STAND. COM. REP. NO. 2845

Honolulu, Hawaii

FEB 1 4 2020

RE: S.B. No. 2985 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred S.B. No. 2985 entitled:

"A BILL FOR AN ACT RELATING TO VETERINARIANS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Provide immunity from civil liability in the absence of gross negligence to veterinarians who provide emergency care to an animal and who render emergency treatment when there is no veterinarian-client-patient relationship; and
- (2) Require veterinarians to report cases of animal injury, death, or abuse, under certain circumstances, to law enforcement.

Your Committee received testimony in support of this measure from the Hawaii Board of Veterinary Medicine, Hawaii Human Society, Hawaii Veterinary Medical Association, Animal Rights Hawaii, Animal Welfare Institute, Poi Dogs and Popoki, Maui Human Society, Pacific Pet Alliance, and twelve individuals.

Your Committee finds that existing law is silent in regard to protections against civil liabilities for veterinarians who provide emergency care to critically sick or injured animals.

Veterinarians are mandated to provide care under a valid and current veterinary-client-patient relationship, prohibiting them from providing care to an animal in an emergency due to fear of civil liability. Your Committee further finds that existing law does not address reporting requirements when a veterinarian suspects a case of animal abuse or cruelty. Requiring a veterinarian to report any cases of animal abuse or cruelty to an appropriate law enforcement agency will clarify any confliction a veterinarian may have regarding maintaining client confidentiality. This measure will encourage veterinarians to provide care to an injured or sick animal without fear of civil liability and protect veterinarians when they suspect a case of animal abuse or cruelty.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2985, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2985, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,

ROSALYN H. BAKER, Chair

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee Referral:			Date:		
SB2985	CPH, JDC			7/13/20		
The Committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (W	R)	Nay	Excused
BAKER, Rosalyn H. (C)		✓				
CHANG, Stanley (VC)		/				
NISHIHARA, Clarence K.		V				
RUDERMAN, Russell E.		<i>\sum_{\chi}</i>				
THIELEN, Laura H.		/				
WAKAI, Glenn		/				
FEVELLA, Kurt					-	V
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TOTAL		6				(
Recommendation: Adopted Not Adopted						
Chair's or Designee's Signature:						
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

^{*}Only one measure per Record of Votes