
A BILL FOR AN ACT

RELATING TO VETERINARY MEDICINE.

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

1 SECTION 1. Section 471-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§471-2 License required.** (a) No person shall engage in
4 the practice of veterinary medicine, either gratuitously or for
5 pay, or shall offer to so practice, or shall announce or
6 advertise, publicly or privately, as prepared or qualified to so
7 practice, or shall append the letters "Dr." or affix any other
8 letters to the person's name with the intent thereby to imply
9 that the person is a practitioner of veterinary medicine,
10 without having a valid unrevoked license obtained from the
11 Hawaii board of veterinary medicine; provided that nothing in
12 this chapter prevents or prohibits the following:

13 (1) Any person from gratuitously treating animals in case
14 of emergency;

15 (2) The owner of any animal or animals and the owner's
16 full-time, regular employees from caring for and
17 treating any animals belonging to the owner; provided



1 that a person who is not licensed under this chapter
2 shall not perform any surgical procedure on a pet
3 animal, including but not limited to:

- 4 (A) A cesarean section;
- 5 (B) Ear cropping;
- 6 (C) Tail docking;
- 7 (D) Ventriculocordectomy, also known as
8 devocalization or debarking;
- 9 (E) Onychectomy, also known as declawing, or dewclaw
10 removal; or

11 (F) The elastration, or castration via banding;
12 (3) Any student enrolled in any veterinary school or
13 college or any employee of a veterinarian from working
14 under the direct supervision of a veterinarian;

15 (4) Any person from practicing veterinary medicine in the
16 employ of the United States government while engaged
17 in the performance of the person's official duties;

18 (5) Any person licensed to engage in the practice of
19 veterinary medicine in any jurisdiction, from
20 practicing in the State when in consultation with
21 veterinarians of this State; provided that the



1 veterinarian receiving consultation shall maintain the
2 veterinarian-client-patient relationship;

3 (6) Any farmer from giving to another farmer the
4 assistance customarily given in the ordinary practice
5 of animal husbandry;

6 (7) Any applicant who meets the licensing requirements of
7 practicing veterinary medicine under a veterinarian by
8 temporary permit; provided that the applicant applies
9 for and takes the examination scheduled by the board.

10 The temporary permit shall not be renewed;

11 (8) An individual licensed to engage in the practice of
12 veterinary medicine in another jurisdiction from
13 practicing in the State under a sponsor and indirect
14 supervision of a veterinarian as part of an emergency
15 response or enforcement action pursuant to chapter
16 711; provided that the sponsor shall file notification
17 with the board regarding the arrival of the sponsored
18 individual; provided further that the sponsored
19 individual shall serve in an emergency capacity for no
20 longer than twenty-one consecutive days; or



1 (9) Any person who has obtained a courtesy permit or
2 relief permit pursuant to sections 471-9.5 and 471-9.6
3 from practicing in the State.

4 (b) For the purposes of this section, "pet animal" has the
5 same meaning as defined in section 711-1100."

6 SECTION 2. Section 471-15, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[~~f~~]**\$471-15[~~f~~]** **Criminal penalties.** (a) Any person
9 convicted of violating section 471-2 shall have committed a
10 misdemeanor and be subject to a fine not to exceed [~~\$500~~] \$1,000
11 or imprisoned [~~not~~] no more than [~~six months,~~] one year, or
12 both.

13 [~~Additionally,~~] (b) In addition to the penalties provided
14 in subsection (a), all tools, implements, appliances, medicine,
15 and drugs used in the practice of veterinary medicine by any
16 person convicted of practicing veterinary medicine without a
17 license shall be declared forfeited to the State by the court
18 and turned over to the board for any disposition [~~as~~] it may
19 choose [~~to make~~]."

20 SECTION 3. Section 711-1108.5, Hawaii Revised Statutes, is
21 amended by amending subsection (2) to read as follows:



1 "(2) Subsection (1) (a) shall not apply to:
2 (a) Accepted veterinary practices[+] when the practices
3 are performed by a veterinarian licensed under
4 chapter 471;
5 (b) Activities carried on for scientific research governed
6 by standards of accepted educational or medicinal
7 practices; [~~or~~] and
8 (c) Cropping or docking as customarily practiced."

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

Animals; Pet Animals; Surgery; Prohibited

Description:

Prohibits animal owners and their employees from performing any surgical procedures on the owner's animal or animals. Provides a violation for unlicensed practice of veterinary medicine is a misdemeanor subject to a fine of no more than \$1,000, or imprisonment of no more than one year, or both. Clarifies that the offense of cruelty to animals in the first degree does not apply to accepted veterinary practices when the practices are performed by a licensed veterinarian. Effective 7/1/3000.

(HD1)

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