



GOV. MSG. NO. 1423

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 09, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on July 09, 2012, the following bill was signed into law:

HB2242 HD1 SD1

RELATING TO CONTINUING EDUCATION FOR
VETERINARIANS.

Act 306 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor
on JUL 9 2012

ORIGINAL

ACT 306

HOUSE OF REPRESENTATIVES
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

H.B. NO. 2242
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO CONTINUING EDUCATION FOR VETERINARIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the profession of
2 veterinary medicine has changed dramatically in the last ten
3 years. Veterinary medicine is the only profession that
4 routinely operates at the intersection of human and animal
5 health. Veterinarians are challenged with the continuous
6 development of new drugs; new drug therapies; new treatment and
7 modalities for animals, including the use of herbs and
8 alternative drugs; and emerging diseases that affect both
9 animals and humans, such as avian flu. Consumers depend on
10 veterinarians to be fully informed and competent about the
11 proper use of drugs and treatment for their animals. Currently,
12 forty-seven states require continuing education for
13 veterinarians.

14 The purpose of this Act is to require veterinarians in the
15 State of Hawaii to complete a minimum of twenty credit hours of
16 continuing education courses during each licensing biennium.



1 SECTION 2. Section 471-1, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "Continuing education courses" means courses approved by
5 the board of veterinary examiners, the Hawaii Veterinary Medical
6 Association, the American Association of Veterinary State
7 Boards' Registry, or other board-approved organizations.

8 "Credit hour" means, except as otherwise provided, the
9 value assigned to fifty minutes of instruction."

10 SECTION 3. Section 471-9, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§471-9 Licenses.** (a) Except as otherwise provided in
13 this [~~section,~~] chapter, the board of veterinary examiners shall
14 issue a license [~~upon payment of a license fee~~] to engage in the
15 practice of veterinary medicine to all persons meeting the
16 requirements of this chapter[~~-~~] upon payment of a license fee.

17 (b) All licenses issued by the board shall expire on
18 June 30 of each even-numbered year next following the date of
19 issuance. Failure to renew the license on or before June 30 of
20 each even-numbered year shall automatically constitute a
21 forfeiture of the license; provided that the license shall be
22 restored upon the submission of a written application, a renewal



1 fee, a penalty fee, and proof of completing the applicable
2 continuing education credits to the board.

3 (c) ~~[Every veterinarian shall pay a biennial renewal fee~~
4 ~~in each even-numbered year. The payment of the renewal fee~~
5 ~~shall entitle the veterinarian to renewal of the license.]~~

6 Prior to the June 30, 2016, payment deadline for license
7 renewal, and prior to every license renewal thereafter, a
8 licensee shall:

9 (1) Pay all required fees; and

10 (2) Complete at least twenty credit hours of continuing
11 education within the two-year period preceding the
12 renewal date.

13 (d) ~~[Any holder of an expired license may be reinstated as~~
14 ~~a veterinarian upon payment of the renewal fee and a penalty~~
15 ~~fee.]~~ A licensee who has graduated from an accredited veterinary
16 school within one year of the licensee's first license renewal
17 shall not be subject to the continuing education requirement for
18 the first license renewal.

19 (e) Each licensee shall be responsible for maintaining the
20 licensee's continuing education records. At the time of
21 renewal, each licensee shall certify under oath that the
22 licensee has complied with the continuing education requirement



1 of this section. The board may require a licensee to submit, in
2 addition to the certification, evidence satisfactory to the
3 board that demonstrates compliance with the continuing education
4 requirement of this section.

5 (f) The board may conduct random audits of licensees to
6 determine compliance with the continuing education requirement.
7 The board shall provide written notice of an audit to a licensee
8 randomly selected for audit. Within sixty days of notification,
9 the licensee shall provide the board with documentation
10 verifying compliance with the continuing education requirement
11 established by this section.

12 ~~[(e)]~~ (g) Notwithstanding any other provision, no license
13 shall expire while the ~~[holder thereof]~~ licensee is serving on
14 active duty in the armed forces of the United States during any
15 emergency declared by the President or Congress and six months
16 after the termination thereof."

17 SECTION 4. Section 471-10, Hawaii Revised Statutes, is
18 amended by amending subsection (b) to read as follows:

19 "(b) In addition to any other actions authorized by law,
20 the board may revoke or suspend the license of any veterinarian
21 ~~[or]~~, fine ~~[the]~~ a licensee, or both, for any cause authorized
22 by law, including but not limited to the following:



- 1 (1) Professional misconduct, gross negligence, or manifest
2 incapacity;
- 3 (2) Violation of this chapter or the rules adopted
4 pursuant thereto or any other law which applies to the
5 licensee as a practicing veterinarian;
- 6 (3) Making any false representations or promises through
7 advertising or otherwise;
- 8 (4) Habitual intemperance in the use of alcoholic
9 beverages or addiction to the use of narcotic or
10 dangerous substances;
- 11 (5) Mental incompetence;
- 12 (6) Any fraudulent, dishonest, or deceitful act in
13 connection with the practice of veterinary medicine;
- 14 (7) Making a false statement [~~in~~] on any document
15 submitted or required to be filed by this chapter[+],
16 including a false certification of compliance with the
17 continuing education requirement;
- 18 (8) Revocation, suspension, or other disciplinary action
19 by another state of a license or certificate for
20 reasons as provided in this section;
- 21 (9) Conviction of or plea of nolo contendere to a penal
22 offense substantially related to the qualifications,



1 functions, or duties of a veterinarian,
2 notwithstanding any statutory provision to the
3 contrary;

4 (10) Violation of chapter 329, the uniform controlled
5 substances act, or any rule adopted pursuant thereto;

6 (11) Failure to report any disciplinary action taken
7 against [a] the licensee in another jurisdiction
8 within thirty days after the disciplinary action
9 becomes final; or

10 (12) Conduct or practice contrary to the recognized
11 principles of medical ethics of the veterinary
12 profession as adopted by the Hawaii Veterinary Medical
13 Association and the American Veterinary Medical
14 Association."

15 SECTION 5. The board of veterinary medicine shall provide
16 written notification of the contents of this Act to all persons
17 licensed under chapter 471, Hawaii Revised Statutes, within
18 ninety days of the effective date of this Act.

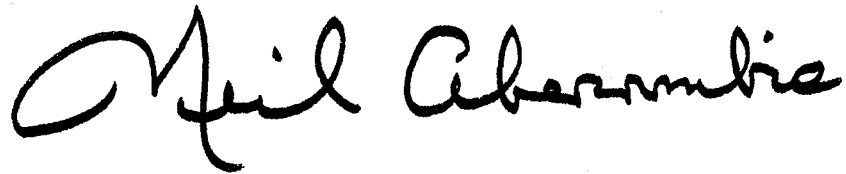
19 SECTION 6. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 7. This Act shall take effect upon its approval.



H.B. NO. 2242
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APPROVED this 9 day of JUL , 2012



GOVERNOR OF THE STATE OF HAWAII