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PRESENTATION OF  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HOUSE COMMITTEE  
ON  
CONSUMER PROTECTION AND COMMERCE

TWENTY-EIGHTH STATE LEGISLATURE  
REGULAR SESSION, 2016

WEDNESDAY, FEBRUARY 3, 2016  
2:05 P.M.

TESTIMONY ON HOUSE BILL NO. 1955  
RELATING TO VETERINARY TECHNICIANS

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,  
AND TO THE HONORABLE JUSTIN H. WOODSON, VICE CHAIR,  
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on House Bill No.1955, Relating to Veterinary Technicians. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers comments on the bill.

House Bill No. 1955 creates a new chapter for the registration of veterinary technicians. RICO defers to the Board of Veterinary Examiners ("Board)" on the

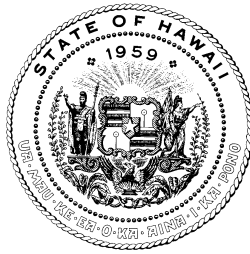
procedures for registration as set forth in the bill, but offers enforcement-related comments on the bill.

RICO has concerns that the definition of "Practice of veterinary technology" on pages 4-5 of the bill lacks sufficient detail for RICO to readily determine, for enforcement purposes, the scope of a veterinary technician's practice.

RICO also considers the exemption language on page 6, lines 6-18, to be overbroad. Under the bill, any person assisting a veterinarian while under the direct or indirect supervision of a licensed veterinarian would be exempt from registration as a veterinary technician. This exemption would cover such a wide range of conduct that would render registration of veterinary technicians unnecessary.

RICO notes that several bills in recent years have sought to establish a regulatory scheme for veterinary technicians. RICO has been and continues to be willing to work with the Board and stakeholders on the issue of registration for veterinary technicians.

Thank you for the opportunity to testify on House Bill No. 1955. I will be happy to answer any questions the Committee may have.



**TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR,  
ON HOUSE BILL NO. 1955,  
RELATING TO VETERINARY TECHNICIANS**

**House Committee on Consumer Protection and Commerce**

February 3, 2016

Chair McKelvey and Members of the Committee:

Thank you for the opportunity to provide comments on House Bill No. 1955, which would regulate veterinary technicians.

As you are aware, pursuant to House Concurrent Resolution 66 of the 2014 Regular Session, we conducted a sunrise analysis of the regulation of veterinary technicians and the practice of veterinary technology as proposed by Senate Bill 2502, Senate Draft 1 (2014). Our Report No. 14-15, *Sunrise Analysis: Regulation of Veterinary Technicians*, was released in December 2014. In it, we evaluated whether SB 2505, SD 1 (2014) (“the 2014 bill”) was consistent with the policies set forth in Hawai‘i’s regulatory licensing law, Chapter 26H, Hawai‘i Revised Statutes. We also assessed the probable effects of enacting the bill—specifically, the effects on consumers and the appropriateness of alternative forms of regulation; and we made recommendations. We concluded that the regulation of veterinary technicians is not warranted.

## **HB 1955 addresses most of the technical issues we identified in our sunrise report**

HB 1955 makes several changes to the 2014 bill that do not relate to issues raised in our sunrise report. However, the bulk of the changes made in HB 1955 do address deficiencies we identified in the 2014 bill. Specifically:

- HB 1955 expands the definition of veterinary technicians' scope of practice. We found the practice definition in the 2014 bill was too broad. We highlighted that although certain activities were specifically identified as being within the practice of veterinary technology, vet techs' scope of practice was not limited to those specified activities. As such, enforcement by the Department of Commerce and Consumer Affairs' (DCCA) Regulated Industries Complaints Office (RICO) would be difficult. The expanded definition in HB 1955 provides increased clarity regarding what activities are considered to be the practice of veterinary technology. However, we note that the new practice definition is still not limited to specified activities; as such, the practice definition remains broad and may be difficult to enforce.
- HB 1955 also amends the makeup of the Board of Veterinary Examiners to include a veterinary technician as a member. The 2014 bill did not provide for a representative of the veterinary technician community to sit on the board charged with regulating the profession, the Board of Veterinary Examiners; HB 1955 specifically addresses that finding.
- HB 1955 also addresses interstate reciprocity. The 2014 bill did not include any provisions for interstate reciprocity. HB 1955 addresses this flaw by providing the regulating board the discretion to determine the sufficiency of comparable interstate credentials.
- Finally, HB 1955 provides alternatives to fulfilling the requirement that veterinary technicians must have a degree in veterinary technology. We found that the educational

requirements in the 2014 bill would restrict entry into the profession. HB 1955 directly addresses this deficiency.

