



## Governmental

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December 17, 2013

Ms. Cathy Gallagher  
Chief, Liaison and Policy Section  
Office of Diversion Control  
Drug Enforcement Administration  
U.S. Department of Justice  
600 Army Navy Drive  
Arlington, VA 22202

Dear Ms. Gallagher:

I am writing on behalf of the American Veterinary Medical Association (AVMA). Founded in 1863, AVMA is one of the oldest and largest veterinary medical organizations in the world, with more than 84,000 member veterinarians worldwide engaged in a wide variety of professional activities and dedicated to the art and science of veterinary medicine.

When we last met with your office in July 2011, we expressed a concern that the Drug Enforcement Administration's interpretation of provisions within the Controlled Substances Act did not allow for veterinarians to legally transport and dispense controlled substances outside of their registered principal places of business. Since then, AVMA's members have received conflicting messages from the DEA's field offices about this matter.

AVMA is aware of a DEA letter sent to Congressman Kurt Schrader in May 2013, which states that veterinarians are legally allowed to transport and dispense controlled substances on an "as-needed and random basis," so long as the locations are not their "principal places of professional practice." Similarly, a letter sent on Aug. 21 from the DEA's El Paso (Texas) Division stated that veterinarians may travel to other unregistered locations within the state where they are registered, provided that they do not maintain a principal place of professional practice at that other location.

To the contrary, a DEA field office in Tennessee contacted a veterinarian in August after he used a residential address on his registration application, informing him that transporting controlled substances beyond his registered location was illegal and that enforcement action would be taken against him should he choose to practice in this manner. That field office also requested this veterinarian to provide names of other practitioners who were transporting controlled substances, stating that they were in violation of the law. Along the same lines, as recently as October, DEA field office personnel have told veterinarians that they could not use a residential address for registration.

Veterinarians must have the ability to treat their animal patients outside of their brick-and-mortar facilities in order to provide complete veterinary care. As it stands now, our member veterinarians are confused about how they should comply with the law and seek guidance from AVMA and the DEA on how to continue their course of practice going forward.

Given the fact that our members have heard conflicting messages from DEA's headquarters and its field offices, we would like to meet with your office at your earliest convenience so that we can better understand how DEA is enforcing the regulation. Specifically, we would like to be able to provide clear guidance to our members so that they can continue providing the best quality of care to their animal patients within the confines of the law.

We appreciate your willingness to meet with us previously and your consideration to meet with us in the next few weeks.

Sincerely,

A handwritten signature in black ink that reads "Mark T. Lutschaunig, VMD MBA". The signature is written in a cursive style with a large initial 'M'.

Mark T. Lutschaunig, VMD MBA  
Director

