE GIVERS PRACTICE VETERINARY MEDICINE. THERE ARE A FEW OTHER SMALL CHANGES. I HAVE PASSED COPIES OF THE CORRECTED BILL AROUND.

VETERINARIANS IN NEW HAMPSHIRE HAVE CREATED A MONOPOLY OF ANIMAL HEALTH CARE. THIS IS UNCONSTITUTIONAL. THE FAIR TRADE LAWS CURB UNFAIR METHODS OF COMPETITION. SB 83 EFFECTIVELY, AS DESCRIBED IN THE CLAYTON ACT, "OUTLAWS SPECIFIC BEHAVIOR WHEN ITS EFFECT "MAY LESSEN COMPETITION OR TEND TO CREATE A MONOPOLY." THE VETS HAVE PUT THEMSELVES TOTALLY IN CHARGE OF ANIMAL HEALTH CARE IN THAT ANY TREATMENT OF ANY ANIMAL MUST BE ORDERED BY THEM, AND ANY CHOICE OF ADJUNCTIVE CARE GIVER, IF THEY USE ONE, IS CHOSEN BY THEM AND THAT CHOICE IS UNFAIR AS IT IS RESTRICTED BY THEIR KNOWLEDGE OF WHO IS IN THE AREA AND THEIR RELATIONSHIP WITH THAT ADJUNCTIVE CARE GIVER.

IN THE END, SB 83 HAS PUT HUNDREDS OFHIGHLY TRAINED AND QUALIFIED ADJUNCTIVE CARE GIVERS AND EQUINE DENTISTS OUT OF BUSINESS. THE VERY SPECIALISTS WE RELY ON!

NOWHERE IN SENATE BILL 83 DOES IT SAY THAT VETERINARIANS HAVE TO ACHIEVE A CERTAIN STANDARD IN ANY ADJUNCTIVE CARE GIVING. ONCE A VETERINARIAN IS LICENSED, ONLY HE IS ALLOWED TO GIVE ADJUNCTIVE TREATMENT NO MATTER HOW LITTLE TRAINING HE HAS HAD IN THE ADJUNCTIVE THERAPIES. MODALITIES WHICH ARE NOT IN THE CURRICULUM OF VET SCHOOLS SHOULD NOT BE INCLUDED IN VETERIANARY PRACTICE ACTS. NOWHERE IN SENATE BILL 83 ARE THEIR ANY REQUIREMENTS THAT VETERINARIANS BE SUPERVISED IN ADJUNCTIVE SKILLS WHERE THEY HAVE HAD NO EDUCATION OR TRAINING.

IF AN ANIMAL OWNER WANTS A CHIROPRACTOR OR ACUPUNCTURIST FOR HIS ANIMAL, AND HIS VET DOES NOT BELIEVE IN THAT TREATMENT, WHERE DOES THE ANIMAL OWNER TURN WITHOUT SPENDING FAR MORE MONEY THAN HE WOULD HAVE IF HE HAD ACCESS TO THAT CARE WITHOUT A VET. ALSO, THE FEE SPLITTING ARRANGEMENTS OF THE VETS' REFERRALS COULD BE A DISASTER TO OUR POCKET BOOKS.

DO VETS REALLY WANT TO BE LEGALLY LIABLE FOR ALL THE ALTERNATIVE FIELDS WHEN THEY ARE NOT WELL EQUIPPED TO DISCRIMINATE BETWEEN GOOD AND POOR PRACTITIONERS?

WITH SENATE BILL 83 VETERINARIANS HAVE ACHIEVED COMPLETE ECONOMIC CONTROL OF ANIMAL HEALTH CARE. AS ONE CLIENT SAID "WE EITHER PAY THROUGH THE NOSE FOR MEDIOCRE SERVICE OR WE GET NO SERVICE AT ALL."

HISTORICAL RECORDS SHOW THAT EQUINE DENSTISTRY HAS BEEN PRACTICED SINCE 1207 AD, PREDATING THE FIRST VET SCHOOL BY OVER 600 YEARS. IT HAS LARGELY BEEN TAUGHT BY APPRENTISHIP. EVERYONE I KNOW IS VERY SATISFIED WITH THEIR EQUINE DENTIST.

IN THE EQUINE FORUM IT IS SHOWN THAT VET SCHOOLS GIVE AN AVERAGE OF 1-3 HOURS OF LECTURES, 1-3 HOURS OF LAB WORK IN DENTISTRYAND A 90% RELIANCE ON CLINICS FOR INSTRUCTION AND EXPOSURE TO EQUINE DENTISTRY AFTER VET SCHOOL IF THEY SO CHOOSE. 80% OF VET SCHOOLS OFFERED 3 HOURS OR LESS OF EQUINE DENTISTRY. ROCHESTER EQUINE HOSPITAL IS NOW SUDDENLY, SINCE THE PASSING OF SB 83, OFFERING COURSES IN EQUINE DENTISTRY. ARE WE SURPRISED? NO, WE'RE LOOKING AT DOLLAR SIGNS.

SALUTER IS THE HORSE OF THE YEAR FOR 1999, A FABULOUS STEEPLECHASER, UNBELIEVABLY FAST OVER A FOUR MILE COURSE WITH 24 VERY DIFFICULT TIMBER JUMPS AND WINNING MEGABUCKS. THE LIST OF HIS CAREGIVERS INCLUDES 2 VETS, A FARRIER, AN ACUPUNCTURIST/CHIIROPRACTOR AND A MASSAGE THERAPIST. WITH SENATE BILL 83 WE ARE OUT OF THE NATIONAL COMPETITION...OUR NEW HAMPSHIRE HORSES WILL NEVER BE ABLE TO COMPETE SUCCESSFULLY AGAINST SUCH A WELL CARED FOR ANIMAL. ALL THE MANY BREEDERS OF SPORT HORSES IN NEW HAMPSHIRE MIGHT AS WELL TURN TO BLACK ANGUS.

MUCH OF THE INFORMATION FOR THIS CAME FROM DEBORAH MARSHALL DVM, A TOP VET WHO PRACTICES IN FLORIDA AND PA. SHE HAS WRITTEN A MAJOR ARTICLE OPPOSING PA'S ATTEMPTS TO PASS A BILL LIKE SB 83. NJ ALSO HAS TRIED TO PASS A BILL WITH A HUGH UPROAR FROM ANIMALS OWNERS. THAT BILL IS ALSO GETTING NOWHERE.

THE VETERINARIANS HERE TODAY WILL GIVE MANY GORY ANACDOTAL STORIES ABOUT ADJUNCTIVE ANOMAL CARE AS THEY DID AT THE HOUSE HEARING ON HOUSE BILL 1483. ANIMAL OWNERS COULD GIVE AN EQUAL AMOUNT OF GORY STORIES ABOUT VETERINARIAN CARE OF THEIR ANIMALS. NEITHER IS TO THE POINT. VETERINARIANS WILL NOT GIVE YOU ANY STATISTICS, BECAUSE THERE AREN'T ANY. WE DO KNOW HOWEVER, THAT MORE AND MORE ANIMAL OWNERS ARE TURNING TO ADJUNCTIVE CARE...BECAUSE THERE ARE SOME PROBLEMS THAT VETS ARE NOT TRAINED TO SOLVE. THE VETS WE USE FOR OUR ANIMALS WELCOME OUR ADJUNCTIVE CAREGIVERS. ROCHESTER EQUINE HOSPITAL HAS, IN THE PAST, USED OUR MASSAGE THERAPIST TO TRAIN VETS AND OTHER CARE GIVERS FOR THEIR SEMINARS.

FOR HUMANS, THE US HEALTH DEPARTMENT 5 YEARS AGO SPENT ABOUT 5 MILLION ON THE STUDY OF ALTERNATIVE METHODS. THIS YEAR THEIR BUDGET IS OVER 10 TIMES THAT. MORE AND MORE HUMANS ARE ALSO TURNING TO ALTERNATIVE CARE. WE HAVE THAT CHOICE!

WE HAVE A HORSE TRAINER WHO COMES REGULARLY TO OUR FARM. HE IS SOUGHT AFTER BY VET SCHOOLS ALL OVER THE COUNTRY TO TEACH HIS SKILLS IN THE BIOMECHANICS OF THE HORSE. HE CAN WATCH A HORSE'S WAY OF GOING AND TELL

THE VET OR OWNER WHAT IN THE HORSE'S WAY OF GOING IS CAUSING THE LAMENESS, THEN TELL THE RIDER HOW TO RIDE TO CORRECT THE PROBLEM SO THAT IT DOESN'T RE-OCCUR. THIS MAN IS , BECAUSE OF SB 83, LIABLE FOR A $2000 FINE FOR TRAINING AT OUR FARM. WHAT A CRIME!

CARE CHOICES FOR AN ANIMAL DO NOT BELONG TO THE VETERINARIAN. ONLY THE OWNER CAN DECIDE WHAT IS RIGHT FOR HIS ANIMAL FOR HIS WAY OF LIFE AND HIS ECONOMIC SITUATION.

I HAVE ALREADY WRITTEN TO THE US JUSTICE DEPARTMENT AND THE ACLU, KNOWING THAT SB 83 IS UNCONSTITUTIONAL. WE FULLY INTEND TO PURSUE THOSE METHODS IF SB 408 IS NOT PASSED. WE INSIST ON OUR CONSTITUTIONAL RIGHT TO CHOOSE. SB 408 IS VERY A VERY SIMPLE BILL. IT DOES NOT NEED TO GO TO A STUDY COMMITTEE.

