

Testimony of the Hawaii Board of Veterinary Medicine

**Before the
House Committee on Consumer Protection & Commerce
Wednesday, March 11, 2020
2:00 p.m.
State Capitol, Conference Room 329**

**On the following measure:
S.B. 2512, S.D. 1, RELATING TO VETERINARY MEDICINE**

Chair Takumi and Members of the Committee:

My name is Gregory Zambrano, and I am the Executive Officer of the Hawaii Board of Veterinary Medicine (Board). The Board supports this bill.

The purposes of this bill are to: (1) prohibit an animal's owner, and the owner's employees, from performing any surgical procedure, including surgical birth, ear cropping, tail docking, or debarking, without being licensed as a veterinarian; (2) make it a class C felony to intentionally or knowingly perform any surgical procedure, including surgical birth, ear cropping, tail docking, or debarking, on a pet animal by any person who is not licensed as a veterinarian; and (3) specify that accepted veterinary practices and cropping or docking as customarily practiced shall not be considered cruelty to animals in the first degree if performed by a licensed veterinarian.

The Board believes this bill will effectuate the protection of animals. The performance of surgical procedures by individuals who have not received appropriate education and training as a veterinarian poses serious dangers and risks to the animal. In addition, performing these procedures without first obtaining a license by the Board constitutes unlicensed activity.

Thank you for the opportunity to testify on this bill.

SB-2512-SD-1

Submitted on: 3/10/2020 12:26:47 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	The Animal Welfare Institute	Support	Yes

Comments:

Dear Honorable Chair Takumi and Members of the Committee on Consumer Protection

RE: Strong Support for SB2512: Relating to Veterinary Medicine

The majority of states explicitly prohibit any person, who is not a licensed veterinarian, from performing certain procedures such as ear-cropping/cutting, tail-docking/cutting and sterilization, due to the tremendous amount of pain and suffering that the animal will endure (see attached photo of a puppy with a non-veterinarian "backyard ear crop").

The American Veterinary Medical Association (AVMA) strongly opposes ear-cropping and tail-docking and refutes the claims by some dog breeders that such practices are acceptable if performed by a non-veterinarian or if the puppy is at a young age: (see: <https://www.avma.org/policies/ear-cropping-and-tail-docking-dogs>)

The AVMA opposes ear cropping and tail docking of dogs when done solely for cosmetic purposes. The AVMA encourages the elimination of ear cropping and tail docking from breed standards.

The American Kennel Club supports owners who choose to crop: "...ear cropping, tail docking, and dewclaw removal, as described in certain breed standards, are acceptable practices integral to defining and preserving breed character and/or enhancing good health." However, dogs with cropped ears may not compete in United Kingdom Kennel Club events.

Many veterinary organizations, in addition to the AVMA, oppose cosmetic cropping including the American Animal Hospital Association (AAHA), Canadian Veterinary Medical Association (CVMA) and Australian Veterinary Association. Individual veterinarians differ in their perspectives.

Ear-Cropping has been deemed unacceptable in the United Kingdom for more than a century and is currently prohibited in Australasia and most European and Scandinavian countries.

The procedure is not permitted or is highly restricted in many countries, including most European Member States, Australia, Iceland, Israel, Norway, South Africa, Switzerland and the Virgin Islands.

In certain parts of the United Kingdom some working dogs and breeds may be eligible for exemption from a legal prohibition on docking, but if docked the owner must be able to supply a certificate **completed by a veterinary surgeon** who performed the procedure and the dog must be microchipped. In the United Kingdom dogs docked after the ban was instituted in 2007 cannot be shown at any event where the public pay an entrance fee.

Empirical studies of docking on the welfare of puppies and on the long-term consequences of docking, including effects on behavior, that encompass a suitable population of control dogs would be helpful in developing a consensus regarding the welfare implications of this procedure. However as acceptance of the procedure by the veterinary community and general public appears to be low, and arguably declining, there is little impetus for further research. At this time routine tail docking has not been shown to produce demonstrable benefits for most dogs. When it is performed routinely, rather than in response to a medical need (such as tail trauma), it is considered to be cosmetic surgery.

Non-veterinarians do not have the necessary access to pain medication, pre and post-operative care and antibiotics to prevent infection. Sadly, "backyard" ear-cropping is common in Hawaii.

