

**Testimony of the Hawaii Board of Veterinary Medicine**

**Before the  
Senate Committee on Commerce & Consumer Protection  
Wednesday, March 17, 2021  
9:30 a.m.  
Via Videoconference**

**On the following measure:  
H.B. 1086, H.D. 1, RELATING TO VETERINARIANS**

Chair Baker and Members of the Committee:

My name is Chelsea Fukunaga, and I am the Executive Officer of the Hawaii Board of Veterinary Medicine (Board). The Board supports this bill.

The purposes of this bill are to amend Hawaii Revised Statutes chapter 471 to: (1) provide veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence; (2) provide veterinarians who render emergency treatment, when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence; (3) require veterinarians to report events of animal injury, death, or abuse to law enforcement where there is reasonable cause to believe the event relates to dogfighting or animal abuse; and (4) give veterinarians immunity for civil liability for making these reports.

The Board supports this bill because it will effectuate the protection of animals, and the protections afforded for emergency care will benefit both veterinarians and the public. While the Board had some concerns that the reporting requirement will affect confidentiality between the veterinarian and the client, the overriding concern of protecting animals and the public will be served, based on correlations accepted in the profession between animal abuse and domestic abuse.

Thank you for the opportunity to testify on this bill.



## Hawaiian Humane Society

People for animals. Animals for people.

2700 Waialae Avenue Honolulu, Hawaii 96826  
808.356.2200 • [HawaiianHumane.org](http://HawaiianHumane.org)

Date: March 12, 2021

To: Chair Sen. Rosalyn H. Baker  
Vice Chair Sen. Stanley Chang  
and Members of the  
Committee on Commerce and Consumer Protection

Submitted By: Stephanie Kendrick, Public Policy Advocate  
Hawaiian Humane Society, 808-356-2217

RE: Testimony in strong support of HB 1086, HD1: Relating to Veterinarians  
Wednesday, March 17, 2021, 9:30 a.m., Capitol Room 229

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Aloha Chair Baker, Vice Chair Chang and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our enthusiastic support for House Bill 1086, HD1, which affords veterinarians who provide emergency care to an animal with immunity from civil liability; provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship with immunity from civil liability; and requires veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe that it relates to dog fighting or animal abuse.

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

This law would have benefited a small stray dog who came to our Mō'ili'ili campus a few weeks ago in rough shape. She had apparently been homeless, or neglected, for a long time. Her hair was badly matted and, among her more visible injuries, she had a prolapsed eye, meaning one of her eyes had popped out of its socket.

The pup had no identification, but Hawaiian Humane would not have legal custody of her until the 48-hour hold had expired. Since no owner could be reached, our chief veterinarian could not

secure permission to sedate her and perform an enucleation surgery, which would remove the damaged eye and set her on the road to recovery. Our staff took measures to ease her pain and waited out the hold period.

Named Ariel by our staff, she was unclaimed and finally got the care she needed. This measure would have allowed our team to operate two days earlier, which they badly wanted to do.

Some have argued that this measure is not needed because HRS471 already has protections for people who render emergency aid to animals, but that is a misinterpretation of the law. HRS471-2 allows the general public to render emergency aid to an animal without risking a charge of practicing veterinary medicine without a license. This bill would extend Veterinary Good Samaritan protections, which are common in other states, to our local veterinary community.



After recovering from multiple surgeries, Ariel found a new family the day she was made available for adoption.

Hawaiian Humane also strongly supports the bill's requirement of mandatory reporting of suspected animal cruelty. Animal cruelty is an underreported crime and giving local veterinarians protection from civil liability when reporting suspected abuse will give law enforcement expert eyes and ears on the frontlines of animal care.

Research stretching back decades has established links between violence against animals and the abuse of people - especially children, domestic partners and elders.

- In one study of families under investigation for child abuse, co-incidence of animal abuse ranged from 60% to 88%. These families utilized veterinary services at rates similar to non-abusive households. (Deviney, Dickert, & Lockwood, 1983).
- An Australian study reported that in 23% of cases where veterinarians suspected animal abuse, other forms of family violence were either known or suspected. (Gullone & Clarke, 2005).
- The public is more likely to report suspected animal abuse to their veterinarian than to humane societies or law enforcement agencies. (Enns, 2006)

Veterinarians should not have to fear retaliation for doing the right thing. The mandatory reporting provisions of this bill are similar to those requiring physicians, teachers and others to report suspected child abuse and they will help to protect our entire community.

This bill has strong community support and no public opposition. We urge the committee to amend the bill to take effect immediately upon passage. Mahalo for your consideration.