Barbara Carpenter
152 Drinkwater Road
Kensington NH 03833
Phone/fax 603-778-1772

Attachment D

Paul L. Simard
21 W. Elmwood Avenue
Manchester, NH 03103
Phone: (603) 666-6481

February 15, 2000

The Honorable Senator Burton Cohen, Chairman
Members of the Executive Departments & Administration Committee
Legislative Office Building, Room 101

Dear Senator Cohen & Members of the Committee:

RE: Senate Bill 408

The Southern New England Farriers Association is requesting the amendment of Senate Bill 408. We would like to remove farriers from being included in this bill.

Thank you for your consideration.

Sincerely,

Paul L. Simard, Representative
Southern New England Farriers Association

Attachment E

SAGAMORE ANIMAL HOSPITAL

Michael T. Schafer, DVM
Rachel S. Easterly, DVM
Karen Martin-Adler, DVM

To whom it may concern:

I support House Bill 408 to allow adjunctive care and caregivers to provide additional care to our farm animals. I hope this is helpful.

Sincerely,

Michael T. Schafer

11 Sagamore Road, Rye, NH 03870 Phone: (603) 431-8785 Fax: (603) 431-1928
e-mail.SAGVET@aol.com

Attachment F

Substitute House Bill No. 5531

PUBLIC ACT NO. 98-94

AN ACT CONCERNING EQUINE DENTISTRY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 20-197 of the general statutes is repealed and the following is substituted in lieu thereof:

No person shall practice veterinary medicine, surgery or dentistry until he has obtained a license as provided in section 20-199. A person shall be construed to practice veterinary medicine, surgery or dentistry, within the meaning of this chapter, who holds himself out as being able to diagnose, administer biologics for, treat, operate or prescribe for any animal or bird disease, pain, injury, deformity or physical condition, or who either offers or undertakes, by any means or methods, to diagnose, administer biologics for, treat, operate or prescribe for any animal or bird disease, pain, injury, deformity or physical condition. The euthanizing of animals in accordance with applicable state and federal drug laws by the Connecticut Humane Society AND THE FLOATING OF TEETH IN HORSES BY PERSONS EXPERIENCED IN THAT PRACTICE shall not be deemed to be the practice of veterinary medicine. FOR THE PURPOSES OF THIS SECTION, "FLOATING TEETH" MEANS USING HAND-HELD RASPS TO REDUCE OR ELIMINATE SHARP OR UNEVEN EDGES ON A HORSE'S UPPER AND LOWER MOLARS TO AVOID INJURY TO THE TONGUE AND CHEEKS AND TO IMPROVE CHEWING FOOD, BUT DOES NOT INCLUDE TREATING DECAY, TUMORS OR EXTRACTING TEETH.

Certified as correct by

_____

Legislative Commissioner.

_____

Clerk of the Senate.

_____

Clerk of the House.

Approved _____, 1998.

_____

Governor, State of Connecticut.

Attachment 67

2/5/000

I am a Resident of Greenfield N.H. and a Horse Owner I and I do not wish to see legislation that would restrict me from using who I would like to perform any dentistry shoeing or other services

Kathleen Kelly Bacon
PO Box 201
Greenfield NH 03047

PS
When I ask my Vet to do the horses teeth He says call the the horse Dentist Washba Valley Equine

Attachment H

STATE OF NEW HAMPSHIRE
BOARD OF VETERINARY MEDICINE

To: Practicing Farriers of New Hampshire

From: Irving Salkovitz, VMD, President
NH Board of Veterinary Medicine

Re: RSA 332-B, New Hampshire Veterinary Practice Act

It has come to the attention of the board that an amended practice act which was signed into law on July 16, 1999, and becomes effective January 1, 2000, has raised some deep concerns about the ability for farriers to practice their livelihood.

The addition of the condition of lameness to the definition of the practice act was not intended nor does it mean that a farrier is altered or prevented from performing their trade as he or she has done in the past.

The board apologizes for the misunderstanding of the intent of the amendment.

25 Capitol Street PO Box 2042 Concord NH 03302-2042 (603) 271-3706
TDD Access: Relay NH 1-800-735-2964

Attachment I

Suggested Amendment to SB 408.

JERE R. BECKMAN, DVM
EQUINE PRACTITIONERS
90 HARVEY MILL RD.
LEE, N.H. 03824

Redefine purpose.

1 PURPOSE: Annual owners have the freedom to choose health care for their animals, Guaranteed by the N.H. Constitution First Part article # 2.

Animal owners want the best care for their animals and will make great efforts to find the best qualified persons to provide health care for their animals. Owners of Equines are choosing non-Veterinarians more frequently to provide care particularly in the practice of Dentistry, Chiropractic, acupuncture, Massage and farrier services.

Equine owners do not want these services limited to Veterinarians only. The present Veterinary Practice act will limit, more Eliminate non-Veterinarians from providing these services since substantial fines may now be levied against them.

add to analysis - to include Equine Dentists.

a simple addition to the Veterinary Practice act can satisfy this purpose.

SB408

on page 2 & 3

1) Remove all Language after 332-B:2 Licensure Required and Exceptions.
- Except - Effective Date -

2) In its place add the following Amendment 3 New Section

This chapter shall not be construed to prohibit owners of Equines from choosing any person who can provide care services to their animals.

any person shall be defined as but not limited to a Veterinarian, acupuncturist Massage Chiropractor farrier or dentist.

Responsibility for decision to choose persons to provide these services shall rest with the animals Owner. Liability rest with the Provider

Non-Veterinarians included in this section shall not be subject to parts III IV and V as proposed in SB408 under RSA 332-B:2.

Note: administrative Rules 601:1 and 602:2 should be repealed i.e. acupuncture definition & practice. who can perform.

Respectfully,
Jere R. Beckman, DVM

Attachment J

COPY

NEW HAMPSHIRE HORSE COUNCIL, INC.

James S. Clark-Dawe
Vice President
465 White Plains Road
Webster, NH 03303-7111
(603) 456-3230
(603) 456-3520 (FAX)

14 February 2000

Katherine Wheeler, Senator
New Hampshire State Legislature
107 North Main Street
Concord, NH 03301-4951

RE: Alternative animal care

Dear Senator Wheeler:

As you requested, the following is the proposal that I would make to see if we can come up with a compromise approach between the alternative veterinary care proponents and the Board of Veterinary Medicine:

I would suggest the establishment of a board of animal health care dealing with the care of animals outside of the regulations established by the Board of Veterinary Medicine as presently adopted by that Board. This new board would deal with the health care needs of animals except for the diagnosis of disease or injury, insertion of needles or other implements beneath an animal's skin, use of x-ray, ultrasound, or similar technology for the diagnosis of disease or injury, and prescription of medication. The new board would be specifically authorized to regulate the manipulation of an animal's skin and/or muscles, animal dentistry, foot and hoof care and trimming including corrective shoeing.

Depending on how far the Legislature desires to go, the new board could also include persons using herbs for the treatment of animal conditions, persons performing grooming, persons taking care of animals (i.e., kennels and stables), and animal trainers.

I would suggest that the new board consist of seven (7) members, two (2) to be appointed by the Board of Veterinary Medicine, two (2) to be appointed by the Society for Prevention of Cruelty to Animals, and the last three (3) to be appointed by the Commissioner of the Department of Agricultural. The new board would be limited to having only three (3) veterinarians on it at any one time. The new board would probably also have to have rule making authority.

Persons practicing alternative care for animals would have to register with this new board. Registration could be as simple as providing the person's name and address, or could include more detailed information such as what the person intends on doing and what qualifications the person has. All registrations would be public information that anyone could review prior to using anyone registered with this board. Persons who are only in the State for less than two (2) weeks would not need to register to deal with individuals coming to this State for shows and similar activities. Persons failing to register would need to be charged with either a violation or a misdemeanor.

The new board would serve as a disciplinary board by providing the public with an avenue for complaints. Depending on the seriousness of the complaint, the new board would have the authority to withdraw an individual's registration.

The New Hampshire Horse Council, Inc. believes that this approach to resolving the present situation provides animals with a high level of protection from dangerous practices while giving animal owners a high level of choice in what type of health care is appropriate to their animals. From registration fees, the new board would be self-funding, with the possibility of some of the excess funds going to animal care organizations.

I am contacting various individuals and organizations to determine whether they would support this plan. I will let you know the results.

If you have any questions, please feel free to contact me.

Thank you for your consideration.

Very truly yours,

James S. Clark-Dawe

2-15-00

SB 408

2:10 pm ①

Fran. Brown, Lawson, Trembly Ruzenge

Fran-

Wheeler - effect.

Against VPA.

Wrestling with

this Bill was my

last effort.

Need to Be Charge

Should not Be limited

People trained to do it on

paper.

House Had Similar Bills

Make it a Study Committee.

feel this is a Top C

Senate Make it a

Study Committee.

A Big issue

Own family members.

Understand

Horse owners.

Alternative Health Care

providers.

licence these people
To Have a Separate
Board.
All Ideas worth
talking about
Attempt to help Concerns
Amendment.

Fran- SB 83.

Wheeler -

Fran - lameness

Wheeler - lameness

Fran - feel created problem.

