Pharmacy Fee Splitting with Veterinarians is Illegal

Minnesota veterinarians are governed by the Veterinary Practice Act, the Rules of the Board of Veterinary Medicine, and many of the Statutes and Rules of the Minnesota Board of Pharmacy. Both agencies have a primary mandate of public protection. Current regulations make it illegal for a veterinarian to do the following: Write a patient prescription to a pharmacy that then fills the prescription, charges the veterinarian the usual client price for that medication, ships it to the veterinarian, who then marks up the price and sends the medication to the client. This practice is fee splitting, and price gauging, and a violation of the regulations of both the veterinary and pharmacy boards. Similarly, it is a legal violation if a veterinarian has a pharmacy “hold” a stock of drugs for that veterinarian wherein the drugs can be dispensed to the client at whatever price the veterinarian chooses. The pharmacy then fills the prescription and sends or dispenses the drug to the client. If the pharmacy then sends the veterinarian the difference between the regular price and the price set by the veterinarian, this is also considered fee splitting. The argument that these practices are needed as sources of revenue for veterinarians is not legally justifiable.

An analogous scenario for drug prescribing and dispensing for humans helps us see why fee splitting for prescription drugs is unfair to the public. Imagine that a physician writes a prescription for a patient with no health insurance. The patient takes that prescription to a pharmacy to be filled. The physician tells that pharmacy to charge the unsuspecting patient more than the regular price of the drug. The pharmacy then sends the physician the difference between what the patient was charged and what the regular price of the drug would be. If discovered, the pharmacy and pharmacist would be accountable for breaking the laws. The physician would be deemed to have deceived the client and committed fraud. The same legal interpretations apply to compounded medications. To review the wording of the pertinent regulations, use the Minnesota Revisor’s website, https://www.leg.state.mn.us/ to look up Statutes 151.071. Disciplinary Action, Subdivision 2. (17) and (18); Rule 6800.3000. Prescriptions and distribution of drugs; and Rule 9100.0700. Unprofessional Conduct, Subpart 1. B.

Naloxone for Police Dogs

Narcotic detection dogs are at high risk of collapse and death from exposure to opioids, particularly fentanyl and carfentanil. As with humans, rapid naloxone treatment can save a canine life. Emergency administration by law enforcement and emergency responders for this purpose is permitted by the Boards of Veterinary Medicine and Pharmacy. This University of Illinois video provides more information: https://www.youtube.com/watch?v=A1108zZF6nc&feature=youtu.be