
A BILL FOR AN ACT

RELATING TO VETERINARY TECHNICIANS.

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

1 SECTION 1. The purpose of this Act is to improve the level
2 of care of animals in the State by:

3 (1) Establishing requirements for the regulation of
4 veterinary technicians and the practice of veterinary
5 technology under chapter 471, Hawaii Revised Statutes,
6 relating to veterinary medicine;

7 (2) Establishing provisions relating to registration
8 requirements, educational requirements, limitations on
9 use of titles, grounds for refusal to grant and
10 revocation or suspension of registration, hearings,
11 and criminal penalties; and

12 (3) Requiring the board of veterinary examiners to issue
13 certificates of registration to applicants beginning
14 on July 1, 2018.

15 SECTION 2. Chapter 471, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:



1 "§471- Veterinary technicians; registrations. (a)
2 Except as otherwise provided in this chapter, beginning July 1,
3 2018, the board shall issue a certificate of registration to
4 engage in the practice of veterinary technology as a veterinary
5 technician to all applicants who meet the requirements of this
6 chapter, upon payment of all applicable fees.

7 (b) All registrations issued by the board shall expire on
8 June 30 of each even-numbered year. Failure to renew the
9 registration on or before June 30 of each even-numbered year
10 shall automatically constitute a forfeiture of the registration;
11 provided that the registration shall be restored upon the
12 submission of a written application and payment of all
13 applicable fees.

14 (c) Notwithstanding any other provision, no registration
15 shall expire while the registrant is serving on active duty in
16 the armed forces of the United States during any emergency
17 declared by the President or Congress and six months after the
18 termination thereof."

19 SECTION 3. Section 471-1, Hawaii Revised Statutes, is
20 amended by adding five new definitions to be appropriately
21 inserted and to read as follows:



1 "Direct supervision" means a licensed veterinarian is
2 physically present at the location where animal health care
3 tasks are to be performed.

4 "Indirect supervision" means a licensed veterinarian is not
5 physically present at a location, but has given direct orders in
6 the form of written or oral instructions for the treatment of an
7 animal and the animal has been examined by the veterinarian.

8 "Induce" means to initially administer a drug with the
9 intended purpose of rendering an animal unconscious.

10 "Practice of veterinary technology" includes but is not
11 limited to the following procedures only under the direct
12 supervision of a licensed veterinarian:

- 13 (1) Inducing anesthesia;
14 (2) Applying casts and splints;
15 (3) Performing dental extractions;
16 (4) Suturing cutaneous and subcutaneous tissues, gingiva,
17 and oral mucous membranes; and
18 (5) Creating a relief hold in the skin to facilitate
19 placement of an intravenous catheter.

20 "Veterinary technician" or "registered veterinary
21 technician" ("RVT") means a person who is registered in the
22 State to engage in the practice of veterinary technology."



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

3 "**§471-2 License or registration required.** (a) No person
4 shall practice 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 board
11 [~~of veterinary examiners~~]; provided that nothing in this chapter
12 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;
- 18 (3) Any student enrolled in any veterinary school or
19 college or any employee of a veterinarian from working
20 under the direct supervision of a veterinarian;



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

4 (5) Any person licensed to practice veterinary medicine in
5 any state, or any certified scientist or professional
6 in animal care, from practicing in this State when in
7 actual consultation with or under the sponsorship of
8 veterinarians of this State; provided that the person
9 licensed from another state, or the certified
10 scientist or professional in animal care, shall not
11 open an office, or appoint a place to meet patients,
12 or receive calls within the limits of the State;

13 (6) Any farmer from giving to another farmer the
14 assistance customarily given in the ordinary practice
15 of animal husbandry; or

16 (7) Any applicant who meets the licensing requirements of
17 practicing veterinary medicine under a veterinarian by
18 permit; provided the applicant applies for and takes
19 the first examination scheduled by the board. A
20 permit shall not be renewed.