Wheeler - lameness.
Eliminate lameness
part of issue for
farmers
Equine Dentists

Fran –

~~Brandy~~ –

Wheeler –

Fran –

Wheeler –

Fran – Hollingsworth
Rep. Taylor
Barbra Carpenter –

Carpenter – Animal owner
Have created.
90% Reliance
80% of vet Schools 8 hrs or less.

Fran – SB 83

Carpenter

Fran-

Carpenter- Have many animals

Fran- Eileen Peterson

Peterson - NO

Fran- Paul Semen

Semen- Farmer
700 farmers
lameness exams
Self testing
Do what vets tell them
Never had a problem
Would like to Be off
the Bill

Fran- Currently if horse is lame
Can't Do any Inspection-

Semen- By vet. Help give us persmission
Don't need to Be regulated.

Fran -

Semon - keep it it is

Fran - Soe

Soe Gramary - SB 83 Puts
my Unauthamb.
This is not house
against Vet
would always help.
Vets Been Woven
Small group
15 licensed Vets.
Many on Side of House.
Want to be able to
Choose.
Something is happening.
Better Serviced by
Better than Vet
growing industry
Create Situation
Small group.

People @ racetrack
4 H
Arab Association
Horse Council
Horse people like
to have same
amounts of Rights.
People are worrying about
Being turned in.
Have training, experience
Good, not properly
trained
They Shouldn't Be threatening
me.
This is not right.
Dont Teach Dentistry etc

Fran-

Trombly-

Joe- Have no training

Trombly - Treatment Permissable

Joe - Need permission

Trombly - Vet points to you.
Red or arrested

Joe - Restricting who you can use.
Doing for 20 years

Fear -

Lesson - Experience when

Joe - experience when found out
Called back
Afraid.
Ridiculous.
Worried who is coming.

Fran - Jim Pair.

Dr Pain - Rep Vet Am. Ass.
Don't Have alternative pract
Available
Not opposed to

UPA Consumer protection
Best prepared
Accupuntiest.
Referrals when appropriate.
you need to have
Come + Do Horse
Don't want to open
Door to free
lance w/out
Proper training

Fran-

Brown- Not opening the Door.
Close the Door.

Gentleman:

the Board had issues w/people.
Fannies got a letter ____

Sen Brown I'm running for many years now, they have to go through a vet ... why should they have to do that?

Gentleman

there was something more wrong w/this animal. Somebody who is not trained is not going to make those judgements

Sen Bro Thank yo

Sen Trombly There's a sm group of vets who won't make referrals

"Cremayas" ??

Gentleman you're right on the money

Sen France

Sandy

Sandy Sotomi? Have traveling time.
Very in need of therapies because of needs.
Charged $30 more 4 hr Drive
Costs Alot of money.
Very good Book
Dealing w/
For the tool of
The horse
from Dentistry to
Saddle fitting.
6 months very lame
Horse
Bill $500 Dollars @
that point
Trainer from the
track.
Bought $40 of DSO
Vet Ran out of pliers
Not Everything is
Black & White
Lot more 2 4 this

Animal owner (12)
State of -
Unconstitutional
Money, protecting
us.
Could remain some of it
Right to Choose
So more less if
farmer coming to
Barn.
Through out the
Western world
Service, partners
Rethink Traditional
ideas
other options.
know Every.

Fran: Brad Taylor.

Brad Taylor - Large lot in
Concord area.
Pract act
Down to protect
Not wealthy

Designed to protect them.
Will have no way of knowing
Take advantage
Gov. State of NH
Comes in
Regulate what happens.
PA 1917.
Public Health + Animals.

Fran-

Lenaar- Referrals.
Suggests

Taylor- Have Vet. Dr. within practice
Vet Med - US acu. Chiro
There are vets trained.

Fran- Consumer Protection.
Has that [illegible]

Taylor - Dramatic increase decrease

~~Fran~~ Gail Harington

Gail H. - House Business
Teaching to side
Train
Breed
4 Dogs
5 Cats
Look one for whole animal Care Sector
find Sectors of Specialization
Refusing this to happen
w/ Horses.
Very good Vet
Vet Very Busy all the time
Vet There w/in hr.

$700 per Horse in Vet fees

(KC)

Don't want
There is a $1000 fine.
No harm no foul.
Now Reputation.
Not be good thing
for that person.
State of NH come up
w/ licensing &
Validating people.
Deprivation of our rights.
Capable of making our
Decision.

Fran- Clifford Maginis.

McGinnis - State Vet. Dep. Commissioner
of Agriculture.
20 years of Practitioner
Act as public Health Vet.
As State + Working w/
Public Health
Zoonotic Diseases.
People don't get it. Don't
Have a pet/ Else.

How dangerous this is.
Properly diagnos
Public cannot Be subject
to this
20 some different diseases
Samanellas.
HOSI & Other Diseases
Only from Bad
feed
Just Had meeting
Planning this year
To Protect.
Camp Beloved
Nadi cannot practice.
Amendment to Get Certain
Medical Support
As former Professioner.
Tooth Surgery
How to properly diagnos
Can't Prosthetic Engine
Certainly Dental Board
1982 Licensing Boards
Sun Set

Vets right practice
Act
Needed Rice
Wrote Board
Def Not Change c/
SB 83 Did Not Change
anything
left alone.
Make some sort of
Form
Want to practice
Have a Board.
Have someone to
answer to it.
To Protect People.
Alternative And
Have okay
Have someone to
listen too
Needs to be fixed to
know what there
[illegible]

Fran -

McGinnis - Already illegal.
Should be regulated.

Fran - # of Complaints.

McGinis - 15/6/18. every year.
Find them is a problem

Fran Jerry Beckman.

Beckman Licensed Vet in State of NH

30 years.
Solo, Coop.
5yrs. State of.
This Dispute Really is
Part of Not profession
Really a matter of who
is going to Control
who.
Don't Believe UTA
Should Control

Amendment to include dentistry.
Some procedures not there.
Farrier + Dentist been there for Decades.
Run into many instances where vet is many times problems.
Resolution of Complaints.
Problem there w/ what is okay with me.
Can be resolved very easily
Proposed Amendment

Fran- Brief Synopsis

Beckman- Read Amendment proposal.

Fran-

Larson- Currently have licencing for Humans

Beckman
McGinnis -

Lawson -

Beckman
McGinnis - Reservations about licencing.
Have to renew licence every year.
Complaining about.

from - Jamie Robinson
Ann Deguonie

Deguonie - Grad from Perdue
Horses industry.
30 years
look @ it from Stand/
point of animal
Look @ proper care
Very Best Care.
In past.
Has no problem w/ that
As far as to say
goes [illegible]

Qualifications - I am going to act in what is Best for Animal

Fran - Any Question

Barker -

Barker - Equine Dentistry. Use & Work for Know my work. Some of I agree Don't get into vet work is vet's Job. Amended.

All I Care about Am retiring - Required to Apprentist limited. if vet in area does not Choose to recmend fine I Say NO. Call Vet Physically

Combined in a day work.
Possable for these peeps.
To get permission is kind of

Fran: Kaplin Gallegher

Gallegher- lot of ed. whoever
going to do what is
best for animal
Have farmers do vac.
Want Best for animal
going to work on
Horses.
Should be licensed.
Best way to own
See paper.

Brown: How does a non licenced
vet

Gallag...- [illegible]

Fran- Brad Barnes.

Brad Barnes - Hard to testify
when Spouse
Doesn't agree
As part of Clarification
Greg Scogines to
position paper
written By them.
37 States addressed
NH would be allowed
Low Majority in reim
in relm of vet
med.
Different modalities
Are well Being of
animal
Credential process
NH license Mandates

From - Alen tucker -

Alen tucker - Brief
Served 3 yrs on ethics
5 yrs Vet Examiners.

Set a Danger
We limit them to field
of expertise.
after serving 5 years.
Protect Consumer.
Consumer avocacy
Board.
allowed to practice.
Peers. Put in vet Board.
Be out of Jurisdiction
untrained people.
possibilities w/
minor Corrections.
More appropriate
than Bill now.
Under some Jurisdiction

Fran -

Carson: Suggest Should be limited
Define.

Tucker: Just like vet have

Done
Allowed to go out
and practice vet
Med
Hope that would
Contribute
No Studies recovered
14 meetings
Plenty of Continue

Fran: ~~Ben~~ Sent

Tucker - Ben off Board 2
years

Fran:

Tucker - Squeeze 12 hrs in.
Something go to learn
good vet Care.
6 hrs go to meeting.

Fran:

Brown - trying to understand threat to human profession threats.

Tucker - 4 people in our office still use for alternative Weren't Available

Fran - Bev Leo

Leo - Member of NH owner
Minor Change in PA
in Opposition Because it does classify as none Vet Practioners.
known practioners
Mistreat Misdiagnosis
Real issue
Well fair of animal
Need protection in this State

Practitioners
Unclear interpretations
Some people interp.
lameness only real
Charge
Many of us who
wants Animals
protected
Does Protect consumers
Non medical
Seriously

Fran- Eline Gorgolis
Joe Moore

Joe Moore. - NH Vet Med. Ass
5 yrs Boards who
work practice Act.
trying to get sense
of all this
illustrated history.
Has moved vet
med one way
or another.

