Testimony of the Hawaii Board of Veterinary Medicine

Before the Senate Committee on Commerce and Consumer Protection Friday, February 5, 2021 9:30 a.m. Via Videoconference

On the following measure: S.B. 609, 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 appreciates the intent of and offers comments on 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 to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe the event relates to dog fighting or animal abuse; and (4) give veterinarians immunity for civil liability for making these reports.

The Board will review this bill at its next publicly noticed meeting. While the next scheduled meeting is on April 14, 2021, the Board is attempting to schedule a meeting in February. In the meantime, the Board offers comments based on its prior support of similar measures. 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.

2700 Waialae Avenue Honolulu, Hawaii 96826 808.356.2200 • HawaiianHumane.org

Date: Feb. 2, 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 SB 609: Relating to Veterinarians

Thursday, Feb. 5, 2021, 9:30 a.m., Capitol Room 229

Aloha Chair Baker, Vice Chair Chang and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our enthusiastic support for Senate Bill 609, 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 Mōʻiliʻili 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.

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.

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

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.

We urge the committee to pass SB 609. Mahalo for your consideration.

2700 Waialae Avenue Honolulu, Hawaii 96826 808.356.2200 • HawaiianHumane.org

Date: Feb. 2, 2021

To: Chair Sen. Rosalyn H. Baker

Vice Chair Sen. Stanley Chang

and Members of the

Committee on Commerce and Consumer Protection

Submitted By: Kasey Carter, Chief Veterinarian

Hawaiian Humane Society, 808-356-2210

RE: Testimony in strong support of SB 609: Relating to Veterinarians

Thursday, Feb. 5, 2021, 9:30 a.m., Capitol Room 229

Dear Committee Members,

I have worked for more than a decade in animal shelters, particularly in Shelter Medicine. I have been Chief Veterinarian for Hawaiian Humane Society for nearly three years. Before moving to Hawaii, I worked as a shelter veterinarian in Denver, Colorado.

Prior to me entering shelter medicine, Colorado had already enacted a law very similar to the proposed law being discussed here. I remember first hearing about the law in veterinary school; that law made reporting of both animal abuse and child abuse mandatory for veterinarians. By making reporting animal abuse/cruelty mandatory, it greatly minimizes the likelihood of retaliation by the person committing the abuse, while at the same time increasing the number of animal abuse/cruelty cases being reported. I was surprised when I moved to Hawaii that there was not a similar law, hence my motivation for encouraging you to consider my argument.

The second component of SB 609 that I feel passionate about is the portion that would allow veterinarians to legally perform emergency procedures that would alleviate animal suffering. When animals come into our care as strays, we are required to hold them for either 48 hours (no microchip) or 5 days (with microchip). According to current law, if animals come in injured we are only permitted to provide pain medications and antibiotics. However, I would estimate that 2-3 times a month, cases present that require surgical intervention; we are unable to perform surgeries in these circumstances. As an example, we recently saw a stray dog that had a zip tie placed around the base of his scrotum by somebody in the community, attempting a "backyard neuter". This was not a life-threatening condition

so we were legally unable to do anything for the dog other than provide pain medications and antibiotics. By the time the dog had cleared his 48 hour hold, his scrotum was the size of a grapefruit and we were finally able to perform surgery to remove the damaged tissue and relieve his suffering.

By enacting this proposed law, we will greatly improve our ability to appropriately treat animals in need, increase reporting of animal abuse and cruelty, and protect veterinarians in the process.

I encourage you to pass SB 609. Thank you for your consideration.

Submitted on: 2/2/2021 8:40:08 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mira Gurung	Individual	Support	No

Comments:

Aloha honorable Senators, thank you for taking the time to read my testimony as follows:

It is of grave importance that we protect the animals of Hawai'i, who are so often subjected to horrible abuse. This measure would help us identify abuse and hopefully prevent future abuse. Thanks for being a voice to our animals!

Mahalo,

Mira Gurung



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

<u>Professional responsibility</u>: 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."

<u>Community responsibility</u>: 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 for more information.

Submitted on: 2/2/2021 3:32:43 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Testifying for Hawaii Veterinary Medical Association	Support	No

Comments:

Honorable Chair, and Senators

We are pleased to sponsor SB609.

Veterinarians are health professionals whose lives are devoted to

helping those in need,pets and people as well. We might have been richer as MDs or dentists, but that is not what we chose.

