

Honolulu, Hawaii

FEB 10 2021

RE: S.B. No. 609

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 609 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 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; and
- (3) Require 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.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Hawaii Veterinary Medical Association, Hawaii Association of Animal Welfare Agencies, Pono Advocacy, Animal Interfaith Alliance, Humane Society Veterinary Medical Association, and forty-seven individuals. Your Committee

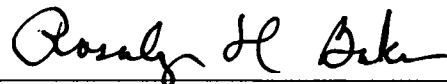


received comments on this measure from the Hawaii Board of Veterinary Medicine.

Your Committee finds that, under existing law, if an animal is taken to a veterinarian with non-life threatening injuries, and there is no owner present or a current established veterinarian-client-patient relationship, veterinarians are only permitted to provide pain medications and antibiotics for a certain number of days, depending on whether the animal is microchipped. In some of these situations, veterinarians have to wait to perform important surgeries or other essential procedures to provide animals with necessary relief. Accordingly, this measure allows a veterinarian to be a "good Samaritan" and provide emergency care outside of a valid veterinarian-client-patient relationship, while also protecting against civil liability when acting in this role in the time of an emergency to assist the animal in need. This measure also provides justified guidance to practicing veterinarians on reporting acts of animal abuse, cruelty, and staged fighting, similar to the laws in place for over twenty other states in the country. 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 domestic or child abuse, and other acts of violence. This measure is therefore important to help advance these significant public interests.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 609 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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



ROSALYN H. BAKER, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 609	Committee Referral: CPN, JDC	Date: 2-5-2021
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
CHANG, Stanley (VC)	/			
MISALUCHA, Bennette E.	/			
NISHIHARA, Clarence K.	/			
RIVIERE, Gil	/			
SAN BUENAVENTURA, Joy A.	/			
FEVELLA, Kurt	/			
TOTAL	7	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Clarence K. Nishihara

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*Only one measure per Record of Votes