In 2007, Hawaii passed its first felony animal cruelty law. If a person were to intentionally cut off a dogs toe or foot, it would without question be considered malicious cruelty. There is no reason that a person should be able to cut off a dogs ears' or tail, and face no penalty.

Please support this important measure to protect pets from unnecessary suffering. Further these procedures may still be performed by a licensed veterinarian, if needed.

Inga Gibson, On behalf of the Animal Welfare Institute

The Animal Welfare Institute (www.awionline.org) is a nonprofit charitable organization founded in 1951 and dedicated to reducing animal suffering caused by people. AWI engages policymakers, scientists, industry, and the public to achieve better treatment of animals everywhere – in the laboratory, on the farm, in commerce, at home, and in the wild.



Hawaiian Humane Society
People for animals. Animals for people.

2700 Waiialae Avenue Honolulu, Hawaii 96826
808.356.2200 • HawaiianHumane.org

Date: March 9, 2020

To: Chair Rep. Roy Takumi
Vice Chair Rep. Linda Ichiyama
and Members of the Committee on Consumer Protection & Commerce

Submitted By: Stephanie Kendrick, Public Policy Advocate
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of SB 2512, SD1: Relating to Veterinary Medicine
Wednesday, March 11, 2020, 2 p.m., Capitol Room 329

Aloha Chair Takumi, Vice Chair Ichiyama and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for Senate Bill 2512, SD1, which prohibits the owner of an animal, and the owner's employees, from performing any surgical procedure, including but not limited to surgical birth, ear cropping, tail docking, and debarking on the animal without being licensed as a veterinarian. It further makes intentionally or knowingly performing any surgical procedure on a pet animal by any person not licensed as a veterinarian guilty of a class C felony. And it specifies that accepted veterinary practices and cropping or docking as customarily practiced, shall not be considered cruelty to animals in the first degree if performed by a licensed veterinarian.

The Hawaiian Humane Society opposes cosmetic surgery on animals, but while this bill does not take that step, it does protect animal welfare by requiring that these procedures are performed by a licensed veterinarian. This measure definitely represents progress.

Surgical birth certainly should never be performed by anyone but a licensed veterinarian. Hawaiian Humane recently sent a bulldog mix out for specialized surgery on an enormous hernia that our chief veterinarian strongly suspects was the result of a backyard cesarean section. See photos on the next page. This animal was lucky enough to survive the mutilation and get the care she needed, but causing this sort of injury to an animal is unconscionable.

We urge the committee to pass SB 2512, SD1. Mahalo for your consideration.

Here are the before and after pictures of the approximately 3-year-old bulldog mix that was brought into our care with a large ventral abdominal hernia, suspected to be secondary to a backyard C-section. She is a very sweet dog and was recently adopted into a new home. Note she also has very short cropped ears, which are also usually an indication of amateur surgery.



SB-2512-SD-1

Submitted on: 3/9/2020 9:34:26 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
LYNN Y MURAMARU	Pacific Pet Alliance	Oppose	Yes

Comments:

Testimony in strong OPPOSITION of SB 2512

March 11, 2020

Rep. Roy Takumi, Rep. Linda Ichiyama, and members of the House Committee on Consumer Protection:

The Pacific Pet Alliance is a Hawaii based non-profit that focuses on promoting animal welfare through education. Thank you for the opportunity to provide testimony in opposition of SB 2512.

The Pacific Pet Alliance agrees with the intent of this bill, to protect animals, particularly dogs, from being harmed by surgical procedures being performed by non-veterinarians. While we acknowledge testimony from respected members of the local veterinary organizations and animal welfare groups and we share many of the same thoughts on this matter, we question how this bill protects the "consumer".

The scope of this bill addresses "animal husbandry issues" and the Pacific Pet Alliance questions why this bill was never referred to any committee on agriculture.

The Pacific Pet Alliance recognizes it is common practice for breeders to perform simple procedures that are customarily done without the use of anesthesia, often done under the guidance of their veterinarian with whom they have a strong relationship with. These procedures include but are not limited to tail docking, dew claw removal, and non-anesthesia teeth scaling. The Pacific Pet Alliance is requesting that all procedures that do not require anesthesia be excluded from this measure.

Tail docking and dew claw removal are procedures that are done on puppies that are just several days old. At this age, the bone has not grown into the flap of skin that will become a tail or dew claw. The nervous system is not fully developed and there is little or no blood when the skin flap is removed. The window of opportunity to perform these procedures is very short. If done when the puppies are older and the bone has grown in, this procedure would no longer be considered a "docking" but instead an amputation which would require anesthesia.

