



## **UNIVERSITY OF HAWAII SYSTEM**

### **Legislative Testimony**

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Testimony Presented Before the  
House Committee on Consumer Protection & Commerce  
January 30, 2012 at 2:00pm  
by  
John Morton  
Vice President for Community Colleges, University of Hawai'i  
Presented by  
Douglas Dykstra  
Chancellor, Windward Community Colleges, University of Hawai'i

#### **HB 2242– RELATING TO CONTINUING EDUCATION FOR VETERINARIANS**

Chair Herkes, Vice Chair Yamane, and Members of the Committee:

Windward Community College is highly supportive of the intent of H.B. NO. 2242 Relating to Continuing Education for Veterinarians. As the only provider in the State of a credit Certificate of Achievement program for Veterinary Assisting and as a campus currently finalizing its preparations to seek approval from the U.H. Board of Regents for an Associate of Science degree in Veterinary Technology the College is well connected to an active Veterinary Studies Advisory Committee. Through its Office of Career and Community Education (OCCE) the College is experienced with the contracting challenges in offering significant continuing education opportunities for clients requiring services at a high level of professional expertise. Should the proposed legislation become law OCCE would be interested in applying to the American Association of Veterinary State Boards for *Provisional Provider Status* to be accepted into its Registry of Approved Continuing Education (RACE) sites to provide veterinarians with access to highly qualified speakers. With six months of qualifying experience OCCE could then apply for permanent approval as a RACE site. Providing such services would have to be on a self-supporting financial basis for the program and these details would have to be carefully reviewed before a formal proposal could be made. However the activity is very pertinent to a field of interest and expertise for the College. Moreover the effort to support high standards for professional development opportunities in the field of Veterinary Medicine is consistent with the direction taken in the College's academic credit program development plans, as well as the College's continuing education interests.

**Testimony for HB2242 on 1/30/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Saturday, January 28, 2012 9:12 PM

**To:** CPCtestimony

**Cc:** AKOE002@hawaii.rr.com

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Testimony for CPC 1/30/2012 2:00:00 PM HB2242

Conference room: 325  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Eric Ako DVM  
Organization: Hawaii Veterinary Medical association  
E-mail: AKOE002@hawaii.rr.com  
Submitted on: 1/28/2012

Comments:

Dear Chairman Herkes, and CPC members,

Representing the vast majority of veterinarians in the state, the Hawaii Veterinary Medical Association strongly supports HB 2242.

We are anxious to continue our service to the people with cutting edge knowledge. Avoiding onerous regulation, this measure will formalize the efforts veterinarians already make to keep up with today's demands. As veterinary medical advances march ahead, while the threat of diseases continue to threaten the world, we are a profession devoted to a lifetime of learning and ready to answer the challenges.

We have been working on this legislation with the capable assistance of Representative Mark Hashem, the Board of Veterinary Examiners, and veterinarians across the state. We thank Representative Thielen for introducing legislation last year and for her support for our HB2242.

We are in agreement with suggested amendments presented today by the Board of Veterinary Examiners. We wish the system to be clear and workable for all.

Please support HB2242.

Thank you,  
Eric Ako DVM  
Executive Vice President, HVMA

**PRESENTATION OF THE  
BOARD OF VETERINARY EXAMINERS**

**TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION AND COMMERCE**

**TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012**

**Monday, January 30, 2012  
2:00 p.m.**

**TESTIMONY ON HOUSE BILL NO. 2242, RELATING TO CONTINUING EDUCATION  
FOR VETERINARIANS.**

**TO THE HONORABLE ROBERT N. HERKES, CHAIR,  
AND MEMBERS OF THE COMMITTEE:**

My name is Lynn Bhanot, Executive Officer for the Board of Veterinary Examiners ("Board"). The Board is in support of House Bill No. 2242, Relating to Continuing Education for Veterinarians.

The purpose of this measure is to mandate twenty credit hours of continuing education to renew a license.

Section 2 of this bill amends section 471-1, Hawaii Revised Statutes ("HRS"), by adding two definitions – (1) continuing education courses and (2) credit hour.

Section 3 of this bill amends section 471-9, HRS, by:

1. Adding a new requirement that all licensed veterinarians shall complete at least twenty credit hours of continuing education for the licensing biennium commencing on July 1, 2014.
2. Requiring each licensee to be responsible for maintaining the licensee's continuing education record.

3. Authorizing the Board to conduct random audits of licensees to determine compliance with the continuing education requirement.
4. Authorizing the Board to suspend the license until the licensee presents to the Board documentation verifying compliance with the continuing education requirement.

Section 4 of this bill clarifies that pursuant to section 471-10(b)(7), HRS, making a false statement on any document includes a false certification of compliance with the continuing education requirement.

The Board supports the intent to require continuing education, however, recommends amendments to Sections 2 and 3.

The Board proposes amending Section 2 to clarify that only courses approved by the Board, the Hawaii Veterinary Medical Association, the American Association of Veterinary State Boards' Registry, or other board-approved organizations will be accepted to meet the twenty credit hour continuing education requirement as follows:

""Continuing education courses" means courses approved by the board of veterinary examiners, the Hawaii Veterinary Medical Association, the American Association of Veterinary State Boards' Registry, or other board-approved organizations.

The Board also proposes amending Section 3 to:

1. Include language to align the continuing education requirement with other licensing areas under the department to clearly state that the failure to renew a license on or before June 30 of each even-numbered year shall constitute the forfeiture of the

license until such time that the continuing education requirements are met and the license is restored.

2. Clarify whether the continuing education requirement must be completed by the 2014 or 2016 license renewal period. We propose these requirements be effective with the June 2016 renewal to effectuate a smooth transition that allows proper notice to the licensees and time to meet the continuing education requirement prior to license renewal.