Problems were recognized
Pick whatever semester they want
RA no one intended to do that.
Have Catalogs from Municipalate the Sperm of a Horse.
Worked really Hard
Took licenses away.
Took alot of time to investigate complaints
Vet Prof. is getting harassed pretty bad.
Took a dog Home to take care of it.
OSA People wouldn't like that either.
Back to vet profession
Tried another strat
Revise proc. act to Fix this

Go over entire argument.

Fran - find $2000. Help Hime today.

Moore - 6 people on Board of Vet Med.
Are Back & White
Aren't trained
Farriers
Gray area.
Thought wasn't
Maybe this
lameness issue
can go, stay there
anyway
farriers don't want
to do.
Board of Vet Med
In charge of PA.
Did our incentive.
Send Message Back.
Try to find away to
accomidate.
Need

Practice and Med.
to learn Anatomy.
Have to respect
licensing
Never the intention.

Fran: understand
talk to Some of the
members of the
Board.

Moore: would be happy
allows them to get

fran -

Lawson - In Human Anatomy
Pains in Animals
might miss diagnos

Moore - Comparable Situation.
Have to figure it out.
every fracture Has a
patient attached to it.
Age, Sex, Breed

Mucel twitches
turned out to have
Rabbies.
Very important

Fran - Irish Canon
90% vet Referall
work as Physiacal therapy
Concern about the bill.
Don't feel it should
be killed But needs
to Ammend.
Go to Stormy
Vet Board Should have
another go.
Be Amended to be done
to Benefit everyone.
Assure
Safety net
include them in the loop
Can be worked out.
Refine it down to
Aware nerss of
Referal Fulcrum liability to

Another thing that could
Maintrane Services.
By a Study group.
Should reach Common
ground.
Therapies of practices
on Request of owner.
Avoiding issue of diagnosis.
Attach expiring date.
Just some issues.
is an issue that is comingup
in Essense.
Are practicing illegally.
let law remains as is.
Prob. for these people.

Fran:

Lavoar:

Fran- Jim Clarkdan

Jim Clarkdan- Vice President
Amendments

did get excited
No loger than
Board of Alternative
letter from Dr
farmers Association
making Capabilities
Does not Constitute
legal
Discussions were Broken

Difficult issue
Issue
Should vets be a
gate keeper
Just as MD's Should
doctors as gate
keepers
trail very muddy
Extinct

animals cannot speak out
on their
Sue Foran
Sue Farran ?

Sen. Larson

Gentleman No, I do meant to include

de

Sen Larson do you believe
it could be
subcommittee of the Vet Bd

Gentleman

encompassing the entire spectrum
need to work w/ Vets
Can't be in cold

Sen Frances
Joan
~~Joey~~ Anderson

time to sift all this
info this afternoon
3 main ideas

to protect owners ~~2~~ from
being misled. . . .

War of the Roses
Some sense of Basic
requirements.
Special
How do we know what
is what is not
There is a board of licensure
Won't not presume.

~~Fran~~ Irvin

~~Irvin~~ - Chairman Board of Vet
Practitioner
Most issues discussed
Responsibility over seeing
Policing our colleques.
maintained
~~It~~ ABolish licensure is
Creative
life would be alot
1970 - 1975 knowledge
is sufficient. → 2000
Certain Standard

Redundent unnecessary.
Existed for years.
Just wrote a ruling.
Practice of floating teeth
can be done.
Problem w/ floating
teeth
looking at
With in limits to practice
terms of acup. or
Chiropractors
Equally Be allow to
massage therapy
Regulated w/in own
knowledge
licence.
Prove.
Can't do it any other way
temp licensure.
own industry doesn't
Have Standard.

Fran

Brown - Risk of Fire

Irwin - No only if he has created problem.
Other vet.
Board already exists
keeping others.
National Board
Reviewing for us
list in the Standard
On National Standard.

Fran:

Irwin: issued 1999
Nov or dec.
Actment of Bill
Not Jan 1st

Fran - fall under same Category

Irwin - Extractions

Power tools etc.

Fran - Section
dentistry explained.

Irwin - under Board.

Fran -

Irwin -

Fran -

Irwin

Fran - anybody else wish to speak

Dan Callaghan - Devine Millanen
- glad to work
with
Ben Seuces

Fran: Board + Solus

Fran - through this time

Dun - Seem there is a consistence finding issue is important. is during live Racing season

Moore = issue of legality concept of pract Board licensing Board. Do it in interest of public

Fran - Close Hearing

4:55 pm

Speakers

SENATE EXECUTIVE DEPTS. & ADMIN. COMMITTEE

Date 1-11-00 Time 1:00pm Public Hearing On SB 408

Appearing in FAVOR: (Please print) Please check box at left to speak:

Speaking?	Name	Address	Representing
☑	Russell H. Pope Jr	221 Winks Rd Chesterfield	DOGS
☑	Rep Dan Burnham (Sponsor)	Cheshire #8	
☑	Sen Katie Wheeler		
☑	Rep. Kathy Taylor	Sponsor	Strafford #11
☑	Rep. Martha Fuller Clark		
☐	Rep Jay Phinizy	Sullivan. Dist. 7.	
☐			
☐			
☐			
☐			

Appearing in OPPOSITION: (Please Print) Please check box at left to speak:

☐	Charles A Putnam DMD	3 Remington Ct Pembroke	Veterinary professional
☐	Jim Paine DVM	NHVMA	Concord
☑	Beverly Leo	NH Fed of Humane Org / NH Equine Humane Org.	
☑	Brad Taylor DVM	NHVMA	
☑	Joe Moore VMD	UNH NHVMA	Pres NHBVM.
☐			
☐			
☐			
☐			
☐			

SENATE EXECUTIVE DEPTS. & ADMIN. COMMITTEE

Date 2-15-00 Time 1:20 pm Public Hearing On SB 408

Appearing in FAVOR: (Please print) **Please check box at left to speak.**

Speaking?	Name	Address	Representing
✓ ☑	Barbara Barbara Carpinteri	152 Drinkwater Rd Kensington NH	Self
✓ ☑	Joseph J. Bramante	1 Sanborn Rd. Derry N.H. 03038	Self
✓ ☑	JERE BECKMAN, DVM	90 Harvey Mill Rd. Lee, N.H. 03824	SELF
✓ ☑	Sandy Sowden	52 Elk Dr Rochester NH	Self
☐	[illegible]	PO Box 1982 Gorham, ME 04038	
✓ ☑	Gail Harrington		
	[redacted]	PO Box 310 Hopkinton NH 03229	
✓ ☐	Elene Argyropoulos	772 Hooksett Rd Auburn NH 03032	self
✓ ☑	Hubert Barker	Box 431 Salem, N.H. 03079	
☑	~~Paul L Simard~~	~~21 W. Elmwood Ave Ma~~	

Appearing in OPPOSITION: (Please Print) **Please check box at left to speak.**

✓	☑	COLLEEN PETERSON	38 GREEN RD RAYMOND	NHVMA
✓	☑	PAUL L SIMARD	Farrier 21 W. ELMWOOD AVE	Manchester
✓	☒	CLIFFORD McGINNIS		
✓	☒	Jamie Robertson	1040 Penacook Rd	Contoocook
✓	☒	Ann DiGiovanni	24 Lane Rd	Derry
✓	☒	Kathleen Gallagher	24 Lane Rd	Derry
✓	☐	BRAD BARNES	269 STAGE RD	HAMPSTEAD
✓	☑	ALLEN J. TUTTLE	263 So. River Rd	BEDFORD, NH
✓	☑	Beverly Lee	NH Fed. Humane Org.	Warner, NH
✓	☑	JAMES KING	NHVMA	Concord NH
✓	✓	BRAD TAYLOR	NHVMA	BOSCAWEN NH
✓	✓	Joe Moore	UNH	Durham, NH

SENATE EXECUTIVE DEPTS. & ADMIN. COMMITTEE

Date	Time	Public Hearing On

Appearing in FAVOR: *(Please print)* **Please check box at left to speak.**

Speaking?	Name	Address	Representing
✓ ☑	Sen Katie Wheeler	District 24	
✓ ☑	Jim Clark-Dawe	Webster	NH Horse Council
✓ ☑	Sen Ben Wallingworth		
✓ ☐	Rep. Kathy Taylor	Strafford #1	
✓ ☐	Sen Ben Wallingworth		
☐			
☐			
☐			
☐			
☐			

Appearing in OPPOSITION: *(Please Print)* **Please check box at left to speak.**

✓ ☑	Trish Kerian	Rochester Equine Clinic	
✓ ☑	J. Anderson Bloom	Dover	
✓ ☑	IRVING A SPIEGOTZ	LEE, NH	
☐			
☐			
☐			
☐			
☐			
☐			
☐			

Testimony

Tanuary 2000

To Whom It May Concern,
RE: HOUSE BILL 1483

have become aware of the proposed legislation in the state of New Hampshire, that vould require a veterinarian's prescription to have specialized professional services erformed on animals, particularly horses. Some of these services include *Massage Therapy*, *Chiropractic*, *Acupuncture*, and *corrective Farrier Service*. I strongly feel that veterinarian's involvement in any of these treatments would greatly delay treatment and erve only to drive up the cost of care. This should be a case-by-case decision made by he animal's owner, not the court.

am a professional person and long time horse owner who thoroughly researches lternative treatments in order to maintain my animal's good health and well being. I ave had great success with the following specialized services:

- ☑ **Massage Therapy**
- ☑ **Acupuncture**
- ☑ **Chiropractic**
- ☑ **Corrective Farrier Service**
- ☐ **Other** _____

ne providers of these services have been knowledgeable in their trades and have been ery informative. They have never presented their services as a replacement for good eterinarian care. A veterinarian is always the first called in case of an emergency or ironic conditions.

herefore I do NOT want the legislation passed that would require a veterinarian's escription or visit in order to utilize alternative treatments.

ease feel free to contact me if you have any questions about my concerns.

egards,

gnature: Judith A Clain Tolsme

me: Judith A Clain-Tolsme

dress: 298 South Rd
Brentwood, NH 03833

Feb 12, 2000

TO The New Hampshire Legislature,

It is my Conviction that horse owners should be able to decide who should provide care in any modality for their horses without needing veterinary approval or recommendation.