**HB-1086-HD-1**

Submitted on: 3/15/2021 1:40:53 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Inga Gibson	Testifying for Pono Advocacy	Support	No

Comments:

March 17, 2021 930am

**SUPPORT HB1086; Relating to Veterinarians**

**Dear Chair Baker and Members of the Senate Commerce & Consumer Protection Committee:**

Thank you for the opportunity to testify in support of HB1086. It is important that the law empower veterinarians to report suspected animal cruelty when they encounter signs of abuse in their practice. Not only are veterinarians often the only witnesses to animal abuse, but they are uniquely qualified to identify the signs of cruelty.

As of 2020, 19 states require veterinarians to report suspected animal cruelty, and most of those states also grant civil immunity to veterinarians who report. Thirty-one states, either explicitly or implicitly, permit veterinarians to report suspected animal cruelty.

This bill also provides important protections to our veterinary professionals when they assist in an emergency involving animals, similar to good samaritan protections afforded medical doctors.

Thank you for your consideration of this testimony.

Inga Gibson, Policy Director  
Pono Advocacy LLC  
808.922.9910  
PonoAdvocacy@gmail.com  
www.PonoAdvocacy.com



## Humane Society Veterinary Medical Association Fact Sheet: *Veterinary Reporting of Animal Abuse in Hawaii*

### **Connection between animal abuse and human violence**

A strong link between animal abuse and violence against humans has been well established. When animals are abused, humans are at risk. When humans are abused, animals are at risk. The research indicates that animal abuse is often concurrent with other forms of violence in the home such as child abuse, spousal and domestic partner violence, and elder abuse. For example, multiple studies have shown that more than 70% of battered women report that abusers hurt, killed or threatened their pets to control them and their children.

### **Physicians have been required to report human abuse for nearly six decades**

Beginning in the 1960s, all states now require physicians who suspect domestic violence or abuse to file a report with the appropriate law enforcement authorities. In any court proceeding or administrative hearing, the physician-patient privileges do **not** apply to the information required to be reported and the practitioners are granted immunity from civil and criminal liability. Additionally, an increasing number of states are requiring veterinary professionals to cross-report child or elder abuse. It makes sense that veterinary professionals should similarly be required to report animal abuse.

### **Veterinarians are key to recognizing and reporting animal abuse**

Veterinarians are in a unique position to closely observe animals who may otherwise be hidden from public view. As experts in the health and well-being of animals, veterinarians—by early reporting of signs of suspected abuse—can help animals at the earlier stages of abuse, preventing more serious harm. Furthermore, reported animal abuse cases can be first points of intervention in human violence cases.

### **Animal abusers do seek veterinary care for animals they have neglected and/or abused**

It is a misconception that abusive pet owners don't take their abused pets to veterinarians. Research indicates that veterinary care for animals from abusive households is consistent with the level of veterinary care provided to the general population. A survey of veterinarians found: 87% of responding veterinarians had treated abused patients; 60% had treated an animal they suspected had been severely or intentionally abused; 50% had seen from one to three abuse cases a year; and 20% had clients they suspected were being abused themselves. A thorough physical examination of an animal patient should include cognizance of physical and behavioral signs of abuse, and non-accidental injury should be on every veterinarian's list of diagnostic differentials.

### **Veterinary responsibility to report animal abuse**

**Professional responsibility:** Many professional groups encourage veterinarians to report animal abuse. For example:

*"The Humane Society Veterinary Medical Association urges all veterinarians to report suspected cases of animal cruelty, whether it be in the form of passive neglect or active, malicious abuse, to the proper officials charged with investigating and prosecuting such incidents."*

*"The Canadian Veterinary Medical Association holds that veterinary professionals... have a duty to protect the health and welfare of animals. This includes addressing any and all first-hand observations leading to suspicion of animal abuse and/or neglect. This includes, but is not limited to, reporting of suspected abuse to the appropriate law enforcement authorities."*

*"The American Animal Hospital Association supports reporting of suspicions of animal abuse to the appropriate authorities when education is inappropriate or has failed."*

**Ethical responsibility:** Animals deserve freedom from pain and violence in their own right. Veterinarians have an ethical responsibility to try to end animal suffering. The Veterinarian's Oath calls on veterinarians to work for "the prevention and relief of animal suffering."

**Community responsibility:** The link between animal abuse and violent human behavior has been well established. Veterinarians have a community responsibility to help protect animal health and welfare and to help end animal abuse--and by doing so, possibly human abuse, also--within their clients' families.

