

NEIL ABERCROMBIE
Governor



RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

JAMES J. NAKATANI
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
WEDNESDAY, FEBRUARY 16, 2011
9:00 A.M.
ROOM 312**

**HOUSE BILL NO. 13
RELATING TO CHAPTER 471, HAWAII REVISED STATUTES**

Chairperson Tsuji and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 13 that amends Chapter 471, Hawaii Revised Statutes, to include a section requiring mandatory continuing education for Hawaii licensed veterinarians.

The HDOA has no position on this bill since the greatest impact would be on private veterinary practitioners in the State. The Department respectfully defers to the Department of Commerce and Consumer Affairs that has jurisdiction over professional and vocational licensing.

Thank you for your consideration of House Bill No. 13.

**PRESENTATION OF THE
BOARD OF VETERINARY EXAMINERS**

TO THE HOUSE COMMITTEE ON
AGRICULTURE

TWENTY-SIXTH LEGISLATURE
Regular Session of 2011

Wednesday, February 16, 2011
9:00 a.m.

**TESTIMONY ON HOUSE BILL NO. 13, RELATING TO CHAPTER 471, HAWAII
REVISED STATUTES.**

TO THE HONORABLE CLIFT TSUJI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lynn Bhanot, Executive Officer for the Board of Veterinary Examiners ("Board"). I appreciate the opportunity to present testimony on behalf of the Board in strong opposition to House Bill No. 13.

The purpose of this measure is to mandate continuing education upon license renewal. No companion measure was introduced by the Senate.

The Board is currently discussing the issue of continuing education as a requirement for renewal of a veterinarian license. However, the Board has not had an opportunity to review this measure, but will be discussing it at its next Board meeting on Wednesday, April 20, 2011.

The Board does not support the requirement that to renew a license, a person must complete a minimum of forty-five hours of acceptable formal continuing education, a maximum of twenty-two and one-half hours of which may be self-instructional coursework. Before continuing education is imposed as a condition to renew, there should be (1) a demonstrated need to impose such a requirement; (2) identification of

the objective(s) that mandatory continuing education is meant to address; (3) a review of existing mechanisms or methods and a finding that mandatory continuing education is the best method to achieve the objective(s) identified in (2) above; (4) verification that continuing education courses meeting the objective(s) are readily available and accessible to the person; (5) evidence that the fiscal impact on the professional will not be adverse; and (6) confirmation that resources are available for the regulatory agency to implement the continuing education program. Until all of these issues are addressed, we cannot support continuing education as a requirement for the renewal of the license.

Thank you for this opportunity to testify on House Bill No. 13.



HAWAIIAN HUMANE SOCIETY

2700 Waiialae Avenue
Hpaqclulu, Hawaii 96826
Telephone: 946-2187
Fax: 955-6034
www.hawaiianhumane.org

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The Hawaiian Humane Society is dedicated to promoting the human-animal bond and the humane treatment of all animals.

February 14, 2011

Rep. Clift Tsuji, Chair
Rep. Mark J. Hashem, Vice Chair
Committee on Agriculture

Re: Testimony on HB 13

Dear Chair Tsuji, Vice Chair Hashem and Members of the Committee on Agriculture:

The Hawaiian Humane Society supports IIB 13, relating to Chapter 471, Hawaii Revised Statutes, which proposes mandatory continuing education requirements for veterinarians. We suggest that the specific requirements be addressed with the Hawaii Veterinarian Medical Association.

Thank you for the opportunity to provide testimony in support of HB 13.

Sincerely Yours,

Pamela Burns
President and CEO

February 13, 2011

Representative Clifton Tsuji, Chair Agriculture Committee
Representative Mark J. Hashem, Vice Chair, Agriculture Committee

Testimony HB13: Mandatory Continuing Education Requirement for Veterinarians
Position: Support, With Reservations (as listed below)

Aloha,

My name is Jan Chouljian. I have been a veterinarian for the past 22 years. For the majority of my professional career, I've worked here in my home state of Hawaii. I also hold an active license in another state that requires mandatory continuing education for veterinarians.