Mary Mansfield
Newton, NH
603-382-6730

SEENERGY FOODS LTD.

Quality · Taste · Nutrition · Convenience

Joe Bramante
Horse Dentist

Dear Joe,

I heard you are involved with the current NH legislation that is attempting to limit the "alternative treatment" horse owners can give to their horses.

The idea of getting approval from my veterinarian to have corrective shoeing, teeth floated or massage therapy is ridiculous. The individuals that provide these valued services are much more knowledgeable and better skilled than any veterinarian.

The main beneficiaries of this legislation are the veterinarians who will gain greater control of the horse owner and thereby line their own pockets.

Another beneficiary would be people who think horses should be treated like children. They cannot, should not and do not want to be treated like humans. They need to be respected as herd animals and need to be treated as such.

Please let me know which elected officials vote in favor of this legislation. I will be sure to not vote for them and will plead with other horse owners to do same.

This issue is all about greed, not protecting the horse or horse owner.

Good luck,

Frank De Peters

Frank De Peters
224 Middle Rd.
Brentwood, NH 03833

224 Middle Road · Brentwood, NH · 03833
Phone 603.772.9472 · Fax 603.772.9473
Email fdepeters@mindspring.com

To whom it Concerns,

I've owned horses all my adult life and I've always been able to choose my own vets, farrier, dentists etc and feel that I should be able to do so in the future. The NH Legislature should not be a part of those personal decisions.

Carol Brewster
Kensington, NH.

Laura Tebo
9 Crane Crossing Rd. Unit 21
Plaistow, NH 03865

To whom it may concern:

I am responding; as a horse owner and resident of the state of New Hampshire, to the recent proposal that some veterinarians have made in trying to monopolize the care of horses within our state. As a horse person for 20 years I value my right to choose who can and cannot care for my animal. I know my horse better than any vet who comes to see him once or twice a year, and feel that I am fit to make the choice of who should service his dental, shoeing, massage therapy, acupuncture or any other needs. I sincerely hope before passing such a proposal you allow the people in the horse communities of New Hampshire to be heard.

Sincerely;

Laura Tebo

Laura Tebo

1-26-00

I am three brows
and wanted like a chance
one into cares for them.

Deborah L. Walter
49 Kilrea Rd
Derry NH. 03038

1-

UPWIND FARMS
Pig Pen Corner, New Durham, NH 03855 Tel. # 603-859-4171

Jan. 20, 2000

To whom it might concern,

My name is Elizabeth de Forest and I live in New Durham NH. I am the owner of four horses at this time.

In the past I have used health care professionals other than veterinarians for the care and wellbeing of my horses. I have been very pleased with the services these specialists have given me.

I very strongly want to continue to have the choice of using these professionals.

Elizabeth de Forest

January 25, 2000

To Whom It May Concern:

I have been a horse owner for the last decade. During that time I have gotten to know most of the people that are veterinarians as well as those that offer the less glamorous services such as teeth floating, identification tattooing and the shoeing of the feet.

Also during this time I have yet to witness a veterinarian doing any of the above mentioned services. They leave that up to the experts that do these tasks on a daily basis, and they do them well.

I have owned a score of horses these last ten years and Joe Bramante has been our horse dentist with every one. There has never been a situation that Joe hasn't been able to remedy with his vast knowledge of horse dentistry and I have become impressed with Joe's commitment to his clients and their horses.

It was brought to my attention that the state is looking to pass regulations against the likes of Joe Bramante. I say leave the true veterinary work to the vets and leave the teeth floating, shoeing and tattooing to those that practice these arts daily.

Sincerely,

William M. Barrett
Principal
Synergy Stables, Inc.
16 Jeremy Hill Road
Pelham, NH 03076

TURTLE ROCK RESCUE
Kenneth and Mary Terry
PO Box 156 ~ Rindge, New Hampshire 03461 ~ USA
Phone (603) 899-6200 ~ Fax (978) 534-1375 ~ Email Turtlerockrescue@juno.com
Dedicated to the safety and welfare of animals.

January 25, 2000

To Whom It May Concern:

As a horse person for over 20 years, I was quite upset by the news of a NH law requiring alternative forms of equine therapy to require veterinary authorization. As a Rescue facility, we rely heavily on chiropractors, massage therapists and equine dentists. We feel their expertise in a specific area is of great benefit to our animals. We have seen this holistic approach work on animals deemed unusable and/or by local veterinaries. We can provide photos and case studies on these animals and the pleasure they give their new humans. In addition to using a holistic approach, our veterinaries visit all our equines several times a year to ensure they continue to thrive.

As a competitor in the New England Region, I personally know the benefits of alternative therapies. Several of our show horses would not compete nor would they win in their divisions if not for the care they receive from alternative medicine. As with any athlete, competing is stressful and takes its toll on ones body. We have found that these holistic therapies help our equine athletes compete in comfort and successfully for many years.

Sincerely,

Mary Terry
Vice President
Turtle Rock Rescue, Inc.

January 2000

To Whom It May Concern,

I have become aware of the proposed legislation in the state of New Hampshire, that would require a veterinarian's prescription to have specialized professional services performed on animals, particularly horses. Some of these services include *Massage Therapy*, *Chiropractic*, *Acupuncture*, and *corrective Farrier Service*. I strongly feel that a veterinarian's involvement in any of these treatments would greatly delay treatment and serve only to drive up the cost of care. This should be a case-by-case decision made by the animal's owner, not the court.

I am a professional person and long time horse owner who thoroughly researches alternative treatments in order to maintain my animal's good health and well being. I have had great success with the following specialized services:

- ☑ **Massage Therapy**
- ☐ **Acupuncture**
- ☐ **Chiropractic**
- ☑ **Corrective Farrier Service**
- ☑ **Other** Teeth

The providers of these services have been knowledgeable in their trades and have been very informative. They have never presented their services as a replacement for good veterinarian care. A veterinarian is always the first called in case of an emergency or chronic conditions.

Therefore I do NOT want the legislation passed that would require a veterinarian's prescription or visit in order to utilize alternative treatments.

Please feel free to contact me if you have any questions about my concerns.

Regards,

Signature: Jayne T. Riley

Name: Jayne T. Riley

Address: 116 Harantis Lake Rd.
Chester, NH 03036
#(603) 887-2185

State Rep.: Jon Beaulieu
District 11

Senator: Patricia Krueger
District 16

NINA MCKILLOP
228 LUCAS POND ROAD
NORTHWOOD, NH 03261

(603) 942-5657

To Whom It May Concern:

It was recently brought to my attention that a law was passed prohibiting horse owners from utilizing the services of equine dentists, accupuncturatists, and massage therapists. I am writing today to ask that this be reversed.

I have owned my horse for five years. I prefer to use an equine dentist rather than a veterinarian because I feel that he has more time to allocate to my horse's care. I also feel that he does a more thorough job than any veterinarian I have used.

I would appreciate it if this law were reversed to allow horse owners the FREEDOM OF CHOICE in their horse's care.

Thank you,

Nina McKillop

Nina McKillop

To N.H. Legislature

re: Senate Bill 408

We, as N.H. Arabian Horse owners, would like to have the freedom to choose who we want to treat our horses & not have it legislated by veterinarians.

Lynne C. Barber
Secretary
New Hampshire Arabian Horse Assn.

I would like the horse people to have the right to chose care, options treatment of our animals w/o legislation

Patricia C. Beardon

2-12-2000

36 Dickenson Rd.

Keene, N.H. 03431

352-0084

FEB 12, 2000

My name is Karen Miller.

I am a horse owner in the State of New Hampshire. I would like to be able to chose care for my horses without dictation from others.

Karen Miller

161 Ashburnham Rd
New Ipswich NH
03071

43 Tidgwell Lane Rd.
Richmond, N.H. 03470
Feb. 13, 2000

To Whom It May Concern:

As horse owners we would like to have the privilege of choosing the practitioners for our animals i.e. farriers, dentists, chiropractors etc.

This includes our domestic pets.

Yours very truly,
Alice M. Dickinson
Deborah A. Richmond

New Hampshire
"Live Free or Die"

1-26-00

To whom it may concern:

I own horses & absolutely do NOT want the NH legislature to dictate who cares for them. I want to choose my own veterinarians, farriers, dentists, chiropracters, etc.

Jane Mallinson
164 Ledge Rd. Chester, NH 03036

January 2000

To Whom It May Concern,

I have become aware of the proposed legislation in the state of New Hampshire, that would require a veterinarian's prescription to have specialized professional services performed on animals, particularly horses. Some of these services include *Massage Therapy*, *Chiropractic*, *Acupuncture*, and *corrective Farrier Service*. I strongly feel that a veterinarian's involvement in any of these treatments would greatly delay treatment and serve only to drive up the cost of care. This should be a case-by-case decision made by the animal's owner, not the court.