### **Veterinarian-client-patient confidentiality is not compromised by good-faith reporting of suspected abuse**

It is understood that veterinarian-client-patient confidentiality privileges do **not** apply to the information reported in animal abuse cases. Good-faith reporting requires only that a reasonable suspicion of abuse exists. Practitioners are generally granted immunity from civil and criminal liability for this reporting, and immunity is essential to maximize veterinary reporting. Although reporters of abuse are encouraged to identify themselves, anonymous reporting is, generally, an acceptable alternative for veterinarians.

### **Educating clients about animal cruelty vs. reporting them for it**

Animal abuse in the form of passive neglect (e.g., lack of food, water, shelter or proper veterinary care) may be unintentional and due to client ignorance. These cases of inadvertent neglect can often be resolved with appropriate client education. However, passive neglect can also be a deliberate form of animal abuse. Furthermore, seemingly accidental injuries may, in fact, be non-accidental and deliberate in origin.

When deciding whether to educate or report animal abuse, a veterinarian should consider factors such as client attitude (do they express concern or indifference?), medical history of injuries (in multiple animals or multiple injuries in the same animal?), estimated duration of the presenting medical problem (any evidence of old, healing or multiple fractures?), and the severity and total number of patient medical problems.

### **The pivotal role of the veterinarian in an animal cruelty investigation**

Veterinarians can play a pivotal role in animal cruelty investigations. They can assist in proving that animal abuse actually occurred; establish that animal injuries are a result of crime and are not accidental; substantiate illness due to willful neglect, rather than disease; and corroborate long-term abuse, rather than a simple one-time injury.

The most important function of a veterinarian in an animal cruelty investigation is to provide forensic support in the form of detailed record-keeping: physical examination, history-taking, photographs, imaging, diagnostics and the chain of custody, including timelines. Proper collection of evidence by the veterinarian is often key to successful prosecution of an animal abuse case. Veterinarians can also testify as medical expert witnesses in court for the prosecution.

### **Why a Hawaii law mandating reporting of animal cruelty by veterinarians is needed**

Requiring veterinary reporting of animal abuse is a way to highlight the urgency and importance of this issue and to assign it a high societal priority. Additionally, veterinarians must report abuse since they are often the first to see an abused animal and can help prevent further mistreatment of the animal as well as possible violence against humans in the home. Finally, veterinarians need to know this legal mandate is in place, along with immunity protections, so that there is no reason not to put a stop to a cycle of violence against an animal and potentially humans as well.

### **Precedent for state laws regarding veterinary reporting of animal abuse**

Twenty states already have laws that specifically require veterinary professionals to report suspected animal abuse. A companion immunity provision, shielding them from civil and/or criminal liability, is generally provided for veterinarians in these states. The remaining 30 states permit—either explicitly or implicitly—veterinarians to report. In addition to state law reporting requirements, there may be administrative regulations regarding the professional responsibility to report animal cruelty or suspected abuse.

### **Training for veterinary professionals in animal abuse reporting**

With growing awareness and concern about this issue, more resources designed to help veterinarians in recognizing, documenting and reporting suspected cases of animal abuse—including continuing education conferences, webinars, professional associations and both print and on-line reference materials—have become available. Go to [www.hsvma.org/resources](http://www.hsvma.org/resources) for more information.



# HAWAII ASSOCIATION OF ANIMAL WELFARE AGENCIES

*Hawaii Island Humane Society / Hawaiian Humane Society / Kauai Humane Society / Maui Humane Society / Molokai Humane Society*

Date: March 12, 2021

To: Chair Sen. Rosalyn H. Baker  
Vice Chair Sen. Stanley Chang  
and Members of the  
Committee on Commerce and Consumer Protection

Submitted By: Hawaii Association of Animal Welfare Agencies

RE: Testimony in strong support of HB 1086: Relating to Veterinarians  
Wednesday, March 17, 2021, 9:30 a.m., Capitol Room 229

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The Hawaii Association of Animal Welfare Agencies supports the passage of House Bill 1086, HD1, which provides veterinarians who render emergency care to an animal immunity from civil liability; and requires veterinarians to report suspected animal abuse to law enforcement and gives veterinarians immunity from civil liability when reporting.

HAAWA's members include the largest animal shelters in each of the four counties, as well as the leader in pet animal spay/neuter on Molokai. Our independent local nonprofits are united in support of this change in policy.

All of our members have compassionate veterinarians on their teams who support the veterinary Good Samaritan provisions of this measure, which would allow them to provide care to injured animals immediately, even if an owner cannot be found. Three of our members are responsible for enforcing animal cruelty laws in their respective counties. The mandatory reporting provisions of this bill would give our humane officers expert witnesses on the frontlines of animal care, better enabling us to rescue animals in need and bring abusers to justice.