21 (b) No person shall practice veterinary technology, either
22 gratuitously or for pay, or shall offer to so practice, or shall



- 1 announce or advertise, publicly or privately, as prepared or
2 qualified to so practice, or shall append the letters "RVT" or
3 affix any other letters to the person's name with the intent
4 thereby to imply that the person is a practitioner of veterinary
5 technology, without having a valid unrevoked registration as a
6 veterinary technician obtained from the board; provided that
7 nothing in this chapter prevents or prohibits the following:
- 8 (1) Any person from gratuitously treating animals in case
9 of emergency;
- 10 (2) Any student enrolled in any program for veterinary
11 technology from working under the direct supervision
12 of a veterinarian;
- 13 (3) Any person from practicing veterinary technology in
14 the employ of the United States government while
15 engaged in the performance of the person's official
16 duties; or
- 17 (4) Any person from assisting the veterinarian or
18 veterinary technician while under the direct or
19 indirect supervision of a licensed veterinarian or the
20 direct supervision of a registered veterinary
21 technician."



1 SECTION 5. Section 471-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§471-8 Examinations; qualifications of applicants. (a)**

4 No person shall be licensed to practice veterinary medicine
5 unless the person has passed an examination of the
6 qualifications and fitness to engage in the practice of
7 veterinary medicine given by the board of veterinary examiners.
8 Before any applicant shall be eligible for examination under
9 this chapter the applicant, at least sixty days before the date
10 set for examination, shall file an application in the form as
11 shall be prescribed by the board, pay to the department of
12 commerce and consumer affairs application and examination fees,
13 and furnish proof satisfactory to the board that the applicant:

- 14 (1) Is eighteen or more years of age; and
- 15 (2) Is a graduate of a veterinary college meeting all the
16 standards established by the American Veterinary
17 Medical Association, or, in lieu thereof, has actively
18 practiced for ten out of twelve years immediately
19 preceding the date of application in a state having
20 standards for licensing comparable to those in this
21 State.



1 (b) Examinations shall be given by the board twice each
2 year except when there are no applications pending. They shall
3 be composed of written questions, a part of which shall consist
4 of those aspects of veterinary medicine common to the State on
5 toxic substances, parasite diseases, unique soil conditions, and
6 quarantine standards. The same questions shall be given to each
7 person being examined during a particular examination. The
8 subject matter of the examinations shall embrace the subjects
9 and demonstrations of practical ability normally covered in the
10 curricula of American veterinary colleges. The form of the
11 examination shall be determined by the board. Applicants shall
12 certify on the application that they have read, understood, and
13 agree to comply with the laws and rules that the board
14 determines are required for licensure.

15 The requirements imposed by this section shall not be a bar
16 to renewal, reissuance, or restoration of any license issued
17 prior to May 13, 1949.

18 (c) No person shall be registered to practice veterinary
19 technology unless the person:

20 (1) Is eighteen or more years of age;

21 (2) Has successfully completed a course of study at a

22 program for veterinary technology accredited by the



1 American Veterinary Medical Association Committee on
2 Veterinary Technician Education and Activities; and
3 (3) Has successfully passed the Veterinary Technician
4 National Examination.

5 Before any applicant shall be eligible for registration
6 under this chapter, the applicant shall file an application in
7 the form as shall be prescribed by the board and pay to the
8 department of commerce and consumer affairs an application fee
9 and all other applicable fees."

10 SECTION 6. Section 471-10, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§471-10 Refusal to grant and revocation or suspension of**
13 **license[-] or registration.** (a) In addition to any other
14 actions authorized by law, the board may refuse to grant, renew,
15 reinstate or restore a license or registration for any cause
16 which would be ground for revocation of a license or
17 registration under the law.