I appreciate the intent of HB13 and I support the idea of mandatory continuing education for Hawaii's veterinarians but recommend that this bill be amended with language similar to other state laws governing continuing education (CE) for veterinarians. Specifically these are the items that I feel need to be amended:

- 1) The number of hours required per two-year license period is excessive. It is double the national average for CE for veterinarians and more than 20% higher than the highest state's requirement. I would support a bill that stipulates 20-30 hours of required CE per license renewal period.
- 2) The bill proposes that 22.5 hours (i.e. 50%) of the mandatory CE can be from "self-study" but is unclear about the details. Again, this amount is excessive and not consistent with other state laws regarding veterinary CE. If 25 hours of CE are required, then less than 30% should be from "self-study".
- 3) The bill is unclear about what types of continuing education will be considered "acceptable" (i.e. AVMA-approved, RACE-approved etc).
- 4) A limit should be placed on the number of CE hours from practice management courses (e.g. personnel management, practice building, client relations, leadership training etc). I would support a bill that specifies that no more than 20% of the total number of CE hours from practice management CE so that 80% of the total requirement should be from medical CE.
- 5) Veterinarians working outside of the US (e.g. on military deployment or working for a charitable organization etc) for a majority of the previous 2-year license period should be eligible for an exemption.
- 6) There should be a stipulation whereby the Department can grant an extension (usually 6 months) in certain cases if a good faith effort has been made to adequately maintain CE yet exceptional circumstances have prevented compliance.

Thank you for your time.

Respectfully submitted,
Jan Chouljian, DVM

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 14, 2011 7:43 PM
To: AGRtestimony
Cc:
Subject: Testimony for HB13 on 2/16/2011 9:00:00 AM

Testimony for AGR 2/16/2011 9:00:00 AM HB13

Conference room: 312
Testifier position: support
Testifier will be present: Yes
Submitted by: Eric Ako DVM
Organization: Hawaii Veterinary Medical Association
Address:
Phone:
E-mail: _____
Submitted on: 2/14/2011

Comments:

The Hawaii Veterinary Medical Association is in support of the intent of HB13. We thank Representative Theilen for introducing it.

Our concerns are twofold;

1. The # of hours required
2. How the hours can be fulfilled

We would like to work with you to amend the bill to increase support.

Thank you,

Eric Ako DVM

Executive Vice President, HVMA

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 15, 2011 11:50 AM
To: AGRtestimony
Cc:
Subject: Testimony for HB13 on 2/16/2011 9:00:00 AM

Testimony for AGR 2/16/2011 9:00:00 AM HB13

Conference room: 312
Testifier position: support
Testifier will be present: No
Submitted by: Mark Caspers DVM
Organization: Individual
Address:
Phone:
E-mail:
Submitted on: 2/15/2011

Comments:

I feel the proposed requirement of CE for veterinarians is a long overdue requirement that will ensure the quality of vet med in Hawaii. I do feel that 45 hours is too high a requirement. A more reasonable requirement on par with other states would be 20-30 hours yearly or every other year.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 15, 2011 6:44 AM
To: AGRtestimony
Cc:
Subject: Testimony for HB13 on 2/16/2011 9:00:00 AM

Testimony for AGR 2/16/2011 9:00:00 AM HB13

Conference room: 312
Testifier position: support
Testifier will be present: No
Submitted by: Cordell W. J. Chang DVM
Organization: Individual
Address:
Phone:
E-mail:
Submitted on: 2/15/2011

Comments:

Currently only Connecticut, Michigan and Hawaii are the only states that do not require any continuing education for veterinarians. Ideally, you would hope all medical professionals keep up w/ continual education but in realty this is not always the case. This bill would ensure that all veterinarian would be required to take continuing education and thus stay current w/ the latest finding in medicine and surgery.