We urge you to pass HB 1086, HD1. Mahalo for your consideration,

Hoala Davis, *Executive Director, Molokai Humane Society*

Elizabeth Jose, DVM, *Chief Executive Officer, Hawaii Island Humane Society*

Steve MacKinnon, *Chief Executive Officer, Maui Humane Society*

Anna Neubauer, *President and Chief Executive Officer, Hawaiian Humane Society*

Nicole Schafer, *Executive Director, Kauai Humane Society*

Wednesday, March 17, 2021

9:30 a.m.

Conference Room 229

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Senate Committee on Commerce and Consumer Protection

Aloha Chair Baker, Vice Chair Chang and members of the committee,

I want to express my strong support for House Bill 1086 HD 1.

Veterinary Good Samaritan protections are common in other states and mandatory reporting of suspected animal cruelty is growing more common because of research establishing links between violence against animals and the abuse of people - especially children, domestic partners and elders. Studies also have found that the public is more likely to report suspected animal abuse to their veterinarian than to a humane society or law enforcement agency.

Animal cruelty is an underreported crime and compelling veterinarians to report suspected abuse in return for protection from civil liability will give law enforcement expert eyes and ears on the frontlines of animal care.

I strongly support this bill for the veterinarian community. It allows for compassionate care without the fear of civil liability. Please see the benefit of this bill for our community of pets.

Mahalo.

D'Arcy Kerrigan

3744 Mariposa Dr

Honolulu, HI 96816



Pass HB1086 HD1 Relating to Veterinarians

DATE: Wednesday, March 17, 2021

TIME: 9:30 AM

PLACE: Conference Room 229 & Videoconference

Aloha Chair Baker, Vice Chair Chang and members of the committee:

I strongly support HB1086 HD1 Relating to Veterinarians

Veterinarians and their teams play a critical role in serving our community and animals. In many cases they are front-line witnesses in suspected animal cruelty cases. They are the voice for animals who cannot speak for themselves.

This Veterinary Good Samaritan/Mandatory Reporting measure will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability. It will also require them to report suspected animal cruelty. This underreported crime, which typically takes place behind closed doors, is often a sign that people are being abused as well.

I ask you to vote for this measure. Mandatory reporting will help to protect our entire community and fosters a culture of "see something-say something", which is crucial to public safety.

Please pass this bill. Thank you for the opportunity to submit testimony.

Sincerely,

Taurie Kinoshita

1524 Pensacola St Apt 119

Honolulu, HI 96822

Regarding House Bill 1086 Relating to Veterinarians

Dear Senator Rosalyn Baker, Senator Stanley Chang, and Members of the Senate Committee on Commerce and Consumer Protection,

I am writing in strong support of House Bill 1086 HD 1.

Veterinarians should not have to risk their livelihoods to help animals in need or fear retaliation for doing the right thing. Please pass these veterinary Good Samaritan protections and mandatory reporting requirements so our veterinarians will be shielded from civil liability for helping injured animals and reporting animal cruelty. Mandatory reporting of these crimes will help to protect our entire community by alerting law enforcement to threats against vulnerable animals and people.

Please pass HB 1086 HD 1. Mahalo for your consideration.

Sincerely,

Ashley Wilcox  
45 Pualu Loop  
Lahaina, HI 96761

Date: Wednesday, March 17, 2021

Time: 9:30 a.m.

Place: Conference Room 229and Videoconference

Aloha Senator Baker, Senator Chang, and committee members,

I am writing in strong support of House Bill 1086, which affords veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence, provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship immunity from civil liability in the absence of gross negligence and requires veterinarians to report events of animal injury, death, or abuse to law enforcement where there is reasonable cause to believe that it relates to dogfighting or animal abuse and gives veterinarians immunity for civil liability for making the reports.

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

Please pass this important bill to protect our veterinarians and animals of Hawaii.

Mahalo!

joanna milo

87-576 Manuu St

Waianae, HI 96792

SUPPORT HOUSE BILL 1086 HD 1

Date: Wednesday, March 17, 2021

Time: 9:30 a.m.

Place: Conference Room 229and Videoconference

Aloha Senator Baker, Senator Chang, and committee members,

I am writing in strong support of House Bill 1086, which affords veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence, provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship immunity from civil liability in the absence of gross negligence and requires veterinarians to report events of animal injury, death, or abuse to law enforcement where there is reasonable cause to believe that it relates to dogfighting or animal abuse and gives veterinarians immunity for civil liability for making the reports.

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

Please pass this important bill to protect our veterinarians and animals of Hawaii.

