

**PRESENTATION OF THE
BOARD OF VETERINARY EXAMINERS**

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2015

Wednesday, February 4, 2015
2:45 p.m.

**TESTIMONY ON HOUSE BILL NO. 733, 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. 733, Relating to Veterinary Technicians.

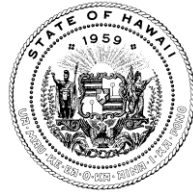
The Board reviewed and discussed this bill at its January 28, 2015 Board meeting. House Bill No. 733 establishes registration requirements for the regulation of veterinary technicians.

The Board supports the concept to register veterinary technicians and wishes to consult with the American Association of Veterinary State Boards ("AAVSB") to obtain clarification on the proposed scope of practice language as compared to the AAVSB Veterinary Technology Practice Act Model. Due to time constraints, the Board was not able to thoroughly research and review all areas of the proposed bill. However, the Board did note the following conflicting language:

1. Page 6, lines 7 to 9. The definition of “Practice of veterinary technology” refers to procedures only under the direct supervision of a licensed veterinarian.
2. Page 10, lines 1 to 3. Includes an exemption that allows any person from assisting the veterinarian or veterinary technician while under the direct or indirect supervision of a licensed veterinarian.

The Board of Veterinary Examiners will continue to review this measure and consult with the AAVSB on the AAVSB Veterinary Technology Practice Act Model. The Board is happy to continue to work with the Committee in making any reasonable and necessary adjustments found to be prudent in the course of that review.

Thank you for the opportunity to provide testimony on House Bill No. 733.



DAVID Y. IGE
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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, 2015

WEDNESDAY, FEBRUARY 4, 2015
2:45 P.M.

TESTIMONY ON HOUSE BILL NO. 733
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.733, Relating to Veterinary Technicians. My name is Daria Loy-Goto, Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers the following comments on the bill.

House Bill No. 733 provides for the registration of veterinary technicians within Chapter 471, Hawaii Revised Statutes. RICO defers to the Board of Veterinary Examiners ("Board") on the procedures for registration as set forth in

Testimony on House Bill No. 733

February 4, 2015

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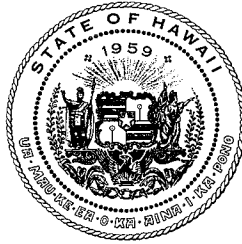
House Bill No. 733, but offers comments on Sections 3 and 4 of the bill. Section 3 of the bill adds five new definitions, including a definition for the scope of a veterinary technician's practice. Section 4 identifies the conduct that would be exempt from registration as a veterinary technician.

RICO has concerns that the definition of "Practice of veterinary technology" 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 in Section 4(b)(5) on page 10, lines 1-3, 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.

It is RICO's understanding that the Hawaii Veterinary Medicine Association and the Hawaii Veterinary Technician Association are amenable to working with the Board and RICO on language acceptable to all stakeholders. RICO appreciates the opportunity to participate in this effort.

Thank you for the opportunity to testify on House Bill No. 733. I will be happy to answer any questions that the members of the Committee may have.



**TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR,
ON HOUSE BILL NO. 733,
RELATING TO VETERINARY TECHNICIANS**

**House Committee on Consumer Protection and Commerce
February 4, 2015**

Chair McKelvey and Members of the Committee:

I am Jan Yamane, Acting State Auditor. Thank you for the opportunity to provide comments on House Bill 733, 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 *Sunrise Analysis: Regulation of Veterinary Technicians* (Report No. 14-15), was released on December 23, 2014. In it, we evaluated whether last year's 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 733 addresses most of the technical issues we identified in our sunrise report

HB 733 makes several changes to last year's bill that do not relate to issues raised in our sunrise report. However, the bulk of the changes made in HB 733 do address deficiencies we identified in last year's bill. Specifically:

- HB 733 expands the definition of veterinary technicians' scope of practice. We found the practice definition in last year's 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 HB733 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.
- HB733 also amends the makeup of the Board of Veterinary Examiners to include a veterinary technician as a member. Last year's 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 733 specifically addresses that finding.
- HB733 also addresses interstate reciprocity. Last year's bill did not include any provisions for interstate reciprocity. HB733 addresses this flaw by providing the regulating board the discretion to determine the sufficiency of comparable interstate credentials.
- Finally, HB733 provides alternatives to fulfilling the requirement that veterinary technicians must have a degree in veterinary technology. We found that the educational requirements in last year's bill would restrict entry into the profession. HB733 directly addresses this deficiency.

We also note that in spite of our finding that last year's bill mischaracterized the level of regulation, HB 733 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 last year's bill have been addressed in HB 733, 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.

I am available to answer any questions you may have.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 30, 2015 1:24 PM
To: CPCtestimony
Cc: AKOE002@hawaii.rr.com
Subject: Submitted testimony for HB733 on Feb 4, 2015 14:45PM

HB733

Submitted on: 1/30/2015

Testimony for CPC on Feb 4, 2015 14:45PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Hawaii Veterinary Medical Association	Support	No

Comments: Honorable Chair Representative McKelvey and members of the Committee on Consumer Protection and Commerce, The HVMA strongly supports the intent and concept of HB733. However, we respectfully request that it be heard in the next legislative session in 2016. Working closely with the Hawaii Veterinary Technician Association, the Board of Veterinary Examiners and Regulated Industries Complaints Office, we have come to the conclusion that a year is required for certain language in the bill to be improved upon. The timing has to do with working with other outside agencies such as the American Association of Veterinary State Boards, and the fact that the BVE meets next in April. We only wish for the legislation to be right, and recognize that patience is required. We hope to enjoy your support next year, with a bill endorsed by all interested parties. Respectfully yours, Eric Ako DVM ExecVP, HVMA

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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February 5, 2014

Testimony in Support of HB 733

Rep. McLelvey & Members of the House Committee on Consumer Protection & Commerce:

The Pacific Pet Alliance is a Hawai'i non-profit organization that promotes responsible pet ownership through education and advocacy. We support these bills that call for the registration of veterinary technicians throughout the State.

Veterinary technicians are integral members of our pets' health care team and deserve the professional recognition this licensure will bring to them.

The Pacific Pet Alliance requests that this bill be passed.

Respectfully submitted,

PACIFIC PET ALLIANCE

**Lynn Muramaru
Director**

From: Samantha Craddock <scraddoc@hawaii.edu>
Sent: Friday, February 06, 2015 11:00 AM
To: CPCtestimony
Subject: HB 733 - Regarding Veterinary Technicians



Hello,

I am sending my written testimony from the hearing on 2/4/15 at 2:45 pm.

Name: Katherine (Sam) Craddock, RVT

Organization: Windward Community College, Instructor in the Veterinary Technology Program

Organization: Hawaii Veterinary Technician Association (HVTA), President

Contact: scraddoc@hawaii.edu - (808) 271-7883

Testimony:

Good afternoon,

My name is Sam Craddock, I am a Registered Veterinary Technician through the state of North Carolina, and I have been teaching in the veterinary assisting and veterinary technology programs at Windward Community College for five years. I want to keep this brief and just let you know that I will continue to work with all of the organizations involved in HB 733 (and Senate Bill 751) as we move forward with recognizing veterinary technicians in the state of Hawaii.

Currently, the graduates of the WCC Veterinary technology program are finding other states that do not have residency restrictions for credentialing, many going through Washington, Oregon, Nevada, and Colorado. I would like to conclude in saying that I am looking forward to becoming a Registered Veterinary Technician here in Hawaii, as are the current students, and graduates. Thank you for your time.

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Sam Craddock, RVT
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