A BILL FOR AN ACT

RELATING TO VETERINARIANS.

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

1   SECTION 1. Chapter 471, Hawaii Revised Statutes, is

2   amended by adding two new sections to be appropriately

3   designated and to read as follows:

4   "**§471-   Exception to liability; emergency care;**

5   **veterinarian-client-patient relationship.** (a) Any

6   veterinarian, who in good faith and without remuneration or

7   expectation of remuneration, renders emergency care to a sick or

8   injured animal at large shall not be liable to the owner of that

9   animal for any civil damages resulting from the veterinarian's

10   acts or omissions, except for damages as may result from the

11   veterinarian's gross negligence or wanton acts or omissions.

12   (b) A veterinarian duly licensed under this chapter may,

13   in good faith, render necessary and prompt care and treatment to

14   an animal patient without establishing a veterinarian-client-

15   patient relationship if conditions do not allow the

16   establishment of the relationship in a timely manner. A

17   veterinarian who renders emergency treatment shall not be liable

1   to the owner of the animal for any civil damages resulting from

2   the veterinarian's acts or omissions except for damages as may

3   result from the veterinarian's gross negligence or wanton acts

4   or omissions.

5   (c)   A veterinarian acting under this section shall make an

6   appropriate record including the basis for proceeding under this

7   section.

8   §471-   **Reporting; duty; dog fighting; animal cruelty;**

9   **immunity from civil liability.**   (a)   Whenever any licensee under

10 this chapter has reasonable cause to believe that an animal has

11 been injured or killed through participation in a staged animal

12 fight, as prescribed in section 711-1109.3 or 711-1109.35, it

13 shall be the duty of the licensee to promptly report the event

14 to the appropriate law enforcement authorities of the county

15 where the event occurred.

16   (b)   Whenever any licensee under this chapter has

17 reasonable cause to believe an animal under the licensee's care

18 has been a victim of animal abuse or cruelty, as prescribed in

19 section 711-1108.5 or 711-1109, it shall be the duty of the

20 licensee to promptly report the event to the appropriate law

21 enforcement authorities of the county where the event occurred.

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1   (c) No licensee under this chapter shall incur any civil

2 liability as a result of making any report pursuant to this

3 section or as a result of making any report of a violation of

4 section 711-1108.5, 711-1109, 711-1109.3, or 711-1109.35."

5   SECTION 2. This Act does not affect rights and duties that

6 matured, penalties that were incurred, and proceedings that were

7 begun before its effective date.

8   SECTION 3. New statutory material is underscored.

9   SECTION 4. This Act shall take effect upon its approval.

10

INTRODUCED BY: _____

JAN 2 2 2020

Report Title:
Veterinarians; Good Samaritan Protection; Report; Veterinarian-Client-Patient Relationship; Dog Fighting; Animal Abuse; Civil Liability Immunity

Description:
Provides veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence. Provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence. Requires veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe that it relates to dog fighting or animal abuse and gives veterinarians immunity for civil liability for making the reports.

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