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April 4, 2012

The Honorable Mary Hayashi
Chair, Assembly Business and Professions Committee
State Capitol, Room 3013
Sacramento, CA. 95814

RE: AB 2304 - Garrick: Pets: Cosmetic teeth cleaning – Oppose

Dear Chairwoman Hayashi,

The California Veterinary Medical Association (CVMA) is strongly opposed to AB 2304 by Assemblyman Garrick, which would allow an unlicensed individual to perform veterinary dentistry with the use of a hand scaler, to clean the teeth of a "household" pet.

According to the California Veterinary Medical Board (VMB), "The use of a scaler by an unlicensed or unregistered person not under supervision of a California licensed veterinarian has been illegal since May 1990 when 'Section 2037 Dental Operation, Defined', became effective." The VMB further states that "The use of a scaler is the practice of veterinary medicine; however, the use of a scaler by an unlicensed person is not illegal IF it is done under the supervision of a California licensed veterinarian."

In 2011, the VMB drafted regulations to insert the term "scaler" into the definition of a "Dental Operation" due to the ongoing use of scalers by unlicensed individuals not under the supervision of a veterinarian. These regulations are currently being prepared for final submission and review by the Department of Consumer Affairs (DCA), the State and Consumer Services Agency, and finally the Office of Administrative Law. The CVMA strongly supports this regulatory package, as it is in the best interest of the consumer, and California's animals. AB 2304 would nullify these pending regulations.

Veterinarians are medical doctors, licensed and regulated by the state to provide medical and surgical care to animals. Prior to treating any animal, a veterinarian must conduct a physical examination to determine the health of the animal and develop a treatment plan in consultation with the owner. Lack of a physical exam and the absence of continual supervision by the veterinarian during treatment can result in serious harm to the animal. For example, a dog with congestive heart failure would be at considerable risk if it were forcefully restrained in a tightly wrapped towel or squeezed between a person's knees – a practice commonly done by so-called "Pet Dental

Hygienists.” Many dogs with this medical condition will appear healthy to a lay person, however, even minor stress or exertion can result in serious breathing problems and even death. Another group of dogs that are at risk are the brachycephalic or “flat nosed” breeds, such as Pugs, Boston Bull Terriers and Pekinese dogs. Due to their anatomy, many of these dogs are at risk of respiratory distress and ocular injury if restrained improperly. Only a veterinarian can determine the risk-reward of a dental procedure, taking into consideration the overall health of the animal.

Additionally, use of a hand scaler can lead to serious harm. Dental scaling, even to remove plaque and calculus above the gum line, has the potential to flood a patient’s blood stream with bacteria. This condition, called “bacteremia,” can cause irreversible heart disease, as well as kidney and joint infections, and significant inflammatory reactions that may predispose patients to other health issues. A hand scaler is also a sharp instrument that can cause serious injury. If an animal struggles or the unlicensed person attempts to get too close to the gum line, the result can be painful lacerations to the gums and other soft tissues of the mouth.

Pet owners are led to believe by those who offer “cosmetic teeth cleaning” services that they are performing an important service for their pets when, in fact, “cosmetic dentistry” can lead to serious health complications. Many owners end up bringing their dogs to a veterinarian with periodontal disease resulting in multiple tooth extractions leaving the owners upset and frustrated.

Consumers are barraged with misleading advertising from “anesthesia free teeth cleaners” who call themselves “pet dental hygienists,” “animal dentists,” or, on one website the service is advertised as: “Quality and service compares to Human Dental Hygiene.” As the committee is aware, the state and the DCA do not recognize the titles, “pet dental hygienist” nor “animal dentist,” etc. Furthermore, these designations are title protected in the California Dental Practice Act.

AB 2304 provides no safeguards for the public or protection for animals. If passed, this law would allow an unlicensed person to use non-sterile dental instruments in an unsanitary facility without veterinary supervision. The pet owner would not be able to file a complaint with a state agency if their animal was injured or killed during a procedure because there would be no regulatory oversight. This would be a major step backwards in consumer and animal protection.

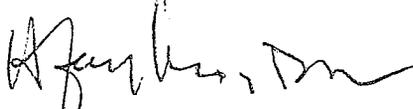
In 2010, the CVMA conducted a survey on unlicensed activity of more than 7,000 veterinarians and received more than 1,500 responses. Many veterinarians responded that harm to animals, specifically by independent anesthesia-free teeth cleaners, was one of the most prevalent problems they had personally seen and treated in their practices. A sampling of their comments in response to what type of injuries they have seen and other observations included:

- “Dog with cardiac disease arrested and died while at anesthesia free dental”
- “Heart failure after ‘non-anesthesia cleaning’”

- "Tooth root abscesses developed after a dentistry done at a grooming facility"
- "Unfortunately my client allowed her dog to have anesthesia free teeth cleaning for many weeks. Finally they told her the dog's teeth were too bad to clean. She came to us for help. We had to pull 22 teeth that were completely rotted away at the roots."
- "Most clients don't want to make a complaint and get their groomer, boarding facility, etc. mad at them."
- "Owners rarely report because of fear of pressure or embarrassment."
- "These pets are suffering with pain and infection for years because the owners think they are taking care of the teeth when in fact the treatment they received was purely cosmetic."

The California Veterinary Medical Association strongly opposes AB 2304, as the measure will result in harm to both animals and the public.

Thank you for your consideration,



H. Jay Kerr, DVM
President, CVMA

cc: Mike Dillon, CVMA Lobbyist
Christina DiCaro, CVMA Lobbyist
Assemblyman Martin Garrick
Assembly Business and Professions Committee
Rebecca May, Assembly Business and Professions Committee
Ted Blanchard, Assembly Business and Professions Committee
Susan Geranen, Executive Officer, Veterinary Medical Board