

May 19, 2021

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Dear Senate and Assembly Leaders:

I write on behalf of the Alliance for Pharmacy Compounding to comment on A6704 and S4247 regarding compounding medications for use in veterinary practice.

The Alliance for Pharmacy Compounding is the voice for pharmacy compounding nationwide, representing thousands of pharmacists, technicians, students, researchers and suppliers. Compounding exists for patients and animals who are not served by traditional pharmaceutical manufacturers. We create custom medications that patients simply cannot get anywhere else. Every day, our members play a critical, often life-or-death role in patients' lives. They are a valued part of the health care team, creating essential treatments unavailable elsewhere for a range of issues, including autism, oncology, dermatology, ophthalmology, pediatrics, women's health, and many others.

APC and its members in New York have a great interest in A6704 and S4247. We support the proposed legislation because we believe it will serve the needs of veterinarians to have wider access to the compounded medications they require for their patients. It will also ensure that those medications are provided in a manner that protects the public safety.

Compounded medication is essential to the practice of veterinary medicine because, unlike medical doctors, veterinarians treat a wide variety of species of varying sizes – each of which face their own unique set of health conditions and diseases, and which require specific types, amounts, dosages, and dosage forms of medications. Inherently, commercially available drugs simply do not satisfy the wide variety of animal patient needs. As a result, compounded drugs are used where, in the judgment of the veterinarian, there is no suitable commercially manufactured drug product available to appropriately treat their animal patients.

The necessity of compounded medications to treat animal patients is buttressed by the unique nature of veterinary practice. Unlike human medical doctors, veterinarians' offices often serve for animal patients as emergency rooms, hospitals and pharmacies all in one. In addition, veterinarians must, in many instances, travel to their animal patients for on-site treatment. For example, veterinarians treating horses at a barn or animals in a zoo must do so on-site given the difficulty in transporting those animals to a veterinary office for treatment. As a result, the unique nature of veterinary medicine requires not only access to compounded medication, but often, immediate access to compounded medications for "office use," i.e.: limited amounts of a compounded medication that is readily available, in the veterinarian's office or to travel with the veterinarian, to treat animal patients in off-site or emergency

situations. Without access to compounded medications for office use animal patients would not receive the medical treatment they need.

A coalition of animal-health pharmacies, the American Veterinary Medical Association (AVMA) and several state veterinary medical associations have conducted surveys of veterinarians to understand the role that compounded medications play in their practices and in the health of their patients. The most recent survey (March 2019) confirmed that having access to compounded medications when they believe they are medically necessary is “important” to 90 percent of veterinarians and for 94 percent, their ability to maintain office stock of compounded medications is important. Furthermore, 89 percent of respondent veterinarians order compounded medications that they later administer to a patient, and 77 percent dispense compounded medications to animals from office stock. In states that do not allow office use of compounded medications, 78 percent report that this has had a negative impact on their ability to practice medicine. Not allowing veterinarians to dispense compounded medications from office use stock to pet owners threatens and may interrupt treatment and can present risk to human health. We appreciate the fact that the New York State Legislature has recognized that compounding medications for veterinary office use is essential for optimum patient care.

In August 2017, the National Association of Boards of Pharmacy (NABP) convened a Task Force to determine Best Practices for Veterinary Compounding. Among the ideas discussed, the Task Force members concluded that a new definition of veterinary dispensing should be added to the Model State Pharmacy Practice Act to recognize the importance of this emerging role in pharmacist care services. Furthermore, the members also recommended that a new section be added to the Model Rules for Compounded or Repackaged Pharmaceuticals identifying appropriate instances for compounding for office use by veterinarians and subsequent dispensing for emergency situations. This language was approved and incorporated into the NABP Model State Pharmacy Practice Act in 2018.

The states of Florida and Illinois have passed regulations allowing pharmacies to compound medications for veterinary office use administration and dispensing without restrictions on quantities sold or dispensed. California, Ohio and Minnesota passed legislation allowing the same. Most recently, the State Boards of Pharmacy in Missouri, Georgia and Mississippi have amended their regulations to allow for veterinarians to both stock and dispense medications compounded for office use. We appreciate that the New York State Assembly is contemplating joining this trend of allowing veterinarians to dispense compounded medications from office stock, thereby giving veterinarians significant flexibility to treat patients in the manner they best see fit.

Thank you for the opportunity to comment on A6704 and S4247. If I or APC can be helpful to you on this or any other compounding related matter, please contact me: [scott@a4pc.org](mailto:scott@a4pc.org).

Sincerely,



Scott Brunner, CAE  
Chief Executive Officer