Please pass SB609 and protect our Good Samaritan efforts.

respectfully yours,

Eric Ako DVM

Past President and Executive Vice President, Hawaii Veterinary Medical Association

Past President, Honolulu Veterinary Society

Best Friends Award

Past Chair, Board of Veterinary Medicine



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

February 2, 2021

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

RE: SB 609, 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 SB 609 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 SB 609 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,

Jill Yoshicedo, DVM

Executive Vice-President

Hawaii Veterinary Medical Association

Submitted on: 2/2/2021 11:12:18 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

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

Comments:

Dear Honorable Chair Baker & Members of the Senate Consumer Protection Committee,

Thank you for the opportunity to support SB609, which would require veterinarians to report suspected animal cruelty, a provision in more than 30 other state laws, and that also protects them from civil liability for making such reports. Veterinarians should not have to fear retaliation for reporting suspected animal cruelty. Animal cruelty is an underreported crime and compelling veterinarians to report suspected abuse in return for protection from civil liability will assist law enforcement and prosecutors in investigating animal cruelty and abuse.

Thank you for your consideration of this testimony.

Inga Gibson

Pono Advocacy

Submitted on: 2/2/2021 3:57:34 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Marian Hussenbux	Testifying for Animal Interfaith Alliance in Britain	Support	No

Comments:

Dear Members of the State of Hawai'i Legislature:

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 sexual abuse, we would hope - 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.

We support the Bill and thank you for the opportunity to do so.

Date: Feb. 2, 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 SB 609: Relating to Veterinarians

Thursday, Feb. 5, 2021, 9:30 a.m., Capitol Room 229

The Hawaii Association of Animal Welfare Agencies (HAAWA) supports the passage of Senate Bill 609, 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 SB 609. 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

Submitted on: 2/1/2021 5:28:35 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Juliana Benson	Individual	Support	No

Comments:

I fully support this bill. There is a major gap in animal care and the rights of veterinarians when it comes to emergency care. Veterinarians should be able to provide emergency medical attention to animals without fear of repercussions. Until this problem is resolved, there will be a constant issue between veterinarians and the community members who seek their help.

<u>SB-609</u> Submitted on: 2/1/2021 5:35:28 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Carole R. Richelieu	Individual	Support	No	

Comments:

strong support

<u>SB-609</u> Submitted on: 2/1/2021 5:42:30 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Elizabeth Kent	Individual	Support	No	

Comments:

Thank you for the opportunity to testify.

I support protecting animals. They cannot speak for themselves, and I think that strong and civil societies protect those who cannot speak for themselves.

<u>SB-609</u> Submitted on: 2/1/2021 6:00:01 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Wilcox	Individual	Support	No

Comments:

I support SB 609. Please allow veterinarians to help animals in crisis.

Submitted on: 2/1/2021 6:01:14 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Vivian S. Toellner	Individual	Support	No

Comments:

This bill will help to protect our entire community. There are links between violence against animals and the abuse of people - especially children, domestic partners and seniors. In September 2014, FBI director James Comey approved a resolution to include animal cruelty in reporting data. Furthermore, incidents of animal cruelty will be classified as a Group A offense alongside other serious offenses such as homicide and arson. Veterinarians should not be afraid to do what is right for animals, and protected under the law. Thank you for accepting testimony. Aloha & Mahalo

Submitted on: 2/1/2021 6:03:45 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Ho	Individual	Support	No

Comments:

Hello, My name is Jennifer Ho and I live in Nuuanu. I support bill SB609 to protect veterinarians allowing them to perform emergency aid for an injured animal. These often life-saving measures taken by vets to save and heal injured animals are heroic. The vets should be protected from any civil liability if the owner of the pet is unreachable. This will help not only Veterinarians but animals.

Thank you!

Submitted on: 2/1/2021 6:04:37 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Subi	mitted By	Organization	Testifier Position	Present at Hearing
lynne	e 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 cdruelty and protects them from retaliation. At times verterianrians have not been able to provide aid until the owner is found, contacted, and gives permission, further endangering the life of the animal.

Please support this bill.

Submitted on: 2/1/2021 6:49:10 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Kim	Individual	Support	No

Comments:

I work with several individuals who rescue abused and abandoned animals that may have suffered abuse. Passing this bill will allow veterinarians to assist hurt or sick animals without fear of retribution. It would also give them the ability to report suspected abuse cases which health care professionals caring for humans are required to do.

Thank you for your attention:

Melanie Kim

Submitted on: 2/1/2021 6:50:52 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Taurie Kinoshita	Individual	Support	No

Comments:

Please pass SB609. Veterinarians should not have to risk their livelihoods 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.

Additionally, it is crucial that veternarians be able to report suspected animal cruelty (without fear of retaliation). There is so much animal cruelty and so little is reported.