Testimony for AGR 2/16/2011 9:00:00 AM HB13
Conference room: 312
Testifier position: oppose
Testifier will be present: No
Submitted by: Kim N. Kozuma, DVM
Organization: Individual
E-mail:
Submitted on: 2/15/2011

Comments:

I strongly support CE requirements for the state of Hawaii but feel that the hours should be gradually added ex. require only 20 hours / 2 years to start and here is why:

1. Due to our location, it is VERY expensive to travel to the mainland to earn our CE. This is equally true to organize and arrange for meetings with mainland speakers.
2. It will take time to establish a CE meeting schedule for the upcoming years, and find a way to pay for it all. We will have growing pains as we adjust to the logistics of obtaining such a massive amount of CE right at the start.

Please work with our DVM community which is supportive. We need to include more distance learning to earn our CE, if not allow all CE to be obtained that way.

Many older DVM's have the mentality that they are too busy working to waste time on CE. I wholeheartedly disagree and have seen the ramifications in the form of decreased standards of care. They just haven't stayed current.

Lastly, up until now it has been very difficult to find quality CE in the State. Most drug companies sponsor CE, yet here in Hawaii, we get none for attending the same program! I for one would love to have more CE other than flea control or heartworm disease.

The economics of suddenly requiring a large amount of CE is devastating especially during these economic times. Time off work, expenses for travel and attendance at these meetings, geographical difficulties in obtaining quality CE within the State are all issues that need to be addressed.

PLEASE consider less CE and then increase it over the next 5 years. Let the DVM community help dictate what makes common sense.

Several of us already get CE because we have licenses in other states. Hawaii is in its infancy and needs to smooth out the difficulties that uniquely challenge our location in the Pacific. We have to develop our CE program. To suddenly require such a large amount of CE without regards to the veterinary community or the initial difficulties is outrageous!

A veterinary medical board should be formed that realistically develops our CE requirements, not legislators. I am for CE and it is part of our oath, but DVM's are professional enough to design, enforce, and develop our CE requirements. Please listen to us.

Respectfully,
Kim N. Kozuma, DVM

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 15, 2011 9:56 AM
To: AGRtestimony
Cc:
Subject: Testimony for HB13 on 2/16/2011 9:00:00 AM

Testimony for AGR 2/16/2011 9:00:00 AM HB13

Conference room: 312
Testifier position: oppose
Testifier will be present: No
Submitted by: Jamie Furutani
Organization: Individual
Address:
Phone:
E-mail: _____
Submitted on: 2/15/2011

Comments:

I am a practicing veterinarian and practice owner in the State of Hawaii. I have been a member of the Board of Veterinary Examiners for the past 8 years. During board meetings the topic of CE has been discussed and we are in the process of designing CE requirement protocol for veterinarians. I totally support the fact that we should be required to take CE courses. However, I have reservations about this current bill. First, it was drafted without consultation with HVMA (our local veterinary association), secondly the bill is too vague with respect to type the of CE requirements. I feel that collaboration with local veterinary organizations is a must prior to the passing of this bill. I would be happy to offer any assistance with drafting a new redesigned bill.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 15, 2011 1:21 PM
To: AGRtestimony
Cc:
Subject: Testimony for HB13 on 2/16/2011 9:00:00 AM

Testimony for AGR 2/16/2011 9:00:00 AM HB13

Conference room: 312
Testifier position: oppose
Testifier will be present: No
Submitted by: Sharman Elison DVM
Organization: Individual
Address:
Phone:
E-mail:
Submitted on: 2/15/2011

Comments:

While in support of having continuing education hour requirements implemented in the veterinary licensing in principle, 45 hours per every 2 years appears to be high in my opinion. Oregon requires 30, Illinois 40 for example for veterinarians. Physicians in Hawaii are at 40 and dentists 32. In addition to comparable requirements, the availability of interactive programs need to be addressed. Veterinarian in Hawaii cannot simply get into a car, drive 2 hours and be in another State or venue for class work for compliance. The most readily available interactive CE program available in Hawaii for Veterinarians is at the Annual Hawaii Veterinary Medical Association Convention and the average available hours in this program is about 24 hours for the 3 days of programming per year. As the topics presented vary, they may not be in the area of relevance. An equine or livestock practitioner for example would have to sit through 22.5 hours of class work covering dog and cat cases as most topics at this Convention are small animal oriented. The subject matter would be irrelevant to that veterinarian's continuing education. The economic element for compliance may be felt by that practitioner in that this equine or cattle practitioner would have to be sure to fly to the mainland for qualifying classes. Without a doubt, we now have the convenience of the internet CE classes to help us with compliance for multiple state licensing and that is readily utilized and in general inexpensive. It is my opinion that HB 13 as presented needs to be reworked and amended to consider all veterinarians working on Oahu and on the outer islands. Sincerely, Sharman Elison, DVM

