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**Testimony on HB 2030 to
The House Agriculture and Natural Resources Committee
By Dr. Bill Brown, Animal Health Commissioner
Kansas Department of Agriculture
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Good morning, Chairman Schwartz, and members of the committee. I am Dr. Bill Brown, Animal Health Commissioner at the Kansas Department of Agriculture. I am testifying in support of HB2030. This bill, as introduced, has the endorsement and support of the Pet Animal Advisory Board. The board has taken an active role and supports each of the components included in this legislation.

The animal facilities inspection (AFI) program is dedicated to supporting the companion animal industry in Kansas. The AFI program regulates companion animal facilities required to be licensed under the provisions of the Kansas Pet Animal Act. The Act requires licensing and inspection of all dog and cat breeders that produce, offer or sell three or more litters during a fiscal year. Pounds and shelters, pet shops, research facilities, distributors, out-of-state distributors, boarding facilities and animal rescues are also included. AFI also registers pet animal foster homes that serve to assist animal shelters and rescues. AFI program staff maintains licenses, health papers and correspondence pertaining to the program.

As of the beginning of February 2015, there are 949 active AFI licenses in Kansas and over 860 registered pet animal foster homes. In fiscal year 2014, the program completed approximately 888 inspections (1012 attempted) with an 86.6% percent pass rate on the first inspection.

There are some areas in the Kansas Pet Animal Act that will require legislative action to affect necessary change for the program. First, animal breeders and distributors licensed with the U.S. Department of Agriculture (USDA) are exempt from KDA “adequate veterinary medical care” requirements in K.S.A. 47-1701(dd)(4). This creates two primary concerns:

- Many of these USDA facilities are also licensed with KDA, but our inspectors do not get access to USDA veterinary care records for these facilities. This is a challenge for state inspectors.
- In 2012, the Kansas legislature added the “failure to provide adequate veterinary medical care” or “the failure to maintain or provide documentation of the provision of adequate veterinary medical care” as reasons the Commissioner may suspend or revoke a permit in K.S.A. 47-1706. If the veterinary medical care requirement does not extend to USDA licensees then neither will the ability to suspend or revoke a state license if the requirements are not being met.

Another area of concern is the number of licensee categories. By clearly identifying specific categories for licensure, the process will be made simpler and less confusing with no negative impact on licensees. We currently have the following four licensing categories: Animal Breeder without a USDA License; Animal Breeder with a USDA License; Retail Breeder License without a USDA License and Retail Breeder License with a USDA License. Moving forward this licensing process would be streamlined into two categories: Breeders with a USDA license and Breeders without a USDA license. In addition, this bill combines group foster home shelters and rescues in to one category called a rescue network.

AFI makes up 18 percent of the animal health budget but receives 47 percent of the animal health state general fund (SGF) dollars. Animal disease control programs receive fee revenue that funds 80 percent of their budget and the brands program receives fee revenue that funds 100 percent of their budget. AFI only funds 44 percent of its budget with fees. In order to meet our regulatory obligations, KDA supports increased fee caps to allow fees to be set at an appropriate level to properly fund the AFI program. The fee caps in the bill were suggested, voted on and approved by the Kansas Pet Animal Advisory Board. This fee increase is in addition to measures to cut costs and increase efficiencies and is necessary to keep the level of oversight and service currently provided.

Inspecting pet animal facilities to assure the health, safety and welfare of the animals is an important responsibility for the Kansas Department of Agriculture. Current statute states the Animal Health Commissioner or the Commissioner's authorized, trained representative may inspect licensed premises. In an effort to establish inspection frequency standards that are necessary yet fiscally achievable, KDA supports legislation to state that the commissioner or the commissioner's authorized, trained representative shall inspect licensed premise at a frequency established by the secretary through rules and regulations. This is in line with language used in other KDA programs.

Under new legislation animal shelters and rescue networks that use pet animal foster homes will be required to ensure individuals that provide temporary care to animals under their supervision comply with the Kansas Pet Animal Act.

Finally, the AFI program licenses shelters and rescue networks by facility location and any pet adoptions must be completed at the licensed facility. This causes unnecessary challenges for mobile adoption events. To solve the issue, KDA supports allowing licensed shelters and rescue networks to host mobile adoption events.

The AFI program and the Kansas Pet Animal Advisory board working in cooperation have drafted this legislation that we believe will help keep the Kansas Companion Animal industry in the forefront.

Thank you for the opportunity to speak with you today. I will stand for questions at the appropriate time.