3. Repeal proposed sections (f) and (g) as the license restoration issues will be addressed in our proposed section (b) which incorporates terminology (forfeiture vs. suspension) consistent with other licensing areas.

Therefore, the Board recommends amending Section 3 of the bill as follows:

**"§471-9 Licenses.** (a) Except as otherwise provided in this ~~[section,]~~ chapter, the board of veterinary examiners shall issue a license ~~[upon payment of a license fee]~~ to engage in the practice of veterinary medicine to all persons meeting the requirements of this chapter~~[-]~~ upon payment of a license fee.

(b) All licenses issued by the board shall expire on June 30 of each even-numbered year next following the date of issuance. Failure to renew the license on or before June 30 of each even-numbered year shall automatically constitute a forfeiture of the license; provided that the license shall be restored upon written application thereof together with payment of the renewal fee, a penalty fee, and the applicable continuing education credits.

(c) ~~[Every veterinarian shall pay a biennial renewal fee in each even-numbered year. The payment of the renewal fee shall entitle the veterinarian to renewal of the~~

~~license.]~~ Prior to the June 30, 2016 renewal of the license, and prior to every license renewal thereafter, the applicant shall:

(1) Pay all required fees; and

(2) Complete at least twenty credit hours of continuing education within the two-year period preceding the renewal date.

(d) A licensee who has graduated from an accredited veterinary school within one year of the licensee's first license renewal shall not be subject to the continuing education requirement for the first license renewal.

(e) Each licensee shall be responsible for maintaining the licensee's continuing education records. At the time of renewal, each licensee shall certify under oath that the licensee has complied with the continuing education requirement of this section. The board may require a licensee to submit, in addition to the certification, evidence satisfactory to the board that demonstrates compliance with the continuing education requirement of this section.

~~[(d) Any holder of an expired license may be reinstated as a veterinarian upon payment of the renewal fee and a penalty fee.]~~ (f) The board may conduct random audits of licensees to determine compliance with the continuing education requirement. The board shall provide written notice of an audit to a licensee randomly selected for audit. Within sixty days of notification, the licensee shall provide the board with documentation verifying compliance with the continuing education requirement established by this section.

~~[(e)]~~ (g) Notwithstanding any other provision, no license shall expire while the [holder thereof] licensee is serving on active duty in the armed forces of the United

Testimony on House Bill No. 2242  
Monday, January 30, 2012  
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States during any emergency declared by the President or Congress and six months after the termination thereof."

The Board respectfully requests your Committee's approval and passage of this measure with the suggested amendments. Thank you for this opportunity to testify in support of House Bill No. 2242.

**Testimony for HB2242 on 1/30/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Sunday, January 29, 2012 2:48 PM

**To:** CPCtestimony

**Cc:** eterwey@hotmail.com

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Testimony for CPC 1/30/2012 2:00:00 PM HB2242

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: Edith Terwey DVM

Organization: Individual

E-mail: eterwey@hotmail.com

Submitted on: 1/29/2012

Comments:

I support HB2242. I believe a requirement for veterinarians to complete 20 hours of continuing education every two years will help maintain the quality of veterinary care in Hawaii. I am licensed to practice veterinary medicine in Hawaii.





**Hawaii Farm Bureau**  
F E D E R A T I O N

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JANUARY 30, 2012

HEARING BEFORE THE  
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

TESTIMONY ON HB 2242  
RELATING TO CONTINUING EDUCATION FOR VETERINARIANS

Room 325  
2:00 PM

Chair Herkes, Vice Chair Yamane, and Members of the Committee:

I am Brian Miyamoto, Chief Operating Officer and Government Affairs Liaison for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFBF offers the following comments on HB 2242 that would establish a veterinary license renewal requirement for continuing education. Our interest in this proposed mandate is to ensure that veterinarians not only keep abreast of new developments in their field so that they can remain competent, but also that the new requirements are not so burdensome that they discourage recruitment and retention of government veterinarians in Hawaii. Our farm and ranch members work closely with these dedicated professionals and we request that any new mandate imposed upon them be reasonable, fair, and cost-effective.

We respectfully request that the Committee consider the following points concerning reasonably priced and easily available, relevant course requirements:

- Continuing education classes should be offered on a wide range of topics and relevant to all types of veterinary practices, including that of livestock veterinarians. Classes should be readily available in Hawaii so that the law does not tacitly mandate expensive mainland travel and excessive missed work time.
- Online classes or webcasts should be offered in addition to "in person" attendance, allowing veterinarians to take the classes after work hours or on weekends.
- The Board could be mandated to provide availability for these classes in Hawaii. There is precedent for continuing education procedures of this sort within the Hawaii State Bar Association mandatory continuing legal education programs for

Hawaii attorneys. Webcasts are available for a \$60 fee for three credit hours, on demand throughout the year.

- If neither of the above options can be accommodated, the State should reduce or eliminate the new requirement for veterinarians who work for the government.
- Another option is to impose lower license fees and class fees for government veterinarians.

Although HFBF does not disagree with the intent of this measure, we would like to alert you to the real possibility that that this additional burden will make it less attractive for veterinarians to go into and stay in government practice in Hawaii.

The nation is already suffering from a dearth of large animal and livestock veterinarians and Hawaii should not compound the problem. Hawaii State veterinarians are already behind their counterparts in salary; requiring them to pay for mainland trips to fulfill these new mandates will equate to a several thousand dollar annual pay cut for them. It is unfair to make our State veterinarians pay exorbitant costs from their own pockets to make trips to the mainland; however, it is also unrealistic to think that our State agencies' budgets can incur these expenses.

Thank you very much for your support of Hawaii's farmers and ranchers through your thoughtful consideration of our comments on this measure.

Please contact Janet Ashman at (808) 848-2074 if you have any questions.