February 15, 2011

Chairman Clift Tsuji
House Agriculture Committee
Hawaii State Legislature
Honolulu, Hawai'i

Re: HB13 Mandatory continuing education (for veterinarians)

Dear Chairman Clift Tsuji and members of the Committee:

While staying current in one's profession is important, I am opposed to HB13 as currently written for the following reasons:

- 1) Because of the dearth of continuing education opportunities for Hawaii veterinarians. It will be extremely difficult as well as costly to meet the biennial requirement. Although the bill provides for up to half of the 45 hours to be through self-instructional coursework, the remainder of the contact hours will require, at a minimum, travel to Oahu more than once, and may even require travel to the mainland. These costs are in addition to the fees charged for the seminars and hotel and meal costs.
- 2) Because HB13 does not provide for an exemption for veterinarians that work for the State of Hawaii. Since the Hawaii State Department of Agriculture requires a veterinary medical officer (VMO) to be licensed even though they are not practicing veterinary medicine as a part of their normal duties. This means that a VMO will be subject to the CE requirements in HB13. Due to budget limitations, there is little, if any, funding to support sending a VMO to meetings in order to satisfy the CE requirement. The Hawaii State Department of Agriculture employs at least 7 such individuals. Consequently, the financial burden for CE will have to be borne by the state VMO.

I am opposed to HB13 as currently written and can offer amendments to address my concerns. They are:

- 1) Change the wording in 471-A (b) to provide for the entire continuing education requirement to be satisfied by on-line training. Unlike face-to-face meetings, there are many opportunities for on-line training. If HB13 continues forward, the wording should be changed to :

(b) During each biennial licensure period, an applicant for licensure renewal shall complete a minimum of forty-five hours of acceptable formal education all of which may be from on-line training.
- 2) Include in HB13 an amendment to HRS 471-2 that adds an exemption to the licensing requirement for "(a)ny person practicing veterinary medicine in the employ of the State of Hawaii while engaged in the performance of the person's official duties."

Sincerely,

Richard D. Willer, DVM
Kahului, Hawaii

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 15, 2011 2:21 PM
To: AGRtestimony
Cc:
Subject: Testimony for HB13 on 2/16/2011 9:00:00 AM

Testimony for AGR 2/16/2011 9:00:00 AM HB13

Conference room: 312
Testifier position: comments only
Testifier will be present: No
Submitted by: Mellissa Yuen
Organization: Individual
Address:
Phone:
E-mail: _____
Submitted on: 2/15/2011

Comments:

I am currently a practicing veterinarian with a valid HI license.

I would like to see this bill clarified in terms of the following:

What are the exact requirements for "acceptable continuing education"? What conferences/lectures are acceptable, how many credits could be earned by reading journals (and which journals are acceptable), which organizations for lectures/conferences (AVMA, HVMA, Western Veterinary Conference, North American Veterinary Conference, etc.) are acceptable?

A break-down or clarification of how the 45 credits can be earned is what I am interested in.

Also, what is the justification for requiring 45 credits of continuing education? In comparison, other states such as Colorado require 30 credits of CE over two years. Due to the expense of travelling to the mainland to obtain credits for continuing education at major conferences (AVMA, WVC, NAVC, etc.), should the credit requirement not be similar or at least comparable to other states?

Lastly, I would be interested to know how best to record continuing education credits, so that they will be acceptable during an audit or evaluation for licensure renewal. Will the state provide proper documentation to ensure accurate record-keeping?

Sincerely,

Mellissa Yuen, DVM