We also note that in spite of our finding that the 2014 bill mischaracterized the level of regulation, HB 1955 continues to call the proposed regulatory scheme a *registration* program rather than a *licensure* program.

**Regulation is not warranted, however**

Despite the fact that most of the technical issues we identified in the 2014 bill have been addressed in HB 1955, we stand by our conclusion from Report No. 14-15 that the regulation of veterinary technicians is not warranted. When applying Chapter 26H, HRS, the absence of abuse continues to weigh heavily against regulation.

Thank you for the opportunity to provide comments on HB 1955. I am available to answer any questions you may have.



January 31, 2016

To the House Committee on Consumer Protection and Commerce:

I am writing on behalf of the Hawaii Veterinary Technician Association (HVTA) in support of HB1995 relating to Veterinary Technicians.

The HVTA is a recently formed 501(c)(6) non-profit organization with the following goals:

- Promoting veterinary technicians by educating the public about veterinary technology.
- Supporting the working relationship between veterinary technicians and other members of the veterinary healthcare team.
- Working with the Hawaii Veterinary Medical Association (HVMA) on legislative initiatives, to recognize the role of veterinary technicians in Hawaii.

Many community members assume that the staff assisting the veterinarians have attended college and have some sort of certification. I have had conversations with many people who, once they learn that many veterinary employees have been trained on the job, are happy to hear that we are moving forward with registration and requiring that a person using the title veterinary technician pass the Veterinary Technician National Exam (VTNE). The community is looking for a standard for the people who are caring for their pets.

HVTA is also here to support the veterinary staff in the clinical setting. One of the key areas that HVTA pushed for in the bill was for the Alternative Path, which will allow those with 5+ years of full time experience in the role of veterinary technician to sit for the VTNE. As part of our goal of support, HVTA plans to assist those wanting to sit for this exam with guided study sessions. Currently, the national pass rate for the VTNE is about 72% and most of these scores are from graduates of veterinary technology programs. The pass rate for Alternative Path (on the job trained) test takers is about 15%. HVTA hopes to help the eligible candidates to a successful VTNE outcome.

The last goal is to work with the HVMA to recognize veterinary technicians in Hawaii. If this bill is approved in 2016, I will look forward to setting new goals that include support while this bill is implemented, and leadership with preparation for changes that this will bring to the veterinary field.

Thank you for your support of this bill and of veterinary technicians,

A handwritten signature in black ink, appearing to read "S. Geiling", written over a horizontal line.

Sam Geiling, RVT  
President, Hawaii Veterinary Technician Association  
craddock.hvta@gmail.com  
(808) 271-7883

January 31, 2016

Dear House of Representatives Committee on Consumer Protection and Commerce,

I have been a veterinary technician for 3 years, nearly 2 of which I had also been enrolled in the veterinary technology program. My first year on the job, I learned how to perform many of the daily tasks that belong to a veterinary technician. These tasks include client communication, administering vaccinations and medications through various routes, venipuncture, radiology, and things of that nature. Although I could perform these tasks, I was always unsure of why the veterinarian ordered these tasks.

Now that I am a 2<sup>nd</sup> year student in the veterinary technology program, I have much more knowledge and confidence about the things we do in this profession. Students of this program are taught extensively about various things that will help on a day to day basis of any technician; from the technician that is working in a wellness clinic to the technician that is working over night triaging critical care patients and emergencies. I can now confidently tell you about the vaccinations your pet has just received, I can now tell you why we are running that blood panel for your cat that has not eaten for a week, I can now tell you all of these things because of what I am learning in the veterinary technology program.

Credentialed veterinary technicians are also taught the skills and knowledge needed to work with multiple species. Not only are we proficient in the care of cats and dogs, we are also able to work with laboratory animals, large animals, and live stock, all of which are used here in Hawaii. Having registered veterinary technicians to provide aid to these animals can benefit current medical research being performed, as well as the farming community here in Hawaii.

Being credentialed as a veterinary technician will validate all of the information that I have learned over the course of 2 years and will help gain respect of this profession from other health care professionals. Also, I believe that all animal owners will take comfort in knowing that the veterinary technician caring for their beloved animal is not just someone from off the streets, but someone who is educated specifically for this profession and takes pride in the knowledge that they possess. As I continue to pursue my career in veterinary technology, I look forward to your support, as well as the new and improved standard of care of veterinary care in all communities through out Hawaii.

