April 30, 2012

Mr. John W. Partridge
Chief, Liaison and Policy Section
Office of Diversion Control
Drug Enforcement Administration
8701 Morrissette Drive
Springfield, VA 22152

Dear Mr. Partridge:

I am writing on behalf of the American Veterinary Medical Association (AVMA) to bring your attention to an issue of grave concern to our members and the veterinary profession. In the process of reviewing registrations where a residential address is listed as the principal place of business, the DEA Sacramento office has notified registrants that controlled substances cannot be taken outside of a registered location per CFR 1301.12, “A separate registration is required for each principal place of business or professional practice at one general physical location where controlled substances are manufactured, distributed, imported, exported or dispensed by a person.”

Established in 1863, the AVMA is the largest veterinary medical association in the world and the recognized national voice for the veterinary profession. More than 82,500 AVMA members comprise approximately 83 percent of the veterinarians in the United States. Many of our members, especially rural and large animal veterinarians, provide mobile or ambulatory services to clients because it is often not feasible, practical or possible for owners to bring livestock (i.e., cows, pigs, horses, sheep, goats, etc.) to a bricks-and-mortar clinic or hospital. In addition, many companion animal veterinarians provide “house call” services for their patients or operate mobile veterinary clinics. Medications transported for use during procedures outside of the registered location are properly secured and DEA recordkeeping requirements are maintained.

AVMA supports the overall intentions of DEA’s Diversion Control Program. We have educational resources on our website on how to comply with the Controlled Substances Act and regulations regarding DEA recordkeeping and security requirements. We are concerned, however, that if the Sacramento office and potentially other regional DEA offices enforce existing regulations, it will make it impossible for veterinarians to comply with the regulations while providing their patients with appropriate and complete veterinary care and fulfilling their ethical responsibilities.
Since 2009, the AVMA has been meeting with the DEA’s Washington, DC, office to address the existing regulations which, if enforced, could present challenges for the unique practice environment of ambulatory veterinarians. During these discussions, we have been advised that a change in statute is necessary. Congressional offices are aware of the serious nature of this issue and AVMA is working with them to find an amenable solution.

Until the Controlled Substances Act is amended, AVMA asks that the DEA exercise enforcement discretion when investigating ambulatory veterinary practitioners who are licensed by the state to practice veterinary medicine and hold a valid DEA registration for their principal place of business.

The AVMA appreciates your consideration and we look forward to working with you. Please contact Dr. Ashley Morgan (202-289-3210 or amorgan@avma.org) for further questions.

Sincerely

W. Ron DeHaven, DVM, MBA
Executive Vice President and CEO