Mahalo!

Sincerely,

Serena Stefanic-Phillip  
53-330 Kamehameha Hwy  
Hauula, HI 96717

Please Pass House Bill 1086 HD 1 Relating to Veterinarians

Wednesday, March 17, 2021

9:30 a.m.

Conference Room 229

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

Senate Committee on Commerce and Consumer Protection

Aloha Chair Baker, Vice Chair Chang and members of the committee,

I want to express my strong support for House Bill 1086 HD 1

Veterinary Good Samaritan protections are common in other states and mandatory reporting of suspected animal cruelty is growing more common because of research establishing links between violence against animals and the abuse of people - especially children, domestic partners and elders. Studies also have found that the public is more likely to report suspected animal abuse to their veterinarian than to a humane society or law enforcement agency.

Animal cruelty is an underreported crime and compelling veterinarians to report suspected abuse in return for protection from civil liability will give law enforcement expert eyes and ears on the frontlines of animal care.

Please pass House Bill 1086 to all veterinarians to provide emergency care to animals in need and protect the vets from civil liability. Similar to doctors, veterinarians have the best interest of their patients in mind, and need to be allowed to provide timely care when it's needed most. Waiting, for fear of being sued, could cost the lives of injured animals. Thank you!

Jennifer Ho

2502 Henry St

Honolulu, HI 96817

DATE: Wednesday, March 17, 2021

TIME: 9:30 AM

PLACE: Conference Room 229 & Videoconference

Aloha Chair Baker, Vice Chair Chang and members of the committee:

I strongly support HB1086 HD1 Relating to Veterinarians

Veterinarians and their teams play a critical role in serving our community and animals. In many cases they are front-line witnesses in suspected animal cruelty cases. They are the voice for animals who cannot speak for themselves.

This Veterinary Good Samaritan/Mandatory Reporting measure will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability. It will also require them to report suspected animal cruelty. This underreported crime, which typically takes place behind closed doors, is often a sign that people are being abused as well.

I ask you to vote for this measure. Mandatory reporting will help to protect our entire community and fosters a culture of "see something-say something", which is crucial to public safety.

Please protect veterinarians from civil liability when rendering treatment to animals in need or reporting an incident. This bill is long overdue. Thank you for the opportunity to submit testimony.

Sincerely,

Janine Tully, President  
Windward Dog Park Hui  
45-035 Ka Hanahou Pl  
Kaneohe, HI 96744

Regarding House Bill 1086 Relating to Veterinarians

Dear Senator Rosalyn Baker, Senator Stanley Chang, and Members of the Senate Committee on Commerce and Consumer Protection,

I am writing in strong support of House Bill 1086 HD 1.

Veterinarians and their teams play a critical role in serving our community and animals. In many cases they are front-line witnesses in suspected animal cruelty cases. They are the voice for animals who cannot speak for themselves. This Veterinary Good Samaritan/Mandatory Reporting measure will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability. It will also require them to report suspected animal cruelty. This underreported crime, which typically takes place behind closed doors, is often a sign that people are being abused as well. I ask you to vote for this measure. Mandatory reporting will help to protect our entire community and fosters a culture of "see something-say something", which is crucial to public safety. Please pass this bill. Thank you for the opportunity to submit testimony.

**SUPPORT VETERINARIANS AND ANIMALS OF HAWAII**

Sincerely,  
Lahela Parker-Bailey  
1053 Ainalako Rd  
Hilo, HI 96720

DATE: Wednesday, March 17, 2021

TIME: 9:30 AM

PLACE: Conference Room 229 & Videoconference

Aloha Chair Baker, Vice Chair Chang and members of the committee:

I strongly support HB1086 HD1 Relating to Veterinarians

Veterinarians are vital supporting animal healthcare and their welfare. Many people look at their pets are family members. Just as healthcare providers, social services and teachers are required to report suspect child abuse; veterinarians should also have this immunity when there is suspicion of animal abuse.

This Veterinary Good Samaritan/Mandatory Reporting measure will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability. It will also require them to report suspected animal cruelty. This underreported crime, which typically takes place behind closed doors, is often a sign that people are being abused as well.

I ask you to vote for this measure. Mandatory reporting will help to protect our entire community and fosters a culture of "see something-say something", which is crucial to public safety.

Please pass this bill. Thank you for the opportunity to submit testimony.