A society can be judged by how it protects--or doesn't protect--the most vulnerable (such as animals.). Nothing is worse than animal cruelty. Unlike people, animals have no sense of time or of the idea that their pain may end--they suffer endlessly.

Also, this bill will help to protect our entire community because people who harm animals often harm partners or children. (Research stretching back decades has established links between violence against animals and violence against others-esepcially children, domestic partners and seniors.)

Please pass SB609! Passing this bill is crucial and the most ethical, compassionate, enlightened and civilzed course of action! Thank you for your consideraion.

Submitted on: 2/1/2021 8:09:03 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Emi Au	Individual	Support	No

Comments:

I, Emi Au, am in support of SB609 as it protects veterinarians to provide care when necessary, which in extreme cases are usually animal abuse cases. This will allow individuals that signed up to be vets to be able to do their job without any backlash, in doing the right thing.

Submitted on: 2/2/2021 5:34:30 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Jennifer Chiwa	Individual	Support	No	

Comments:

Committee on Commerce and Consumer Protection

Friday, February 5, 2021, 9:30 am

Testimony in Support of SB 609

Aloha Chairperson Baker and Commerce and Consumer Protection Committee Members. Please support SB 609 which would help animals and people by: (1) protecting veterinarians from civil liability in rendering emergency aid to an animal when the animal's caretaker is not immediately available for consent to this aid and (2) requiring veterinarians to report possible animal abuse and, thereby, assist law enforcement in one of their duties which is to protect animals from abuse. Furthermore, the relationship between violence against animals and violence against people is well known. To apprehend those who abuse animals is to reduce opportunities to commit violence against people, providing that those who are convicted of animal cruelty serve their full terms.

Mahalo.

Jennifer Chiwa

Makiki

<u>SB-609</u> Submitted on: 2/2/2021 5:49:19 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Wilson	Individual	Support	No

Comments:

I reside in Wahiawa, Hawaii.

I strongly support this bill as it helps to care for, support and help animals in the community.

Submitted on: 2/2/2021 9:08:28 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Fatima Abed	Individual	Support	No

Comments:

I used to work in an animal hospital and the amount of abuse we saw from breeders and pet owners was sickening. Sometimes they would wait days or weeks to bring their pet in before there was anything we could do. Abusers need to be held accountable and vets should be allowed to save an animal as they would a human life, without all of the paperwork and permission and steps.

Think of your family pet at home or a relatives. Would you want to have to jump through hoops of phone calls and paperwork before your fluffy loved one is finally looked at? No? Because you shouldn't have to wait until it's too late.

I support this bill.

<u>SB-609</u> Submitted on: 2/2/2021 10:10:18 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Will Caron	Individual	Support	No

Comments:

Aloha Committee Members,

Please support this important bill.

Mahalo,

Submitted on: 2/2/2021 12:57:53 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lee Cuccia	Individual	Support	No

Comments:

I support this as I firmly believe our veternarians should be able to help animals without the fear of losing everything should something go wrong out of their control. Good Samaritans need to be encouraged, and an animal injured and in great need shouldn't have to suffer because of fear of potential lawsuits. Help out vets help animals.

Submitted on: 2/2/2021 1:43:07 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Eubank	Individual	Support	No

Comments:

I support this bill supporting veterinarians, giving them protection from civil liability in rendering emergency aid to an animal without consent, if owner(s) of animal(s) is not available to give consent. Veterinarians should be able to help ALL animals in good faith, that are in need of rescue or care, without the worry of a lawsuit.

Thank you!

Susan Eubank

<u>SB-609</u> Submitted on: 2/2/2021 6:30:27 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kemtis Kunanuraksapong	Individual	Support	No

Comments:

I support this bill. Animal can't call for help by themselves. It's us should be helping them when it deem fit. - Waipahu/Waikele area.

Submitted on: 2/2/2021 9:35:52 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Zara Nicholson	Individual	Support	No	

Comments:

Aloha e Senator Rosalyn H. Baker,

My name is Zara Nicholson and I am testifying in support of Bill SB609.

I believe this bill will create a great positive impact in our community. Animals should be protected against abuse and veterinarians are usually the most informed on potential animal abuse. Establishing civil liability immunity for veterinarians will allow veterinarians to safely speak up more often and help the animals they reasonably suspect to be abused. Please push and approve this Bill SB609.

Mahalo nui loa for the opportunity,

Zara Nicholson

<u>SB-609</u> Submitted on: 2/2/2021 9:38:30 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
JOANNE PARKER	Individual	Support	No

Comments:

Aloha,

Please support SB609 for an animal that needs a veterinarian's help. Unnecessary suffering should not be a part of any living being's life.

