
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;



- 1 (3) Any student enrolled in any veterinary school or
2 college or any employee of a veterinarian from working
3 under the direct supervision of a veterinarian;
- 4 (4) Any person from practicing veterinary medicine in the
5 employ of the United States government while engaged
6 in the performance of the person's official duties;
- 7 (5) Any person licensed to engage in the practice of
8 veterinary medicine in any jurisdiction, from
9 practicing in the State when in consultation with
10 veterinarians of this State; provided that the
11 veterinarian receiving consultation shall maintain the
12 veterinarian-client-patient relationship;
- 13 (6) Any farmer from giving to another farmer the
14 assistance customarily given in the ordinary practice
15 of animal husbandry;
- 16 (7) Any applicant who meets the licensing requirements of
17 practicing veterinary medicine under a veterinarian by
18 temporary permit; provided that the applicant applies
19 for and takes the examination scheduled by the board[
20 ~~The~~]; provided further that the temporary permit shall
21 not be renewed;



1 (8) An individual licensed to engage in the practice of
2 veterinary medicine in another jurisdiction from
3 practicing in the State under a sponsor and indirect
4 supervision of a veterinarian as part of an emergency
5 response or enforcement action pursuant to chapter
6 711; provided that the sponsor shall file notification
7 with the board regarding the arrival of the sponsored
8 individual; provided further that the sponsored
9 individual shall serve in an emergency capacity for no
10 longer than twenty-one consecutive days; or

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

14 (b) No person without a valid unrevoked license obtained
15 from the Hawaii board of veterinary medicine shall perform any
16 surgical procedure on any animal, including but not limited to:

17 (1) A cesarean section;

18 (2) Ear cropping;

19 (3) Tail docking;

20 (4) Ventriculocordectomy, also known as devocalization or
21 debarking;



- 1 (5) Onychectomy or dewclaw removal; or
- 2 (6) Elastration or castration via banding."

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

5 "~~{}~~**§471-15**~~{}~~ **Criminal penalties.** (a) Any person
 6 convicted of violating section ~~[471-2]~~ 471-2(a) shall have
 7 committed a misdemeanor and be subject to a fine not to exceed
 8 \$500 or imprisoned not more than six months, or both.

9 ~~[Additionally,~~ (b) Any person convicted of violating
 10 section 471-2(b) shall have committed a class (C) felony.

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

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

20 "(2) Subsection (1)(a) shall not apply to:
 21 (a) Accepted veterinary practices; or



1 (b) Activities carried on for scientific research governed
2 by standards of accepted educational or medicinal
3 practices[~~;~~ ~~or~~
4 ~~(c) Cropping or docking as customarily practiced]."~~

5 SECTION 4. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 5. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Veterinary Medicine; License; Surgical Procedure; Prohibited;
Criminal Penalties; Cropping; Docking

Description:

Prohibits individuals without a valid unrevoked license obtained from the Hawaii Board of Veterinary Medicine from performing any surgical procedure on any animal. Makes performing any surgical procedure on any animal without a valid unrevoked license obtained from the Hawaii Board of Veterinary Medicine a class c felony. Makes cropping and docking offenses of cruelty to animals in the first degree. (SD1)

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