I am a professional person and long time horse owner who thoroughly researches alternative treatments in order to maintain my animal's good health and well being. I have had great success with the following specialized services:

- [x] **Massage Therapy**
- [ ] **Acupuncture**
- [ ] **Chiropractic**
- [ ] **Corrective Farrier Service**
- [x] **Other** TEETH FLOAT

The providers of these services have been knowledgeable in their trades and have been very informative. They have never presented their services as a replacement for good veterinarian care. A veterinarian is always the first called in case of an emergency or chronic conditions.

Therefore I do NOT want the legislation passed that would require a veterinarian's prescription or visit in order to utilize alternative treatments.

Please feel free to contact me if you have any questions about my concerns.

Regards,

Signature: [signature]

Name: CHARLOTTE APPL

Address: [illegible]
KEENE, NH

2/12/00

To Whom It May Concern,

Please do not limit my ability to choose medical treatment or alternative care for my animals whether these animals be equine or domestic pets. I want the freedom + choice to make my own decisions.

Sincerely,

Sandy Halbrook
Rock 'N Horse Farm
737 Athol Rd.
Richmond, NH. 03470

2.15.00

To whom it may Concern:

I have become aware of the hearing on Tuesday to discuss Senate Bill 408. I am very opposed to any legislation that would limit my freedoms in choosing the care of my horses.

This bill would in effect create a health care crisis in the horse industry. My farrier and my horse dentist are extremely more qualified and experienced then my vet for these services.

Sincerely,

Gale Gustafson

170 Wilson's Crossing Rd
Auburn NH 03032
603.647.0969

CAREN ROSSI
130 SANBORN ROAD
EAST KINGSTON, NH 03827

FEBRUARY 3, 2000

JOE BRAMANTE
1 SANBORN ROAD
DERRY, NH 03038

RE: HOUSE BILL 1483

I HAVE BECOME AWARE OF THE PROPOSED LEGISLATION IN THE STATE OF NEW HAMPSHIRE, THAT WOULD REQUIRE A VETERINARIAN'S PRESCRIPTION TO HAVE SPECIALIZED PROFESSIONAL SERVICES PERFORMED ON ANIMALS, PARTICULARY HORSES. THESE SERVICES INCLUDE, MASSAGE THERAPY, CHIROPRACTIC, ACUPUNCTURE AND CORRECTIVE FARRIER SERVICE. I STRONGLY FEEL THAT A VETERINARIAN'S INVOLVEMENT IN ANY OF THESE TREATMENTS WOULD GREATLY DELAY TREATMENT AND SERVE ONLY TO DRIVE UP THE COST OF CARE. THIS SHOULD BE AN INDIVIDUAL HORSE OWNERS CHOICE, NOT THE CHOICE OF THE COURT.

I AM A LIFE LONG HORSE OWNER, AND I USE ALTERNATIVE TREATMENTS FOR MY HORSES TO MAINTAIN THERE GOOD HEALTH. I HAVE HAD GREAT SUCCESS WITH THE SPECIALIZED SERVICES I HAVE USED, WHICH IS THE FOLLOWING: MASSAGE THERAPY, CHIROPRACTIC, AND CORRECTIVE FARRIER SHOEING.

THE PROFESSIONAL'S IN WHOM I HAVE HIRED FOR THESES SERVICES, HAVE BEEN VERY KNOWLEDGEABLE IN THEIR PROFESSION. THEY HAVE NEVER TRIED TO TAKE THE PLACE OF A VETERINARIAN. NEITHER MY SELF NOR ANY OF THE PROFESSIONALS HAVE EVER TRIED TO TAKE THE PLACE OF A VETERINARIAN. A VETERINARIAN IS THE FIRST ONE CALLED IN AN EMERGENCY SITUATION.

I DO NOT WANT THE LEGISLATION TO PASS THIS HOUSE BILL. I THINK THAT YOU SHOULD NOT HAVE TO HAVE A VETERINARIANS PRESCRIPTION FOR THESE OTHER TYPES OF TREATMENTS. I BELIEVE THAT IT SHOULD BE UP TO THE DISCRETION OF THE HORSE OWNER AND PROFESSIONAL.

IF YOU HAVE ANY QUESTIONS PLEAS FEEL FREE TO CONTACT ME.

SINCERELY

Caren

CAREN ROSSI

To Whom It May Concern:

Fe

bruary 10, 2000

My name is Cheryl Mainiero; I have been a horse owner for over twenty years. I have owned, and trained thoroughbred race horses and show horses. It has come to my attention that I will not be able to use my horse dentist, who I have used since 1980. I do not feel this is right, it violates my freedom of choose to use the person that I trust and feel confidant that the job will be done right! My horse's dentist has been doing horses teeth for twenty-five years. He has been employed by hundreds of racehorse trainers. If he were not qualified, these trainers would not trust him with their livelihood. It is my right to choose my doctors, just like anyone chooses their own medical doctors.

Sincerely yours,
Cheryl Mainiero
394 Winnacunnet

Road

Hampton N.H.

03842

JAN. 20, 2000

To The Legislature,

I am a horse owner and I donot wish to be told who I can chose to work on My horse our state moto is Live Free or Die so Please give me Freedom of Choice to who I would Like to take care of My Animals

Thank you

Donat J. Lessard
186 Pingree hill Road
Auburn, N.H.
03032
Tel. 626-9680
Fax 622-2253

Donat J. Lessard

NHTBA
New Hampshire Thoroughbred Breeders Association

2/12/00

To whom it may concern,

It has come to my attention that the members of the N.H. Thoroughbred Breeders Assn. will no longer be able to use the talents of the equine dentist of their choice. As president, my immediate reaction is "how could this be the case"?

Apparently some well meaning, but misinformed legislators, have enacted legislation to prevent this freedom of choice. Why would a horse owner of 30 years be limited in using a trusted professional's talent?

To prevent the affiliated fields of equine dentists,equine massage therapists & others to be only able to practice under the direct control of a veterinarian, is impractical. This restrictive environment limits owner's choices, burdens already busy veterinarians & may artificially inflate fees.

I urge the legislators to rethink their position & allow individual horse owners to use their personal discretion determining who will treat their beloved animals.

A concerned horse owner & breeder,

Dave DeLisle
President of the N.H. thoroughbred Breeders Assn. (95 strong!)

STATE OF NEW HAMPSHIRE

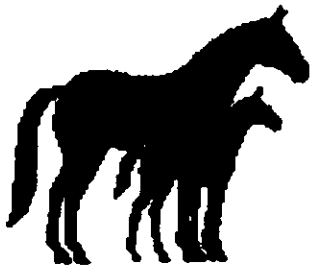
STATE SENATE

To:

From: ~~Senator Clesson J. Blaisdell~~
~~Dean of The Senate~~
~~District 10~~

Date:

Bev Hollingworth
District 23 In support of
SB408 I have another
hearing at the same time.



COPY

NEW HAMPSHIRE HORSE COUNCIL, INC.

James S. Clark-Dawe
Vice President
465 White Plains Road
Webster, NH 03303-7111
(603) 456-3230
(603) 456-3520 (FAX)

14 February 2000

Katherine Wheeler, Senator
New Hampshire State Legislature
107 North Main Street
Concord, NH 03301-4951

RE: Alternative animal care

Dear Senator Wheeler:

As you requested, the following is the proposal that I would make to see if we can come up with a compromise approach between the alternative veterinary care proponents and the Board of Veterinary Medicine:

I would suggest the establishment of a board of animal health care dealing with the care of animals outside of the regulations established by the Board of Veterinary Medicine as presently adopted by that Board. This new board would deal with the health care needs of animals except for the diagnosis of disease or injury, insertion of needles or other implements beneath an animal's skin, use of x-ray, ultrasound, or similar technology for the diagnosis of disease or injury, and prescription of medication. The new board would be specifically authorized to regulate the manipulation of an animal's skin and/or muscles, animal dentistry, foot and hoof care and trimming including corrective shoeing.

Depending on how far the Legislature desires to go, the new board could also include persons using herbs for the treatment of animal conditions, persons performing grooming, persons taking care of animals (i.e., kennels and stables), and animal trainers.

I would suggest that the new board consist of seven (7) members, two (2) to be appointed by the Board of Veterinary Medicine, two (2) to be appointed by the Society for Prevention of Cruelty to Animals, and the last three (3) to be appointed by the Commissioner of the Department of Agricultural. The new board would be limited to having only three (3) veterinarians on it at any one time. The new board would probably also have to have rule making authority.

Persons practicing alternative care for animals would have to register with this new board. Registration could be as simple as providing the person's name and address, or could include more detailed information such as what the person intends on doing and what qualifications the person has. All registrations would be public information that anyone could review prior to using anyone registered with this board. Persons who are only in the State for less than two (2) weeks would not need to register to deal with individuals coming to this State for shows and similar activities. Persons failing to register would need to be charged with either a violation or a misdemeanor.

The new board would serve as a disciplinary board by providing the public with an avenue for complaints. Depending on the seriousness of the complaint, the new board would have the authority to withdraw an individual's registration.