Thank you for your time,  
Caelyn Udani  
Student  
WCC Veterinary Technology Program

January 31, 2016

Dear House of Representatives Committee on Consumer Protection and Commerce,

My name is Cymbree DeCosta and I am a current second year student in the Windward Community College Veterinary Technology Program. Throughout my time here I have learned an immense amount of information that will help improve my proficiency as I look to start my career as a veterinary technician. One of the main things I have learned is that education is essential. Education in relationship to experience has been an ongoing debate in this profession. My thought is, it is important to have experience but it is not everything you need. Being educated is vital and cannot be replaced by only experience. In many states education is required to become registered, and until the profession has nation wide support, it will not advance proficiently.

This may seem a bit bias coming from me, a current student who has no previous related veterinary job experience. The truth is that I had tried to get a job related to veterinary medicine but I had no luck. When living in Washington, a state you have to be licensed or registered to work, it was impossible to get a job related to veterinary medicine. When this program opened up in Hawaii I knew that this was going to be a great thing for the state. Before I started the program I can honestly say that I thought that being a veterinary technician was the same as being a nurse, but for animals. After completing what I have done so far in school, I learned that veterinary technicians do a lot more than many people realize. Just like nurses in hospitals, you most likely wouldn't be confident with someone who wasn't educated to draw blood from you, you would want them to be certified in some aspect; and the same goes for the animal field perspective. The medical field continually changes with new diseases and techniques, so being educated and up to date is the smartest move all healthcare professions need to take.

Currently in my last semester, I can tell you that this program is hard and that we as a class learned so much information that is beneficial to making us effective technicians upon graduation. Throughout the 2-year program we had to complete two internships at local veterinary clinics, one during the summer (3<sup>rd</sup> semester) and one during the spring (5<sup>th</sup> semester). I am impressed that I can say that between the two, I could tell a difference in my ability to be an effective intern. In my first internship, I was a bit more timid by questioning myself, similar to those individuals who were hired with no previous experience. However, now its been a couple weeks at my new internship and I am able to effectively put my skills to work. I am able to restrain, read lab cultures, draw blood, place catheters, monitor anesthesia, administer medication, and talk to clients much more effectively and with a lot more confidence. I was able to do some of these tasks during the first internship but without the amount of knowledge I have now. Throughout the second year we have tied textbook education and hands on practice together to become more effective technicians. Being able to possess both applicable and educational traits means that, even as an intern, I am able to be a key team player and help the clinic be successful.

Practice makes perfect in every aspect of life. Experience is important to have, but not having the correct experience could essentially do more harm than good. The career opportunities for veterinary technicians are limitless and range from agriculture, zoological medicine, clinical aspects, laboratory research, and so much more. This is why it is so important for veterinary technicians to be registered. As I prepare to start my career I look forward to being a credentialed veterinary technician. I also look forward to your support, along with the rest of the state of Hawaii, in recognizing the proficiency of a veterinary technician, by making it a requirement to become educated and registered.

Sincerely,  
Cymbree DeCosta



**PRESENTATION OF THE  
BOARD OF VETERINARY EXAMINERS**

TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION AND COMMERCE

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016

Wednesday, February 3, 2016  
2:05 p.m.

**TESTIMONY ON HOUSE BILL NO. 1955, RELATING TO VETERINARY  
TECHNICIANS.**

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is John Kaya, D.V.M., and I am the Chairperson of the Board of Veterinary Examiners (“Board”). Thank you for the opportunity to present testimony on House Bill No. 1955, Relating to Veterinary Technicians.

Unfortunately, the Board has not yet held a meeting at which the language or substance of this bill has been discussed, therefore, there is no official position on this measure at this time. However, the Board will be discussing this bill at its next scheduled meeting today, Wednesday, February 3, 2016.

Although we have no official position on this particular measure, based on the Board’s previous discussion at its October 14, 2015 Board meeting on related issues, we suggest the following amendments:

1. Remove “the board,” on page 3, line 16, following “by”.
2. Include “the Hawaii Veterinary Technician Association” on page 3, line 17, following “Registry,”.
3. Remove “;” on page 7, line 8, following “registration” and replace with “.”.

4. Remove on page 7, lines 9 to 12.
5. Include on page 7, following line 8, "Registrations that have been forfeited may be restored within one year of the expiration date upon payment to the board of all applicable fees and submission to the board of documentation of continuing education compliance. Failure to restore a forfeited registration within one year of the date of its expiration shall result in the automatic termination of the registration. Persons with terminated registrations shall be required to reapply for registration as a new applicant."

The Board supported similar legislation last session but has not yet had the opportunity to fully discuss this measure. Should the Committee decide to move this measure forward, the Board would welcome the opportunity to provide this Committee with updated information about its position on the bill.

Thank you for the opportunity to provide testimony on House Bill No. 1955.