This point is very important and more than just semantics. There is a small window of opportunity to dock a tail, less than 2 weeks. After this period, this would be considered an amputation and would require the surgical skills of a veterinarian. The examples of post-surgical complications of the spinal cord that were cited in previous testimony were most likely caused by amputation (tail removal done after the bone and nerves have grown in) and not tail docking.

There are dog breeders who live in rural areas where veterinary care is located hours away. To transport puppies who are just a few days old and unnecessarily exposing them to diseases in a veterinary clinic is too much of a risk. Farmers and ranchers have been doing these procedures for generations and continue to do so on their livestock and dogs.

The Pacific Pet Alliance also finds that not every veterinary practice in Hawaii will perform these procedures. We have discussed this concern with a Hawaii resident who is currently attending the School of Veterinary Medicine at the University of Iowa. He states that graduates of this veterinary college will receive minimal to no education on how to perform these procedures (tail docking, dew claw removal, ear cropping).

I personally have bred Miniature Schnauzers, a breed where tails are docked, dew claws removed, and ears are cropped. I have personally assisted veterinarians in

surgery to ensure that these surgical procedures are done correctly and to breed standards. I learned my skills from a breeder.

Due to specific breed standards, it is impossible for a veterinarian to know precisely how to correctly dock tails on 62 different breeds or do ear croppings on 20 different breeds.

There was an incident in Hanalei, Kauai that was brought to the attention of the Pacific Pet Alliance where a licensed veterinarian, used anesthesia on newborn puppies to remove dew claws. One of the puppies died and due to his lack of knowledge on dew claw removal, the pups grew up with disfigured legs. Should this bill pass and become law, can the local veterinary community meet the needs of local breeders and perform tail dockings and ear croppings if this is not routinely taught in veterinary school?

The American Kennel Club currently recognizes 62 breeds with docked tails and 20 breeds with cropped ears. Breed standards are established and maintained by AKC parent clubs whose primary purpose is to protect the welfare of their breed and the function it was bred to perform.

The Pacific Pet Alliance also finds the language of the bill to be vague and fails to define which procedures to be "surgical". How does one know if the law has been violated? Some of these surgical procedures do not require anesthesia or surgical tools?

The Pacific Pet Alliance respectfully requests that this committee not pass this bill in its current form. We would welcome the opportunity to be part of a larger discussion of this matter as we do recognize that there are parts of this bill that do have merit.

We thank you for this opportunity to provide testimony.

Lynn Muramaru

Board Member

Pacific Pet Alliance

Testimony in SUPPORT of SB 2512, SD1: Relating to Veterinary Medicine
Wednesday, March 11, 2020

I am writing in strong support of SB 2512.

I am a licensed veterinarian in the state of Hawaii. I went to college for 10 years to become a veterinarian - 5 years at the University of Arizona for a Bachelor's in Veterinary Science and 5 years at Colorado State University for a Master's degree in Biomedical Science and a Doctor of Veterinary Medicine degree. During this time, I accumulated a vast amount of knowledge and expertise (as well as a pretty hefty student loan burden!).

I have worked in animal shelters for more than 10 years and have performed tens of thousands of surgeries in my career. All of these procedures were performed using sterile techniques with appropriate pain medications, antibiotics and anesthesia.

I have seen multiple cases of botched backyard surgeries that have resulted in pain and suffering of animals. Surgeries should be performed by licensed veterinarians in surgical settings with appropriate knowledge and procedures.

For the welfare of the animals in our state, I urge the committee to pass SB 2513.

Thank you for your time and consideration,

Kasey Carter, MS, DVM
Chief Veterinarian, Hawaiian Humane Society
kcarter@hawaiianhumane.org

SB-2512-SD-1

Submitted on: 3/10/2020 10:08:56 AM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
leslie farnel	for forgotten felines	Support	No

Comments:

SB-2512-SD-1

Submitted on: 3/9/2020 1:04:18 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Animal Rights Hawai'i	Support	No

Comments:



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep Roy M. Takumi, Chair

Rep Linda Ichiyama, Vice Chair

SB2512 SD1

Wednesday, March 11, 2020, 2:00 p.m.