If it was my pet, I would want a veterinarian have the right to do the right treatment.

Mahalo

<u>SB-609</u> Submitted on: 2/2/2021 9:40:25 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael D Parker	Individual	Support	No

Comments:

Please support this very important bill for any animal that requires immediate treatment.

<u>SB-609</u> Submitted on: 2/3/2021 9:03:24 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sue Chip	Individual	Support	No

Comments:

I support this.

<u>SB-609</u> Submitted on: 2/3/2021 10:51:49 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mami Donley	Individual	Support	No

Comments:

I support SB609. It prevents unnecessary death of animals. It's right thing to do.

Submitted on: 2/3/2021 2:30:44 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Menacho	Individual	Support	No

Comments:

Please support this bill. Our local veterinarians are compassionate defenders of animals and should not have to fear legal retaliation for helping animals in need.

Mahalo for your time on this important bill.

Mary Menacho

Kona Heights, Kailua Kona, Hawaii

<u>SB-609</u> Submitted on: 2/3/2021 3:13:26 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol lau	Individual	Support	No

Comments:

I support Bill SB609 to support the local veterinarian. My address is Ala Hoku PI, honolulu. Hi 96819.

Submitted on: 2/3/2021 8:26:05 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alice Saul	Individual	Support	No

Comments:

I wish to thank the Committee on Commerce and Consumer Affairs for the opportunity to share with you why I support SB609 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)

<u>SB-609</u> Submitted on: 2/3/2021 8:48:17 PM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Chiou	Individual	Support	No

Comments:

In support of SB609.

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

I strongly support SB 609 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,

Mi Kosasa 1740 S Beretania St Apt Ph4 Honolulu, HI 96826 Friday, February 5, 2021 9:30AM Conference Room 229

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

I want to express my strong support for Senate Bill 609.

As someone who has worked as a mental health professional in the past, I understand the ethical nature of mandatory reporting. It's important that we protect veterinarians who perform their ethical duty to stop animal abuse and the well known chain of abuse that often extends to people.

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 urge you to pass this bill.

Mahalo.

Sincerely,

Raquel Hicks 2450 Sonoma St Honolulu, HI 96822 Regarding Senate Bill 609 Relating to Veterinarians

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

I am writing in strong support of Senate Bill 609.

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 SB 609. Mahalo for your consideration.

Sincerely,

Natalie Spencer 819 Papalalo Pl Honolulu, HI 96825 Dear Senator Rosalyn Baker, Senator Stanley Chang and Members of the Committee on Commerce and Consumer Protection,

I am writing in strong support of Senate Bill 609.

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 SB 609. Mahalo for your consideration.

Sincerely,

Amanda Ishida-Norton PO Box 10703 Honolulu, HI 96816 Friday, February 5, 2021 9:30AM Conference Room 229

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

I want to express my strong support for Senate Bill 609.

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 urge you to pass this bill.

Mahalo.

Sincerely,

Gerrit Osborne 1430 Ehupua St Honolulu, HI 96821

Subject: Support SB609 Relating to Veterinarians

Date: Friday, February 5, 2021

Time: 9:30AM

Place: Conference Room 229

Aloha Senator Baker, Senator Chang and Members of the Committee on Commerce and Consumer Protection,

I am writing in strong support of Senate Bill 609, 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.

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

Mahalo!

Sincerely,

Taurie Kinoshita 1524 Pensacola St Apt 119 Honolulu, HI 96822

Subject: Please Pass Senate Bill 609

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

I strongly support SB 609 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,

Vivian Toellner PO Box 6894 Hilo, HI 96720

Subject: Please support SB609

Friday, February 5, 2021 9:30AM Conference Room 229

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

I want to express my strong support for Senate Bill 609.

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.

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 urge you to pass this bill.

Mahalo.

Sincerely,

Michele Hope Velasco 1530 16th Ave Honolulu, HI 96816

Subject: Please support SB609

Friday, February 5, 2021 9:30AM Conference Room 229

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

I want to express my strong support for Senate Bill 609.

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 urge you to pass this bill.

Mahalo.

Sincerely,

Hamid Jahanmir 915 Birch St Apt 106 Honolulu, HI 96814 Subject: Please support SB609

Friday, February 5, 2021 9:30AM Conference Room 229

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

I want to express my strong support for Senate Bill 609.

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 urge you to pass this bill.

Mahalo.