From: mailinglist@capitol.hawaii.gov  
Sent: Sunday, January 31, 2016 10:43 AM  
To: CPCtestimony  
Cc: soyen@hawaii.edu  
Subject: Submitted testimony for HB1955 on Feb 3, 2016 14:05PM

**HB1955**

Submitted on: 1/31/2016

Testimony for CPC on Feb 3, 2016 14:05PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
stine oeyen douglus	Individual	Support	No

Comments: I completed my education as a veterinary technician at windward community college in 2013. It was an amazing experience, and I had job offers right away. I have worked as a full time vet tech since graduating, and I recently also started teaching in the vet tech program. I think it is sad that I can't become a registered or certified technician here in Hawaii. I would have to travel to another state to get my credentials. I do not have the opportunity or funds to do so. If I could become registered here in Hawaii, I could ask for more salary. It would not only be an opportunity for veterinary clinics to up their standards of care, but also a big support to all us veterinary technicians to get recognition. This legislation means a lot to animals, owners, veterinarians and veterinary technicians.

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With the establishment of Windward Community College's program for the training of veterinary technicians, I feel that the time is right for the formalized recognition of veterinary technicians by the government of Hawaii via HB1955. The veterinary technicians perform many tasks that help us veterinarians provide excellent care to Hawaii's animal population. As HB1955 indicates, veterinary technicians are found in private practices and in the zoos, in laboratories and quarantine facilities, as well as in the field with practitioners of large animal medicine.

Veterinary medicine, as we know it, would not be possible without the assistance of trained veterinary technicians. That many of these technicians have organized to argue in favor of state recognition is admirable. By gaining state recognition in Hawaii, these technicians will add to the state's medical professionals who safeguard human health, as well as animal health. Registered veterinary technicians will do so by protecting the health of our pets and livestock. These trained and licensed technicians will also help Hawaii in its ongoing efforts to detect and to prevent the introduction of foreign animal diseases.

I support HB1955 and feel that it will improve the delivery of veterinary medicine in the state of Hawaii.

Hawaii House of Representatives  
Committee on Consumer Protection and Commerce  
Hawaii State Capitol  
415 South Beretania St.  
Honolulu, HI 96813

January 31, 2016

Dear Committee Members,

As a current student in the Windward Community College Veterinary Technology program, I am hopeful that Hawaii, like many other states across the nation, moves toward registration requirements for Veterinary Technicians. I believe it is of the utmost importance for the future of my chosen profession.

Requiring registration guarantees only the properly trained and educated can care for animals in the role of Veterinary Technician. Ensuring that all Veterinary Technicians are educated in an American Veterinary Medical Association (AVMA) accredited institution and have passed the Veterinary Technician National Examination, results in a highly qualified workforce that can provide an excellent and safe standard of care for all our patients. Like many skilled professions, official registration will increase respect for our jobs, and help earn the trust of the public.

Part of the requirements for maintaining registration and licensing is a commitment to lifelong learning. Continuing education is extremely important to keep up with in the fast paced world of medical and pharmaceutical research. New techniques and treatments are constantly being discovered and tested, the knowledge of which can only improve our patients' care.

In my classes, I have learned so much about recognizing diseases and problems in animals and how to best treat them. The importance of my education, learning WHY problems occur, helps me better educate clients on the healthiest care of their animals. Many conditions in animals can also be

threats to human health and it will be part of my job to increase public safety by teaching clients of these potential dangers in the world around them.

As I begin my career in the field, I am looking forward to the state of Hawaii soon recognizing the competence of Veterinary Technicians by requiring registration. I will be proud to have worked hard to earn my title of RVT and the respect of my fellow medical professionals.

Sincerely,

*Amanda A. Perzel*

Amanda A. Perzel

Student

Windward Community College

Veterinary Technology Program

From: mailinglist@capitol.hawaii.gov  
Sent: Monday, February 01, 2016 4:31 PM  
To: CPCtestimony  
Cc: jeffrymorrison@aol.com  
Subject: Submitted testimony for HB1955 on Feb 3, 2016 14:05PM

**HB1955**

Submitted on: 2/1/2016

Testimony for CPC on Feb 3, 2016 14:05PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffry H Morrison	Individual	Support	No

Comments: As a practicing veterinarian (of 44 yr) I would like to voice my support for HB1955 as the right step to bring quality veterinary "nurses" into our profession. This bill will establish the framework for the regulation of veterinary technicians on Maui and thru out the state. Thank you, Jeffry Morrison, DVM

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From: mailinglist@capitol.hawaii.gov  
Sent: Tuesday, February 02, 2016 1:07 AM  
To: CPCtestimony  
Cc: zalbudri@hawaii.edu  
Subject: Submitted testimony for HB1955 on Feb 3, 2016 14:05PM