Sincerely,

Melanie Kim  
2895 Kalakaua Ave Apt 1502  
Honolulu, HI 96815



Pass HB1086 HD1 Relating to Veterinarians

DATE: Wednesday, March 17, 2021

TIME: 9:30 AM

PLACE: Conference Room 229 & Videoconference

Aloha Chair Baker, Vice Chair Chang and members of the committee:

I strongly support HB1086 HD1 Relating to Veterinarians

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I ask you to vote for this measure. Mandatory reporting will help to protect our entire community and fosters a culture of "see something-say something", which is crucial to public safety.

Please pass this bill. Thank you for the opportunity to submit testimony.

Mahalo,  
Laurie Foster  
5002 Maunalani Cir  
Honolulu, HI 96816

SUPPORT HOUSE BILL 1086 HD 1

Date: Wednesday, March 17, 2021

Time: 9:30 a.m.

Place: Conference Room 229 and Videoconference

Aloha Senator Baker, Senator Chang, and committee members,

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Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

Please pass this important bill to protect our veterinarians and animals of Hawaii.

Mahalo!

Natalie Spencer  
819 Papalalo Pl  
Honolulu, HI 96825

SUPPORT HOUSE BILL 1086 HD 1

Date: Wednesday, March 17, 2021

Time: 9:30 a.m.

Place: Conference Room 229 and Videoconference

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Please pass this important bill to protect our veterinarians and animals of Hawaii.

Mahalo,

Hamid Jahanmir  
915 Birch St Apt 106  
Honolulu, HI 96814

House Bill 1086 Relating to Veterinarians

Dear Senator Rosalyn Baker, Senator Stanley Chang, and Members of the Senate Committee on Commerce and Consumer Protection,

I am writing in strong support of House Bill 1086 HD 1.

Veterinarians should not have to risk their livelihoods to help animals in need or fear retaliation for doing the right thing. Please pass these veterinary Good Samaritan protections and mandatory reporting requirements so our veterinarians will be shielded from civil liability for helping injured animals and reporting animal cruelty. Mandatory reporting of these crimes will help to protect our entire community by alerting law enforcement to threats against vulnerable animals and people.

Please pass HB 1086 HD 1. Mahalo for your consideration.

Sincerely,

Lisa Brewer  
46-412 Haiku Plantations Dr  
Kaneohe, HI 96744

SUPPORT HOUSE BILL 1086 HD 1

Date: Wednesday, March 17, 2021

Time: 9:30 a.m.

Place: Conference Room 229and Videoconference

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Please pass this important bill to protect our veterinarians and animals of Hawaii.

Mahalo!

Gary Edwards  
46-512 Haiku Plantations Dr  
Kaneohe, HI 96744

**HB-1086-HD-1**

Submitted on: 3/12/2021 6:48:49 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alice Saul	Individual	Support	No

Comments:

I wish to thank the Committee on Consumer Protection and Commerce for the opportunity to share with you why I support HB1086 HD1 relating to the ability of veterinarians to provide needed emergency aid to animals even when, as described in the bill, the owners are not available to give consent.

After learning of circumstances where injured animals are otherwise left to suffer unnecessarily, it is only humane to afford protection from liability for veterinarians who act in good faith and not with gross negligence.

It is also essential to require veterinarians to report when they suspect animal cruelty and, likewise, for them to be protected from civil liability for making such reports.

Please support passage of this bill; it will go a long way to reducing cruelty and suffering, and raising the level of wellness for animals and people in our communities.

Aloha,

Alice Saul  
Honolulu (Hawaii Kai)

**HB-1086-HD-1**

Submitted on: 3/12/2021 9:08:16 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
lynne matusow	Individual	Support	No

Comments:

This is a much needed measure. It protects veterinarians from civil liability for rendering emergency aid to an animal. It also requires them to report suspected animal cruelty and protects them from retaliation. At times veterinarians have not been able to provide aid until the owner is found, contacted, and gives permission, further endangering the life of the animal.

However, you need to remove the defective effective date of January 1, 2050 and replace it with upon signature, or some date in 2021 or early 2020. The 2050 date could kill it.

Please support this bill.

**HB-1086-HD-1**

Submitted on: 3/12/2021 11:03:34 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marian Hussenbux	Individual	Support	No

Comments:

Veterinary Immunity/Mandatory Reporting HB1086 HD1

We would like to endorse this measure being championed by the *Hawai'i Veterinary Medical Association* which protects veterinarians from civil liability for rendering emergency aid to an animal, even if a guardian is not available to consent to this, as long as their actions were taken in good faith and do not constitute gross negligence.

It also requires veterinarians to report suspected animal cruelty – including where there is reasonable cause to believe that it relates to dogfighting or animal sexual abuse - and protects them from civil liability for making such reports.