Sincerely,

Stephanie McLaughlin 95-310 Haakualiki Pl Mililani, HI 96789 Friday, February 5, 2021 9:30AM Conference Room 229

Aloha Chair Baker, Vice Chair Chang and Members of the Committee on Commerce and Consumer Protection,

I want to express my strong support for Senate Bill 609.

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 urge you to pass this bill.

Mahalo.

Sincerely,

Serena Stefanic-Phillip 53-330 Kamehameha Hwy Hauula, HI 96717 Thursday, February 4, 2021

Subject: SUPPORT SENATE BILL 609

Regarding Senate Bill 609 Relating to Veterinarians

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

I am writing in strong support of Senate Bill 609.

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 SB 609. Mahalo for your consideration.

Sincerely,

Taylor Prostor 3031 Libert St Honolulu, HI 96816 Thursday, February 4, 2021

Subject: Please Pass Senate Bill 609

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

The Windward Dog Park Hui strongly supports SB 609 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. Janine Tully, president - Windward Dog Park Hui

Sincerely,

Janine Tully 45-035 Ka Hanahou Pl Kaneohe, HI 96744 Subject: Support SB609 Relating to Veterinarians

Date: Friday, February 5, 2021

Time: 9:30AM

Place: Conference Room 229

Aloha Senator Baker, Senator Chang and Members of the Committee on Commerce and Consumer Protection,

I am writing in strong support of Senate Bill 609, 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.

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

Mahalo!

Sincerely,

Selene Mersereau 119 Kakahiaka St Kailua, HI 96734

Submitted on: 2/4/2021 8:55:41 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing	
Eric Jayne	Individual	Support	No	1

Comments:

To whom it may concern:

I am a licensed practicing veterinarian who practices veterinary care on Oahu and the Big Island. I have in the recent past worked on Molokai at the Molokai Humane Society. I m also a state representative in Hawaii for the Humane Society Veterinary Medical Association.

Would like to strongly support HB1086/SB609 which protects veterinarians from liability when they treat injured and ill animals before an owner is identified. There have been many occasions in my work at Molokai Humane Society, Hawaii Humane Society, Cat Friends, Pet Fix and other groups where an animal needs immediate care before an owner's permission is available. For the vast majority of time this greatly appreciated when an owner is found. Often these pets are significant family partners to children and elderly adults and these people are emotionally traumatized when a pet dies, especially from a wait at the vet office to provide immediate care.

In addition, this bill requires mandatory reporting of animal abuse, without liability to the reporting veterinarian. When abuse is apparent it is the veterinarians role to step forward and advocate for the animal. In addition, animal abuse and domestic/ child abuse are interrelated. It is essential to stop all forms of abuse to protect not just pets, but the family. Abuse also takes the form of dog fighting, a cruel sport that has no place in a modern civil society. Veterinarians need the liability protection that comes from standing up against abuse.

I do know that other states, working with state veterinary associations, are working toward the passage of similar bills. Iowa is an example of one such state. This is a trend in veterinary medicine and as a veterinarian I strongly support it.

Thank you

Eric Jayne DVM

<u>SB-609</u> Submitted on: 2/4/2021 5:06:32 PM

Testimony for CPN on 2/5/2021 9:30:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing	
Kim Tomey	Individual	Support	No	

Comments:

In support of SB609

Submitted on: 2/4/2021 8:16:54 PM

Testimony for CPN on 2/5/2021 9:30:00 AM



Submitted By	Organization	l estifier Position	Present at Hearing
Angus Raff-Tierney	Individual	Support	No

Comments:

I support SB609 Relating To Veterenarians. There are a lot of neglected and stray animals that need medical attention in a timely fashion. There isn't always the luxury of time to wait to find the owner when critical care is needed.



Submitted on: 2/5/2021 7:54:37 AM

Testimony for CPN on 2/5/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ginny Tiu	Individual	Support	No

Comments:

aloha Chair Baker and Committee Members,

I respectfully urge you to please support SB609. I adopted Tulip, an 8 pound silky terrier who had been so severely abused with a crushed pelvis and had to have her leg amputated. She will never have a normal life but I'm very grateful that the vet who became suspicious after multiple visits, reported it to the Humane Society. The perpetrator was convicted. Unfortunately it was discovered that several dogs had died from his abuse.

These animals are helpless and voiceless and depend on us to do the right thing for them. We must encourage and support our medical team who are on the frontlines and can save these animals from a life of suffering. They should not have to hesitate to treat and save an animal that is suffering for fear of possible repercussions. PLEASE support SB 609.

thank you for the opportunity to testify.

with aloha,

Ginny Tiu