

# PENNSYLVANIA FEDERATION OF DOG CLUBS, Inc.

A Statewide Organization for the Benefit of  
Dogs and Dog Owners

*Original 2391*

March 20, 2004

Mr. Robert E. Nyce, Executive Director  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor, Harrisburg, Pa. 17101

Re: Proposed Rulemaking, State Board of Veterinary Medicine  
Implanting Electronic Identification: Veterinary Technician

Dear Mr. Nyce,

Please find enclosed a letter that we wrote to Teresa Lazo-Miller, Counsel, State Board of Veterinary Medicine on July 29, 2003 objecting to the use of any noncertified employees in a veterinarian's office implanting electronic identification, known as a "microchip" into dogs.

We believe that this letter states clearly the reasons that we have to be concerned about the use of unqualified people with no formal training inserting a large needle into our dogs. We have a microchip put into our dogs in order to identify them should they get lost. If the chip is registered with a national tracking organization, then the owner could be located from anywhere in the country. If the chip is used also for the purpose of obtaining a "lifetime" license from the Pa. State Bureau of Dog Law Enforcement, then the owner can also be located in our state and the owner is also in compliance with our dog licensing laws. In effect, we do all of this to protect our beloved pets. They should NOT be subjected to just any person who happens to be working in the veterinarian's office.

In addition to the physical insertion of the large needle and the microchip, the person doing that must also properly fill out the paperwork needed both for the national registry and for the State Lifetime License and give the correct information to the dog's owner. If it is not done correctly, then the whole procedure is worthless.

The Rules and Regulations for Act 225, The Dog Law, regarding the microchip states; (E) (1) "The dog owner shall have a microchip implanted in the dog by a licensed veterinarian or by a licensed kennel owner. The new Veterinary Practice Act states that; the "Practice of veterinary medicine" includes the practice by any person who (i) diagnose, treats, corrects, changes, relieves or prevents animal disease etc, including the prescription or administration of any drug, medicine, biologic, apparatus, etc. Further under (v) "offers, undertakes, or holds himself out as being able to diagnose, treat, operate, vaccinate etc. Further under (viii) " implants electronic identification, as determined by the board, upon any animal".

It would seem the these two statements somewhat contradict each other when one allows a state licensed kennel owner to implant a microchip and the other one does not address that possibility. We do not know if that problem has been reconciled. We, certainly, never considered that the phrase "as determined by the board" would mean what the proposed rule would allow a non-certified employee to do it if the veterinarian is (somewhere) on the premises.

When we take our dogs to the veterinarian, we expect that our pets will receive the finest

Dotsie Keith, Legislative Chairman • Box 67, Furlong, PA 18925 • (215) 794-7173


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care. As for the "Fiscal Impact", we are paying for the services of the veterinarian and are charged the office visit fee, regardless of the person who attends our pets. We will not be charged any less because a non-certified employee does the implanting, though that is implied in the Fiscal Impact statement. As noted, we have agreed to allow a certified veterinary technician to do this. Maybe the best comparison is to having a registered nurse give us a needle or allowing the cleaning person to do it too, if the doctor has instructed them and is somewhere in the hospital. I do not believe that anyone would find that an acceptable medical practice.

If the veterinarians in our state would set up low cost clinics to implant microchips in order to have more dogs protected, then that would be wonderful! However, we have found that they do not even approve of communities holding low cost Rabies clinics that would help protect not only the pets but, even more importantly, the citizens of Pennsylvania from this deadly disease.

Please keep us informed as to the outcome of these proposed rules and regulations. They will affect all of the owners of dogs in our state. Thank you for giving us the opportunity to be heard.

Sincerely,



Dotsie Keith, Legislative Chairman  
Pa. Federation of Dog Clubs, Inc.

cc: Mr. Robert Kline, State Board of Veterinary Medicine  
Senator Robert M. Tomlinson, Chairman, Consumer Protection & Professional Licensure  
Committee  
Representative Mario J. Civera, Jr., Chairman, House Professional Licensure Committee



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July 29, 2003

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Teresa Lazo-Miller, Counsel, State Board of Veterinary Medicine  
Department of State, Legal Office  
2601 North Third St., P.O. Box 2649  
Harrisburg, Pa. 17105-2649

RE: Proposed Veterinary Regulations #16A-5715, Implanting Electronic Devices

Dear Ms. Lazo-Miller,

Thank you for giving us the opportunity to comment on these regulations about who may implant a microchip when a veterinarian is to be used. The new rules and regulations for Act 225, the Dog Law regarding the use of a microchip for the Lifetime Dog License only allows implanting by either a veterinarian or a licensed kennel owner.

We realize that this can be limiting in a veterinary situation. Therefore, we do agree that a microchip or electronic identification device could be implanted by a trained, certified animal health technician under direct or indirect veterinary supervision. We do not, however, believe that noncertified employees should be allowed to do this even with direct or immediate veterinary supervision.

Our concerns about the use of noncertified employees for implanting this device in a medical setting are due to the following:

1. When a dog owner takes their pet to their veterinarian, it is with the expectation that any invasive procedures such as this will be done either by a veterinarian or by someone who is trained and certified, not by just anyone in the office. The dog owner is paying for the services and skills of that veterinarian and their qualified staff.
2. The needle used for inserting a microchip into the skin is quite large, unlike those used for inoculations. If care is not taken, the microchip can pop back out. The microchip then must be tested with a scanner to ensure that it is in its proper place and can be read. This does require training, but it can be done by lay people who also understand the need for following proper sanitation practices. A certified person could qualify in these areas.

Though a dog owner may also have their pets microchipped by a licensed kennel owner or at an animal shelter for the purpose of purchasing a Lifetime Dog License, an owner usually expects a higher level of expertise from a veterinarian's office and should receive it.

Sincerely,

Dotsie Keith, Legislative Chairman



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FAX COVER SHEET

DATE: March 19, 04 FAX NO: 717-783-2664  
TO: Independent Regulatory Review Commission  
ATT: Mr. Robert Nye, Executive Director  
RE: Proposed Rulemaking, State Board of Veterinary Medicine  
FURTHER INFORMATION: Implanting Electronic Identification  
These letters state our objections to the proposal  
that noncertified employees of veterinarians be permitted  
to implant microchips into our dogs

ATTACHMENTS: Letter To I.R.R.C. Executive Director,  
Mr. Robert Nye and letter to Teresa-Lazo Miller,  
that was sent on July 29, 03

Please keep us informed about your decision on this  
important matter. Thank you.

Number of pages transmitted including cover sheet: 4  
Please call if you have problems receiving this FAX.

FROM: Dotsie Keith, Legislative Chairman

PHONE NO.: 215-794-7173 FAX NO.: 215-794-7498

Please confirm receipt of this FAX ☐ Hard copy to follow ☒