18 (b) In addition to any other actions authorized by law,
19 the board may revoke or suspend the license of any
20 veterinarian[-] or the registration of any veterinary
21 technician, fine a licensee[-] or registrant, or both, for any



1 cause authorized by law, including but not limited to the
2 following:

3 (1) Professional misconduct, gross negligence, or manifest
4 incapacity;

5 (2) Violation of this chapter or the rules adopted
6 pursuant thereto or any other law which applies to the
7 licensee as a practicing veterinarian[+] or to the
8 registrant as a practicing veterinary technician;

9 (3) Making any false representations or promises through
10 advertising or otherwise;

11 (4) Habitual intemperance in the use of alcoholic
12 beverages or addiction to the use of narcotic or
13 dangerous substances;

14 (5) Mental incompetence;

15 (6) Any fraudulent, dishonest, or deceitful act in
16 connection with the practice of veterinary medicine[+]
17 or veterinary technology;

18 (7) Making a false statement on any document submitted or
19 required to be filed by this chapter, including a
20 false certification of compliance with the continuing
21 education requirement;



- 1 (8) Revocation, suspension, or other disciplinary action
2 by another state of a license [~~or~~], certificate, or
3 registration, for reasons as provided in this section;
- 4 (9) Conviction of or plea of nolo contendere to a penal
5 offense substantially related to the qualifications,
6 functions, or duties of a veterinarian[~~r~~] or
7 veterinary technician, notwithstanding any statutory
8 provision to the contrary;
- 9 (10) Violation of chapter 329, the uniform controlled
10 substances act, or any rule adopted pursuant thereto;
- 11 (11) Failure to report any disciplinary action taken
12 against the licensee or registrant in another
13 jurisdiction within thirty days after the disciplinary
14 action becomes final; [~~or~~]
- 15 (12) Conduct or practice contrary to the recognized
16 principles of medical ethics of the veterinary
17 profession as adopted by the Hawaii Veterinary Medical
18 Association [~~and~~], the American Veterinary Medical
19 Association[~~r~~], and the Hawaii Veterinary Technician
20 Association;



1 (13) Aiding and abetting an unlicensed or unregistered
2 person in the practice of veterinary medicine or
3 veterinary technology; or

4 (14) For veterinary technicians, practicing veterinary
5 medicine that is outside the scope of practice of
6 veterinary technology."

7 SECTION 7. Section 471-11, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§471-11 Hearings.** (a) In every case where it is
10 proposed to refuse to grant, renew, reinstate, or restore a
11 license or registration or to revoke or suspend the exercise of
12 a license or registration for any of the causes enumerated in
13 section 471-10, the person concerned shall be given notice and
14 opportunity for hearing in conformity with chapter 91.

15 (b) In all proceedings before it, the board of veterinary
16 examiners and each member thereof shall have the same powers
17 respecting administering oaths, compelling the attendance of
18 witnesses and the production of documentary evidence, and
19 examining witnesses, as are possessed by circuit courts. In
20 case of disobedience by any person of any order of the board, or
21 any member thereof, or of any subpoena issued by it, or the
22 member, or the refusal of any witness to testify to any matter

1 regarding which the witness may lawfully be questioned, any
2 circuit judge, on application by the board, or any member
3 thereof, shall compel obedience as in the case of disobedience
4 of the requirements of a subpoena issued by a circuit court, or
5 a refusal to testify therein."

6 SECTION 8. Section 471-15, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[+]§471-15[+] **Criminal penalties.** Any person convicted
9 of violating section 471-2 shall have committed a misdemeanor
10 and be subject to a fine not to exceed \$500 or imprisoned not
11 more than six months, or both.

12 Additionally, all tools, implements, appliances, medicine,
13 and drugs used in the practice of veterinary medicine or
14 veterinary technology by any person convicted of practicing
15 veterinary medicine or veterinary technology without a license
16 shall be declared forfeited to the State by the court and turned
17 over to the board for disposition as it may choose to make."

18 SECTION 9. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 10. This Act shall take effect on July 1, 2014.

21



Report Title:

Veterinary Technicians; Veterinary Technology; Registration;
Regulation; Board of Veterinary Examiners

Description:

Establishes requirements for the regulation of veterinary technicians and the practice of veterinary technology under chapter 471, Hawaii Revised Statutes, relating to veterinary medicine. Establishes provisions relating to registration requirements, educational requirements, limitations on use of titles, grounds for refusal to grant and revocation or suspension of registration, hearings, and criminal penalties. Requires the board of veterinary examiners to issue certificates of registration to applicants beginning on July 1, 2018. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

