

JAN 22 2021

A BILL FOR AN ACT

RELATING TO VETERINARIANS.

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

1 SECTION 1. Chapter 471, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§471- Exception to liability; emergency care;
5 veterinarian-client-patient relationship. (a) Any veterinarian
6 who in good faith, without remuneration or expectation of
7 remuneration, renders emergency care to a sick or injured animal
8 at large shall not be liable to the owner of that animal for any
9 civil damages resulting from the veterinarian's acts or
10 omissions, except for damages as may result from the
11 veterinarian's gross negligence or wanton acts or omissions.

12 (b) A veterinarian duly licensed under this chapter may,
13 in good faith, render necessary and prompt care and treatment to
14 an animal patient without establishing a veterinarian-client-
15 patient relationship if conditions do not allow the
16 establishment of the relationship in a timely manner. A
17 veterinarian who renders emergency treatment shall not be liable



1 to the owner of the animal for any civil damages resulting from
2 the veterinarian's acts or omissions, except for damages as may
3 result from the veterinarian's gross negligence or wanton acts
4 or omissions.

5 (c) A veterinarian acting under this section shall make an
6 appropriate record including the basis for proceeding under this
7 section.

8 §471- Reporting; duty; dog fighting; animal cruelty;
9 immunity from civil liability. (a) Whenever any veterinarian
10 duly licensed under this chapter has reasonable cause to believe
11 that an animal has been injured or killed through participation
12 in a staged animal fight, as prescribed in section 711-1109.3 or
13 711-1109.35, it shall be the duty of the veterinarian to
14 promptly report the event to the appropriate law enforcement
15 authorities of the county where the event occurred.

16 (b) Whenever any veterinarian duly licensed under this
17 chapter has reasonable cause to believe an animal under the
18 veterinarian's care has been a victim of animal abuse or
19 cruelty, as prescribed in section 711-1108.5 or 711-1109, it
20 shall be the duty of the veterinarian to promptly report the



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1 event to the appropriate law enforcement authorities of the
2 county where the event occurred.

3 (c) No veterinarian duly licensed under this chapter shall
4 incur any civil liability as a result of making any report
5 pursuant to this section or as a result of making any report of
6 a violation of section 711-1108.5, 711-1109, 711-1109.3, or 711-
7 1109.35."

8 SECTION 2. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: 



S.B. NO. 609

Report Title:

Veterinarians; Good Samaritan Protection; Report; Veterinarian-Client-Patient Relationship; Dog Fighting; Animal Abuse; Civil Liability Immunity

Description:

Provides 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. 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 dog fighting or animal abuse and gives veterinarians immunity for civil liability for making the reports.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