The New Hampshire Horse Council, Inc. believes that this approach to resolving the present situation provides animals with a high level of protection from dangerous practices while giving animal owners a high level of choice in what type of health care is appropriate to their animals. From registration fees, the new board would be self-funding, with the possibility of some of the excess funds going to animal care organizations.

I am contacting various individuals and organizations to determine whether they would support this plan. I will let you know the results.

If you have any questions, please feel free to contact me.

Thank you for your consideration.

Very truly yours,

James S. Clark-Dawe

SENATE BILL 408

AN ACT relative to animal owners' right to choose animal care.

SPONSORS: Sen. Wheeler, Dist 21; Sen. Cohen, Dist 24; Sen Roberge, Dist 9; Sen. Hollingworth, Dist 23; Rep. Burnham, Ches 8; Rep Taylor, Straf 11; Rep. M. Fuller Clark, Rock 36; Rep. Weatherspoon, Rock 20; Rep. Keans, Straf 16.

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill allows the treatment of animals by farriers, acupuncturists, chiropractors, massage therapists, equine dentists and other adjunctive therapists not yet defined.

00-2619

08/01

STATE OF NEW HAMPSHIRE

In the Year of our Lord Two Thousand

AN ACT relative to an animal owner's right to choose animal care.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1. Purpose. Animal owners should have the same freedom to choose health care for their animals as we all have to choose health care for ourselves and our families. Animal owners want the very best care for their animals and will make great effort to find the best qualified person to provide health care for their animals. More people are choosing alternative health care for themselves, and this option should be available when choosing care for their animals.

2. Veterinary Medicine: Exceptions to License requirement. Amend the introductory paragraph of RSA332-B:2 to read as follows:

3.

332-B:2 License Required and Exceptions. Except as provided in RSA 332-B.9 and RSA 332-B:2.a, no person may practice veterinary medicine in the state who is not a licensed veterinarian or the holder of a valid temporary permit issued by the board. This chapter shall not be construed to prohibit:

3. New Section; Practice of Veterinary Medicine; Non-surgical Treatment and prescription of drugs for Animals. Amend RSA 332-B by inserting after section 2 the following new section:

332-B:2-a Treatment of Animals by Certain Non-Veterinarians.

I. Notwithstanding RSA 332-B or any other provision of law to the contrary, any farrier, acupuncturist, chiropractor, massage therapist, equine dentist or other adjunctive care givers not as yet defined may engage in the care of animals as defined in RSA 332-B:1, 111(a) with the exception of surgery or prescription of drugs for animals, if contracted or asked to do so by the owner of the animal.

II. No provision of this section shall be construed to allow any person other than a veterinarian from doing any act provided in RSA 332-B:1 III©

4. Practice of Veterinary Medicine; Enforcement. Amend RSA 332-BI19 to read as follows:

332-B:19 Enforcement

I. Except as provided in RSA 332-B:2-a, any person who shall practice veterinary medicine without a currently valid license or temporary permit shall be guilty of a misdemeanor, and each act of such unlawful practice shall constitute a distinct and separate offense.

II. Except as provided in RSA 332-B:2-a, no person who shall practice veterinary medicine without a currently valid license or temporary permit may receive any compensation for services so rendered.

III. The Board or any citizen of this state may bring an action to enjoin any person from practicing veterinary medicine without a currently valid license or temporary permit, except as provided in RSA 332-B:2-a. If the court finds that the person is violating, or is threatening to violate, the provisions of this chapter, it shall enter an injunction restraining the person from such unlawful acts.

IV. Okay

V. Okay

STATE OF NEW HAMPSHIRE
BOARD OF VETERINARY MEDICINE

To: Practicing Farriers of New Hampshire

From: Irving Salkovitz, VMD, President
NH Board of Veterinary Medicine

Re: RSA 332-B, New Hampshire Veterinary Practice Act

It has come to the attention of the board that an amended practice act which was signed into law on July 16, 1999, and becomes effective January 1, 2000, has raised some deep concerns about the ability for farriers to practice their livelihood.

The addition of the condition of lameness to the definition of the practice act was not intended nor does it mean that a farrier is altered or prevented from performing their trade as he or she has done in the past.

The board apologizes for the misunderstanding of the intent of the amendment.

25 Capitol Street PO Box 2042 Concord NH 03302-2042 (603) 271-3706
TDD Access: Relay NH 1-800-735-2964

Suggested Amendment to SB 408.

JERE R. BECKMAN, DVM
EQUINE PRACTITIONERS
90 HARVEY MILL RD.
LEE, N.H. 03824

Redefine purpose.

1 PURPOSE: Animal owners have the fradom to choose health care for their animals, Guaranteed by the N.H. Constitution First Part article # 2.

Animal owners want the best care for their animals and will make great efforts to find the best qualified persons to provide health care for their animals. Owners of Equines are choosing non-Veterinarais more frequently to provide care particularly in the practice of Dentistry, Chiropractic, acupuncture, Massage and farrier services.

Equine owners do not want these services limited to Veterinarais only. The present Veterinary practice act will limit/not Eliminate Non-Veterinarians from providing these services since substantial fines may now be levied against them.

Add to analysis - to include Equine Dentistry

a simple addition to the Veterinary Practice act can satisfy this purpose.

SB408

on Page 2 2 3

1) Remove all Language after 332-B:2 Licensure Required and Exception:

-Except- Effective Date -

2) In its place add the following Amendment 3 New Section

This chapter shall not be construed to prohibit owners of Equines from choosing any person who can provide care services to their animals.

any person shall be defined as but not limited to a Veterinarian, acupuncturist Massage Chiropractor farrier or dentist.

Responsibility for decision to choose persons to provide these services shall rest with the animals Owner. Liability rest with the Provider

Non-Veterinarians included in this section shall not be subject to parts III IV and V as proposed in SB408 under RSA 332-B:2.

Note: administrative Rules 601:1 and 602:2 should be repealed i.e. acupuncture definition & Practice. who can perform.

Respectfully,
Jere R. Beckman, DVM

PENDING LEGISLATION

HB- 408 RELATIVE TO OWNER'S RIGHT TO CHOOSE ANIMAL HEALTH CARE

THERE WILL BE A HEARING ON HB-408 AT THE LEGISLATIVE OFFICE BUILDING (LOB) ROOM101 AT 1:20 PM ON TUESDAY FEBRUARY 15, 2000. PLEASE ATTEND, IF YOU CAN'T AND

IF YOU ARE IN FAVOR OF THIS LEGISLATION PLEASE SIGN BELOW:

QUESTIONS: CALL JOE BRAMANTE 603-893-6287

NAME	ADDRESS	TELEPHONE
Ann Jafe Ford	P.O. 290 Hollis, N.H. 03049	~~603-4~~
Linda Emerson	74 Ridge Rd Nollis NH 03049	
Steve Realmuto	9 Cameron Dr. Hollis, NH 03049	465-2930
Sherry Van Ost	48 Ranger Rd. Hollis, NH 03049	883-467[illegible]
JEFFREY E. MANGERIAN	233 Depot Rd Hollis, NH 03049	465-2[illegible]
Jeffrey E. Mangerian	130 FLAGSTONE DR. NASH	603-598-3477
Michelle A. Smith	68 W. Hollis Rd Hollis NH 03049	603-465-7694
[illegible]	20 PADDOCK HILL RD HOLLIS NH 03049	465-3011
CAROL M. STEWART	67 Richardson Rd Hollis, NH 03049	465-6695

C. McCarthy PO Box 44 Hollis NH 465-9462

Angelika Kellner 16 Toddy Brook Rd Hollis NH 465-6202

Sue Marsh-Strain 250 Spaulding Br Bradford NH 673-5791

Nancy Riley 12 Sherwood Dr Hollis NH 465-3422

Eric Clough 111 N. Pepperell Rd Hollis N.H 03049

Heather Ricard 46 Melissa Dr. Hollis NH 03049

Sean M Donovan P.O Box 610 Hollis, NH 03049

Mary Anne Lemay P.O. Box 67 Hollis, N.H. 03049

Barbara Kowalski P.O. Box 1050 Hollis, NH 03049

Michael DelleFave 94 Wheeler Rd Hollis, NH 03049

Sherry Mitchell 211 Wheeler Rd Hollis NH 03049

Tommy Fee 18K CHADWICK CIRCLE NASHUA, NH 03060

Kathy Brickey 37 Black Oak Dr. Hollis NH 03049

Maren Little 37 Black Oak Dr Hollis NH 03049

Susan Bates 177 Depot Rd Hollis, NH 03049

Jill Shea 364 Pine Hill Rd Hollis NH 03049

Fred Shea 364 Pine Hill Rd Hollis NH 03049

886-6466 Daniel I Gant 47 Ridge Rd Nashua NH 03062

J. Belanger PO Box 351 Hollis, NH 03049 465-2472

Nancy Riley 12 Sherwood Dr. Hollis NH 03049 465-3422

Julie Shaffer 522 Pound Hill Rd. Milford NH 03055 673-0761

Adam Cuffe Southridge Rd Chester, NH

Jennifer Dagliesi 15 Richardson Rd Hollis NH 03049

47 RIDGE RD NASHUA NH 886 6466

Dayna Cribbs Foster Rd Milford N.H. 673-2285

Stuart J. Campbell	27 N. Pepperell Rd Hollis NH. 03049 465-379
Andrea Van Oss	48 Ranger Rd Hollis NH 03049 883-4
Susan Wiley	111 Silver Lake Rd. Hollis, NH 03049
Peo Bolek	7 PATCH RD HOLLIS, NH 03049
Laurie Gibson	199 Ridout Rd. Hollis, NH 03049
Lynn Duesberg	11 Patch Rd. Hollis NH 03049
[illegible]	111 Silver Lake Rd Hollis, NH 03049
[illegible]	7 Patch rd Hollis NH 03049
[illegible]	75 Main ST Hollis 03049
[illegible]	75 Main St. Hollis 03049.
[illegible]	27 Worcester Road Hollis 03049
[illegible]	17 Proctor Hill RD Hollis 03049
[illegible]	192 Wheeler Rd Hollis 03049
	27 N. Pepperell Rd Hollis 03049
Linda Statkus	101 Broad St. Hollis, NH 03049

New England HBPA
Rockingham Park
P.O. Box 47
Salem, NH 03079
Rockingham Park 603-898-2311 *Suffolk Downs 617-567-3900*

February 14, 2000

To New Hampshire Legislators

It has come to our attention that access to various professionals has been threatened. The acupuncturists, chiropractors and message therapists have become more popular in the last few years and have become an important part of treating injuries.

