



GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. (JAY) NIXON  
GOVERNOR

P.O. Box 720  
(573) 751-3222

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 566, entitled:

AN ACT

To amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

I disapprove of Senate Committee Substitute for Senate Bill No. 566. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 566 would introduce confusion and conflict into the process by which rabies is detected and treated, a process which is already provided for in Missouri law and which effectively protects Missourians who may have been exposed to rabies.

Rabies is an invariably fatal disease for humans unless timely treatment is administered. A clear, quick, and comprehensive detection process, which includes testing of suspect animals, is therefore critical. Missouri has such a process. Section 322.140, RSMo, sets forth a multidisciplinary approach in which the Missouri Department of Health and Senior Services has the authority, in consultation with veterinarians, local law enforcement, health officials, and health care providers, to confiscate a suspect animal and order testing or other measures deemed appropriate. The scientifically-accepted method for definitively confirming rabies in an animal requires examining brain segments, a process that necessitates the death of the suspect animal. Under current law, public health veterinarians and communicable disease epidemiologists at the Department discuss each case with local health officials, veterinarians, and the medical doctors treating people who may have been exposed to rabies. This multidisciplinary approach properly takes into account both the health of the patient and the condition of the animal. The approach also adequately protects public health.

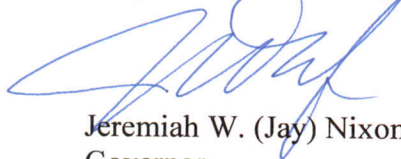
Senate Committee Substitute for Senate Bill No. 566, by contrast, creates an ambiguous, competing process for detecting and treating rabies, one that does not supplant what is already provided for in law. By itself, this new and unnecessary process is inadequate to protect the public. Paired with the already existing process, the new provisions will create unwarranted – and most certainly unintended – consequences for Missourians who may become exposed to rabies.

This legislation would give a veterinarian the unilateral authority to determine whether a suspect animal should be euthanized when the veterinarian “deems it necessary for the immediate health of the injured person.” Replacing a multidisciplinary team with a single decision-maker would place Missourians who may have been exposed to rabies at significant risk. Veterinarians play an important role in Missouri’s system of detecting rabies. But just as a medical doctor lacks the expertise necessary to assess a suspect animal, a veterinarian lacks the expertise necessary to assess the condition of the potentially infected person. That is why the multidisciplinary approach provided by the current law must be preserved.

Moreover, the legislation uses ambiguous terms in establishing this new process. For instance, the “reasonable suspicion” that would trigger the process is undefined and will likely lead to confusion. Similarly, the “proper authorities” to which the owner of a suspect animal must surrender the animal are not specified. Rather, a non-exhaustive list of possible examples – law enforcement officer, public health officer, or veterinarian – is included. For a disease that is fatal without the administration of swift treatment, detection should require a more certain process, like the one currently in place. This legislation undermines the existing process and exposes Missourians to the risk of not receiving life-saving treatment. There is no compelling justification for disrupting the system already provided for in Missouri law.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 566 without my approval.

Respectfully submitted,



Jeremiah W. (Jay) Nixon  
Governor