Veterinarians will be trusted to use their skills and expertise to render emergency aid to animals without the fear of civil liability and they definitely should not have to fear retaliation for reporting suspected animal cruelty. They are in the best position to see the effects of such cruelty, to treat it and help to have possible perpetrators brought to the notice of the authorities.

This is surely a vital part of the role of the veterinarian.

Again, much research stretching back decades has established links between violence against animals and the abuse of vulnerable people.

AIA strongly supports this bill.



**HB-1086-HD-1**

Submitted on: 3/13/2021 6:03:15 AM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Ako DVM	Individual	Support	No

Comments:

Honorable Chair and Committee members,

Please pass HB1086 HD1.

HB1086 HD1 will strengthen our role as first responders in a time of need to save lives.It does happen.People do bring in injured animals without a known owner.

HB1086 removes one delima from the situation..allowing us to do what we do best.

HB1086 will also provide protection and comfort us should

we need to report an abusive event.This is important to protect not only the animals but also the entire community from those predators.

Thank you

Eric Ako DVM

Past Chair,Board of Veterinary Medicine

Past President and Executive VP, Hawaii Vetetary Medical Association

Practitioner,Hawaii Kai Veterinary Clinic and Lanai Cat Sanctuary

**HB-1086-HD-1**

Submitted on: 3/13/2021 1:39:08 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Will Caron	Individual	Support	No

Comments:

Aloha committee members,

I strongly support this bill as an important piece of animal welfare legislation.

Mahalo!

**HB-1086-HD-1**

Submitted on: 3/13/2021 4:37:49 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael D Parker	Individual	Support	No

Comments:

Please support this very important bill.

Mahalo

**HB-1086-HD-1**

Submitted on: 3/14/2021 1:42:38 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JOANNE PARKER	Individual	Support	No

Comments:

Please support this bill that not only helps our injured or just animals in need of immediate care. This very important bill allows any veterinarian help these animals without having to worry about being subjected to any legal issues.

Mahalo

**HB-1086-HD-1**

Submitted on: 3/14/2021 3:06:43 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vivian S. Toellner	Individual	Support	No

Comments:

I strongly support House Bill 1086 Relating to Veterinarians Veterinarians and their teams play a critical role in serving our community and animals. In many cases they are front-line witnesses in suspected animal cruelty cases. They are the voice for animals who cannot speak for themselves. This Veterinary Good Samaritan/Mandatory Reporting measure will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability. It will also require them to report suspected animal cruelty. This underreported crime, which typically takes place behind closed doors, is often a sign that people are being abused as well. I ask you to vote for this measure. Mandatory reporting will help to protect our entire community and fosters a culture of "see something-say something", which is crucial to public safety. Please pass this bill. Thank you for the opportunity to submit testimony. Hawaii Island

**HB-1086-HD-1**

Submitted on: 3/14/2021 3:12:49 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ashley Wilcox	Individual	Support	No

Comments:

I strongly support this bill which will allow veterinarians to provide life-saving care to animals without fear of penalty.

**HB-1086-HD-1**

Submitted on: 3/14/2021 3:31:40 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
christin greenland	Individual	Support	No

Comments:

I strongly support this measure. Veterinarians in Hawaii should be required to report all suspected animal abuse. Mandatory reporting will help the state and local communities stand up against and control animal abuse. I ask you to vote yes on this measure. Thank you.

**HB-1086-HD-1**

Submitted on: 3/14/2021 3:39:04 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary James	Individual	Support	No

Comments:

Please pass this bill. Veterinarians provide excellent services and should be protected.

Mary James, Kailua



**HB-1086-HD-1**

Submitted on: 3/15/2021 6:53:09 AM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Chiwa	Individual	Support	No

Comments:

Aloha and mahalo Chairperson Baker, Vice Chairperson Chang and Members of the Committee on Commerce and Consumer Protection. Thank you very much for unanimously passing the senate version, SB 609, of this bill, HB 1086 HD 1.

This bill would advance animal welfare by protecting veterinarians from civil liability when providing emergency care without consent from owners who are not immediately available and when being required to report suspected cruelty. It's my understanding that many other states already have a law that this bill would implement so please pass HB 1086 HD 1.

Mahalo!

Jennifer Chiwa

Makiki

**HB-1086-HD-1**

Submitted on: 3/15/2021 9:56:22 AM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lee Cuccia	Individual	Support	No

Comments:

I strongly support this bill which enables our veterinarians to provide potentially life saving actions to animals. They deserve being exempt from lawsuits while providing care to animals whose owners are not present at their time of need. Also of utmost importance is the requirement to report suspected abuse, and our vets need to be immune from civil liability for making such reports. Mahalo.