**HB1955**

Submitted on: 2/2/2016

Testimony for CPC on Feb 3, 2016 14:05PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
zachary albudri	Individual	Support	No

Comments: As a veterinarian in private practice I have seen firsthand the effect of having licensed and credentialed technicians working in my hospital when compared to individuals trained off the street. Every element of the veterinary patient's care is maximized when learned and licensed technicians are charged with their care. I am in full support of acknowledging licensed veterinary technicians through the legislature. Mahalo and warm regards, Zachary Albudri, DVM

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From: mailinglist@capitol.hawaii.gov  
Sent: Tuesday, February 02, 2016 11:05 AM  
To: CPCtestimony  
Cc: cnaun@armsofaloha.com  
Subject: Submitted testimony for HB1955 on Feb 3, 2016 14:05PM

**HB1955**

Submitted on: 2/2/2016

Testimony for CPC on Feb 3, 2016 14:05PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carolyn Naun	Individual	Support	No

Comments: TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR, AND MEMBERS OF THE COMMITTEE, My name is Carolyn Naun, DVM, and I have been a practicing small animal veterinarian for over fifteen years. I have worked alongside veterinary technicians in several states, and was previously an instructor at a veterinary technology program. I am now the owner of a pet hospice, Arms of Aloha, in Kaneohe, Hawaii. Thank you for the opportunity to present testimony on House Bill 1955, which I enthusiastically support. I would like to offer the following comments. A 2015 Harris Poll revealed that 62% of Americans have at least one pet in the household. 95% of those pet owners surveyed consider their pets to be members of their family. These findings are consistent with other recent market research conducted both in Hawaii and nationwide. In practice, I can tell you that this means pet owners are growing to expect the same standards and expertise from their veterinary team that we have grown accustomed to in "human" medicine. This is reflected in the fact that all the other 49 states now have a pathway to certification, registration or licensure for veterinary technicians. Just like registered nurses, these hardworking, compassionate men and women see the value of a formal education in pursuing their career goals. Just like registered nurses, they have serious responsibilities including conducting anesthesia, doing the initial evaluation on emergency cases, and coordinating and delivering the medical care ordered by the veterinarian. Just like registered nurses, they often go above and beyond the call of duty simply because they care about their patients. For these reasons alone, veterinary technicians richly deserve legal recognition of their skills and expertise. There are many other benefits to registering technicians in Hawaii, including but not limited to: - Employers will know that a registered technician has been educated according to the rigorous standards set forth by the American Veterinary Medical Association. - The status of the entire veterinary profession will be raised in the eyes of the pet-owning public by this visible commitment to quality healthcare. - Veterinarians will be able to work more efficiently and productively by delegating important tasks to a skilled technician. HB1955 sets reasonable standards for the practice of veterinary technology; gives veterinary technicians public recognition as highly qualified, skilled professionals; and raises the bar for veterinary healthcare in Hawaii. It provides a pathway to registration via endorsement for existing technicians with five or more years experience working in Hawaii, while maintaining an educational standard for new technicians seeking registration in the future. For these reasons, I strongly support this measure. Please feel free to contact me at cnaun@armsofaloha.com if you have any questions. Respectfully, Carolyn Naun, DVM

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**LATE**

Veterinary Technology Program

February 1, 2016

To Whom It May Concern:

I am writing in support of HB1955, for veterinary technicians in the State. Currently, I am the Director of Windward Community College's Veterinary Technology Program. I am originally from Hawaii, but throughout my veterinary career, I have worked with veterinary technicians throughout the mainland and in Canada. In veterinary school, at Purdue University, veterinary students often worked along with veterinary technician students in the clinical setting. The importance of the veterinary technician in the veterinary industry is undeniable. Veterinary medicine is a team effort, and the technician is an integral part of the team.

The Veterinary Technology Program's mission is "to increase the quality of veterinary care in Hawaii by providing students with essential skills and knowledge that will enable them to obtain rewarding, living-wage jobs in the animal care field." The WCC's program is a successful and popular career choice. It provides an opportunity for interested students to become a veterinary technician while staying local. It is somewhat unfathomable to me that there is a successful Veterinary Technician Program in a State that does not 'recognize' the Program's graduates. Our graduates currently have to seek credentialing from other States such as Colorado, Washington, etc....

I urge you to support and pass HB1955. It is a Bill that is beneficial to the State and all its residents. Thank you for your time and consideration.

Mahalo,

Jenny Kelly, DVM, MVSc, DACVS  
Program Director and Assistant Professor  
Windward Community College  
Veterinary Technology

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