The equine dentists have been an important part of racing for many years. Our races have a s many as twelve horses in them. For safety reasons, it is imperative that the jockey be able to properly steer the horses. That is the purpose of proper equine dental care.

Please contact me if you may have any questions.

Sincerely,

Mario DeStefano

SB408

THE STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY
57 Regional Drive
Concord, NH 03301
Telephone (603) 271-2350
FAX (603)271-2856
TDD Access: Relay NH 1-800-735-2964
www.state.nh.us/pharmacy/

Peter A. Grasso, R. PH.
Chief, Compliance Investigator

January 6, 2000

Department of Agriculture
Division of Animal Industry
Attn.: Clifford McGinnis, DVM
P.O. Box 2042
Concord, NH 03302

Dear Dr. McGinnis:

Pursuant to your request, I have reviewed ***HB 1483*** and ***SB 408***, both of which amend the Veterinary Practice Act to allow a "farrier, licensed acupuncturist, chiropractor or massage therapist" to practice veterinary medicine, as defined in RSA 332-B: 1, III (a), with the exception of surgery, on horses or ponies.

I am assuming that the intent of the legislation "may" have been to allow these designated practitioners to *physically* apply their skills to the horse or pony. However, the language of these two bills, appears to grant much more authority when they specifically allow the practitioner to "engage in the practice of veterinary medicine."

According to RSA 332-B: 1,III (a) "Practice of Veterinary Medicine" means to:

> *Diagnose, treat, correct, change, relieve or prevent animal disease, lameness, deformity, defect, injury, or other physical or mental conditions.*

Of serious concern, to me, is the following language:

> ***"....including the prescription or administration of any drug, medicine, biologic apparatus, application, anesthetic, or other therapeutic or diagnostic substance....."***

In effect, this language grants authority, to these individuals, to **prescribe, possess and administer restricted, dangerous, prescription drugs**. This raises the issue of qualifications. Is a person (for instance, a farrier) that is trained to "shoe horses" qualified to possess, prescribe and administer prescription drugs? A similar question of qualification is raised about a massage therapist, chiropractor or licensed acupuncturist.

Also of significant concern, is the direct conflict these bills create with current statutory authorities. Specifically, RSA 318:42 "Dealing in or Possessing Prescription Drugs", which grants authority to certain practitioners to "possess, administer, dispense, compound,....." prescription drugs. Since no mention of these practice modalities is noted in RSA 318:42, the question arises as to which statute would take precedence.

Based upon the qualification issue, passage of either bill may not be in the best interest of the health and safety of the public. Also, based upon the statutory conflict issue, passage of either bill would create an enforcement nightmare.

In closing, I thank you for bringing this issue to my attention and providing me with the appropriate documentation for review and comment. If I could be of further assistance in this matter, please feel free to contact me at any time.

Sincerely,

Peter A. Grasso, R.Ph.
Chief Compliance Investigator
New Hampshire Board of Pharmacy

To: Senate Sub-Committee

From: Julia Webb
602 Fremont Rd
Chester, NH 03036

re: SB 408

Date: 2/13/00

Legislators:

I have been a horse owner for 23 years and I have been careful to provide my horses the best possible care throughout their lifetimes. I have always had regular farrier work, regular preventative shots, regular dentistry, and occasional massage therapy and I am happy to say that essentially my horses have been healthy. I am very concerned that SB 83, passed in 1999, prohibits me from having my farrier put on pads, or changing the angle of my horse's foot without first consulting my vet. The way I read it, I will also need my vet's approval before I have the equine dentist, or my massage therapist treat my horses. From what I can interpret SB 408 amends SB 83 to permit treatment by the farrier or therapist. Why isn't equine dentistry included? All of the professionals that treat my horses are highly trained and have been very instrumental in maintaining my horses health. I have no problem consulting my vet when the need arises, but I strongly object to the insinuation of SB 83 that I am too stupid to determine my horses' needs by myself.

Along with the majority of equestrians, I have tried to be a law-abiding citizen. The passage of an amended SB 408 to include equine dentistry will allow me to continue with this habit, and I strongly urge you fix SB 83.

Sincerely,

Julia Webb

Julia Webb

2/3/06

My name is Nancy Hall. I live in York Maine but I currently board my horse in N Hampton, NH. I strongly object to the new law restricting my access to allied health providers (chiropractors, dentists, blacksmiths, etc.) To require a veterinarian to write a prescription to shoe my horse is as ridiculous as requiring an orthopedic surgeon to come with you to buy your children sneakers. The new law will actually endanger our horses by needlessly tying up the services of our vets with unnecessary trips for all these incidentals, making them even less available to provide much needed medical care. If I can't get a vet in an emergency because he's attending a perfectly competent farrier, is that progress.

This is a ridiculous law and should be repealed immediately

Nancy Hall
York, ME
207-363-5228

Horse at N. Hampton

I do have never had children and ~~have~~ my horses are my children and I feel as though I should be able to make my own decisions for my horses as I am their primary provider.

Diane Gaudaros
Rochester N.H.

2-12-00

Thunderfoot Farm Clydes
111 Old Homestead Hwy
Richmond, NH 03470
603-239-8956

To Whom it May Concern:

I, as an owner of horses, do prefer the ability to choose a practitioner of the following disciplines - farrier, equine dentist, acupuncturist, or chiropractor - without the interference of other bodies (boards, vets, etc.)

Sincerely, H.L. Campbell

2/15/00

TO WHOM IT MAY CONCERN,

I AM A RESIDENT OF LONDONDERRY, N.H. AND AN OWNER OF A THOROUGHBRED RACE HORSE. I'D LIKE TO BE ABLE TO CHOOSE WHO SERVICES MY HORSE.

SINCERELY,

BOBBY TOLMAN
124 WINTERWOOD DRIVE
LONDONDERRY, NH 03053

Voting Sheets

Senate Executive Depts. & Admin. Committee
EXECUTIVE SESSION

SB 408

Hearing date: 3-7-00 Room: 101 COB

Motion of: OTPA

Made by Senator:		*Seconded by Senator:*	
Cohen	☐	Cohen	☐
Francoeur	☐	Francoeur	☐
M. Brown	☐	M. Brown	☐
D'Allesandro	☐	D'Allesandro	☐
S. Larsen	☑	S. Larsen	☐
S. Roberge	☐	S. Roberge	☐
Trombly	☐	Trombly	☐

7-0

Committee Member	*Present*	*Vote*	*Reported out by*
Senator Burton J. Cohen, Chairman	☐	✓	
Senator Gary Francoeur, Vice-Chair	☐	✓	
Senator Mary E. Brown	☐	✓	
Senator Lou D. Allesandro	☐	✓	
Senator Sylvia B. Larsen	☐	✓	—
Senator Sheila Roberge	☐	✓	
Senator Rick A. Trombly	☐	✓	

*Amendments:

NOTES:

Committee Report

Date: January 11, 2000 Time: 1:05 pm
February 15, 2000 2:10 pm

The Senate Committee on Executive Departments Administration held its hearing in Room 101 LOB, Concord, New Hampshire.

BILL NO.: SB 408 TITLE: (New Title) establishing a committee to study the application of non-conventional veterinary procedures for domestic animals.

Members of the Committee present:
Senator Cohen
Senator Francoeur
Senator Brown
Senator Larsen
Senator Roberge
Senator Trombly

Second hearing
Members of the committee present:
Senator Francoeur
Senator Brown
Senator Larsen
Senator Roberge
Senator Trombly

Those appearing in favor:

Name and Address	Representing

See Attached.

Those appearing in opposition:

Name and Address	Representing

See Attached.

REPORT OF THE COMMITTEE:

☐ Ought to Pass ☐ Interim Study

☒ Ought to Pass w/ Amendment

☐ Inexpedient to Legislate

☐ Rereferred

☐ Continued Hearing

☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Executive Departments Administration

to which was referred Senate Bill 408

AN ACT relative to an animal owner's right to choose animal care.

VOTE: 7-0

2000-3691s

Having considered the same, report the same with the following amendment and recommend that the bill: **AS AMENDED OUGHT TO PASS.**

Senator Sylvia B. Larsen
For the Committee