**HB-1086-HD-1**

Submitted on: 3/15/2021 10:00:09 AM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Foster	Individual	Support	No

Comments:

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need.

**HB-1086-HD-1**

Submitted on: 3/15/2021 4:37:51 PM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carole R. Richelieu	Individual	Support	No

Comments:

This bill allows veterinarians to render emergency aid to animals and protects both the vets and animals. I support both.

**HB-1086-HD-1**

Submitted on: 3/16/2021 10:34:57 AM

Testimony for CPN on 3/17/2021 9:30:00 AM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Helene Navaro	Individual	Support	No

Comments:

Aloha

I strongly support this Bill. Veterinarians need to be free of civil liability when helps an animal in pain in distress and Veterinarians need to report these animal cruelty cases without worrying about repercussions. Veterinarians should use their skills and their voices to help the animals in these situations. Life saving treatments for these animals are crucial in a kind and humane world especially in Hawaii, the Aloha State.

Your consideration is greatly appreciated.

Mahalo Nui Loa,

Helene Navaro

**HB-1086-HD-1**

Submitted on: 3/16/2021 8:50:24 AM

Testimony for CPN on 3/17/2021 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ginny Tiu	Individual	Support	No

Comments:

**aloha,**

**I respectfully urge you to please support HB1086. I adopted a dog from the humane society who had been severely abused resulting in head injury, broken pelvis and ribs, and had to have her leg amputated. Tulip will continue to have health challenges for the rest of her life. I'm very grateful that the vet hospital who became suspicious of her repeated and severe injuries, reported it to the humane society, but they and all veterinarians should not only be protected from liability for doing the right and humane thing, but they should be required to do so. Unfortunately it was discovered that several dogs had already died from abuse in the same household.**

**These animals are helpless and voiceless and depend on us to do the right thing for them. PLEASE SUPPORT HB 1086. By doing so, you will be saving many lives from needless suffering. Our veterinarians only want to do the humane thing and deserve our support and protection.**

**mahalo nui,**

**Ginny Tiu**



**HAWAII VETERINARY MEDICAL ASSOCIATION**  
**P.O. Box 61309, Honolulu, Hawaii 96839-1309**

March 16, 2021

**LATE**

Committee on Commerce and Consumer Protection  
Senator Rosalyn Baker, Chair  
Senator Stanley Chang, Vice Chair

RE: HB 1086 HD1, Relating to Veterinarians

Dear Committee on Commerce and Consumer Protection,

On behalf of the Hawaii Veterinary Medical Association, I would like to express our support of HB 1086 and its amendments to the Veterinary Medicine Practice Act, HRS Chapter 471.

There are two components to this measure. The first establishes a Good Samaritan law for veterinarians who may without remuneration provide emergency medical care to an animal in need. The second establishes a process whereby animal abuse may be reported, in order to better protect that animal from future harm.

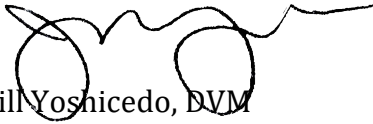
This measure encourages veterinarians to provide emergency care to critically sick or injured animals without fear of civil liability. Veterinarians are mandated to provide care under a valid and current veterinary-client-patient relationship (VCPR), so there can be confusion when dealing with an animal emergency when there is no owner present to establish a VCPR or if life-saving treatment needs to be provided before the establishment of a VCPR. This measure allows a veterinarian to be a "Good Samaritan" and provide emergency care outside of a valid VCPR, while also protecting the veterinarian when acting as a Good Samaritan in the time of an emergency to assist the animal in need.

We believe this measure also provides justified guidance to practicing veterinarians on reporting acts of animal abuse, cruelty, and staged fighting, similar to laws in 20 states including California, Oregon, Arizona, and Colorado. Reporting such events to law enforcement is beneficial to the community at large, as multiple studies have shown a link between perpetrators of animal abuse and human abuse such as child abuse, domestic violence, arson, and murder. When confronted with a clear case of animal abuse, veterinarians may feel conflicted between maintaining client confidentiality and wanting to protect the animal from further harm. In making animal abuse reporting a duty of the veterinarian, this measure relieves any responsibility of such judgment by the veterinarian

while protecting the veterinarian against any civil liability as a result of reporting such events.

Please SUPPORT HB 1086 to provide additional guidance and protections for veterinarians practicing in Hawaii. Thank you for the opportunity to submit testimony. Please contact me if I can answer any questions or be of further assistance on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Yoshicedo". The signature is stylized with loops and a long horizontal flourish extending to the right.

Jill Yoshicedo, DVM  
Executive Vice-President  
Hawaii Veterinary Medical Association