

# SB2260

Measure Title: RELATING TO VETERINARY MEDICINE.

Report Title: Veterinary Medicine; Prescriptions; Copies

Description: Requires veterinarians, upon request of the owner of an animal, to make available a copy of any prescription that the veterinarian has previously prescribed the animal free of charge.

Companion:

Package: None

Current  
Referral: CPH

Introducer(s): KEITH-AGARAN, ENGLISH

**PRESENTATION OF THE  
BOARD OF VETERINARY EXAMINERS**

TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-NINTH LEGISLATURE  
Regular Session of 2018

Tuesday, February 20, 2018  
9:00 a.m.

**TESTIMONY ON SENATE BILL NO. 2260, RELATING TO VETERINARY MEDICINE.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR, AND MEMBERS OF THE  
COMMITTEE:

My name is Jenee Odani, and I am the Chairperson of the Board of Veterinary Examiners ("Board"). Thank you for the opportunity to testify on S.B. 2260. The Board discussed this measure at its January 31, 2018, meeting and is in opposition to this bill.

This measure requires veterinarians, upon request of the owner of an animal, to make available a copy of any prescription that the veterinarian has previously prescribed the animal free of charge.

The Board expressed concerns that this measure could potentially lead to the misuse or abuse of prescription products, as this measure does not differentiate between current and expired prescriptions or between prescriptions of controlled substances regulated under the federal Drug Enforcement Administration ("DEA") and non-controlled substances.

If the intent of this measure is for purposes of recordkeeping, the Board feels that this measure is unnecessary as an animal's prescription history is available on the animal's medical record, which the owner may request from a licensed veterinarian at

any time. As this measure requires veterinarians to provide a service without compensation, it may interfere with the operations of a veterinary establishment.

Therefore, the Board respectfully suggests that this measure be held. Thank you for the opportunity to provide testimony on S.B. 2260.



**HAWAII VETERINARY MEDICAL ASSOCIATION**  
P.O. Box 61309, Honolulu, Hawaii 96839-1309

February 18, 2018

Senate Committee on Commerce, Consumer Protection, and Health  
Senator Rosalyn H. Baker, Chair  
Senator Jill N. Tokuda, Vice Chair

RE: SB2260 Relating to Veterinary Medicine

Dear Committee on Commerce, Consumer Protection, and Health:

On behalf of the Hawaii Veterinary Medical Association, I would like to express our opposition to SB2260 and its unnecessary burden upon veterinarians practicing in Hawaii.

SB2260 states that it would require veterinarians to make copies of previously prescribed prescriptions available to owners upon request. Prior prescription information is already contained within a patient's (animal's) medical record and available upon request by the client (owner of the animal).

The issue of access to written prescriptions within veterinary medicine has been addressed specifically by the American Veterinary Medical Association (AVMA). According to Hawaii Revised Statutes 471-10, licensed veterinarians in Hawaii are required to practice by "the recognized principles of medical ethics of the veterinary profession as adopted by the Hawaii Veterinary Medical Association and the American Veterinary Medical Association".

The AVMA Principles of Veterinary Medical Ethics Section V.b.iii. states:

"Veterinarians are obligated to provide copies or summaries of medical records when requested by the client."

Section VII.f.iii. states:

"Veterinarians are entitled to charge fees for their professional services: A veterinarian shall honor a client's request for a prescription or veterinary feed directive in lieu of dispensing, but may charge a fee for this service."

(<https://www.avma.org/KB/Policies/Pages/Principles-of-Veterinary-Medical-Ethics-of-the-AVMA.aspx>)

Furthermore, AVMA's Policy on Client Requests for Prescriptions states:

- “1. Drug therapy, when medically indicated, should be initiated by the attending veterinarian in the context of veterinarian-client-patient relationship. Clients that wish to purchase their prescription drugs from a pharmacy rather than the veterinarian should be advised to first obtain a prescription from their veterinarian before contacting a pharmacy. The veterinarian may choose to either issue the prescription in writing for the client, or contact the pharmacy electronically or by phone.
2. Veterinarians shall honor client requests to prescribe rather than dispense a drug (AVMA Principles of Veterinary Medical Ethics). The client has the option of filling a prescription at any pharmacy.” (<https://www.avma.org/KB/Policies/Pages/Internet-Pharmacies.aspx>)

Current Hawaii law already allows for clients within an appropriate veterinarian-client-patient-relationship to request a written prescription and for veterinarians to honor such requests. Please oppose the redundant legislation introduced in SB2260. Thank you for the opportunity to submit testimony.

Sincerely,

Jill Yoshicedo, DVM  
President  
Hawaii Veterinary Medical Association

**SB-2260**

Submitted on: 2/19/2018 7:37:00 PM

Testimony for CPH on 2/20/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dale Sandlin	Testifying for Hawaii Cattlemens Council	Oppose	No

Comments:

**SB-2260**

Submitted on: 2/19/2018 8:59:18 AM

Testimony for CPH on 2/20/2018 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachael Lau	Individual	Oppose	No

Comments:

I oppose proposition SB2260 as it will place unnecessary legislative burden on veterinarians and their staff. There are already requirements of veterinarian in place require medical records to be provided which includes the prescriptions and makes this bill redundant and necessary.