Conference Room 329, State Capitol

415 South Beretania Street

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee on Consumer Protection and Commerce,

We are writing to **comment on SB2512 SD1**. Like many animal welfare bills, this bill has good intent. HCC supports prohibiting the surgical birth, ear cropping and debarking of pets. However, this bill leaves open the potential to severely limit accepted livestock veterinary practices that are commonly performed by trained lay individuals in the field. We respectfully encourage the authors to resubmit with more specific language that will not impinge upon accepted livestock veterinary practices. Specifically, that "any animal" is replaced by "any pet animal as defined in 711-1100."

HCC is committed to supporting our civic leaders promote a coherent state-wide policy for sustainable development. Using the 17 United Nations Sustainable Development Goals as a framework, we advocate policy that; increases local food production to promote food security, protects agricultural lands, promotes carbon neutrality, models sustainable land use, protects our watersheds, supports long-term stable employment that embraces technology and innovation, contributes to the health and well-being of the community, and encourages public, private and civic partnerships.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



SB-2512-SD-1

Submitted on: 3/9/2020 3:44:42 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

SB-2512-SD-1

Submitted on: 3/9/2020 2:20:14 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Individual	Support	No

Comments:

How we treat animals is a reflection of society ethics and morals.

In 2020,it is simply unacceptable for untrained

unlicensed people to perform surgery.Veterinary medicine ensures

humane service.Its not about profit,it's about doing things right.

SB-2512-SD-1

Submitted on: 3/9/2020 4:23:14 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dana Jenkins	Individual	Support	No

Comments:

I strongly support this legislation. Backyard surgeries should not be legal. The permanent harm done on these animals from amateurs not only disfigures the animals, but causes irreversible damage to their health.

SB-2512-SD-1

Submitted on: 3/9/2020 4:24:28 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie McLaughlin	Individual	Support	No

Comments:

Please pass this important bill.

SB-2512-SD-1

Submitted on: 3/9/2020 5:47:28 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
carole richelieu	Individual	Support	No

Comments:

Testimony in OPPOSITION to SB 2512

March 9, 2020

Sen. Karl Rhoads, Sen. Jarrett Keohokalole and members of the Senate Committee on the Judiciary:

We do not oppose this bill in its entirety. However, we do believe that, in the case of dew claw removal, that the procedure should be allowed to be performed by non-veterinarians if accomplished prior to five days of age.

Our breed, the Chinese Shar-Pei dog, is shown in AKC conformation, obedience and agility events, and utilized for wide ranging farm work and does best with dew claws removed, otherwise unaltered.

Our Master Breeders, and many veterinary technicians, currently perform the procedure. In fact, most of us prefer the procedure be done at the whelping box, close to mom, with little interruption to the new born puppy's routine.

Our new born puppies are both blind and deaf and are not able to regulate or maintain their body temperature. They are totally dependent on mom and human assistance (if necessary) to begin their life process. Taking them away from mom at 48 hours of age, just as they are developing a regular nursing protocol, to a vet office to have their dew claws removed is unnecessarily harsh for both mom and puppies. Moreover, trips to the vet expose our new tiny, under developed puppies to the stress of travel and even highly contagious puppy killing diseases such as parvo.

Furthermore, dew claw removal done before five days of age is done without anesthesia, and does not require a sterile surgical environment. It only requires clean instruments and proper after care. In fact, the tiny little dew claw is so soft that usually a single "snip" will remove it. No blood, or very little blood is involved. It is certainly not accurate to state that only vets have the education and knowledge to do this procedure. I have witnessed this procedure and performed by master breeders and veterinary technicians many times; I know of no complications from the removal of our puppy dew claws by them over the past 30 years here on Kauai.

On the other hand, here on Kauai, a licensed, trained veterinarian performed a dew claw removal procedure that went terribly wrong! The puppy litter owner, not wanting to travel over an hour from home with her litter of two-day old puppies, asked a veterinarian in her area to remove the dew claws on her four puppies. One of the puppies died from anesthesia related breathing issues, and two of them have deformed dew claws (improperly removed) which would necessitate amputation at a later date. I am including photos taken of the two puppies improperly removed dew claws - obviously, now disfiguring the entire front leg of each puppy.

We respectfully request that your committee not pass this bill. Dew claw removal and tail docking have been accomplished successfully in generations of puppies that may require these newborn procedures by concerned, educated dog breeders around the country. Additionally, in discussion with vets, we believe that dew claw and tail dock procedures could be carved out of the bill currently under consideration. Thus, we urge your committee not to adopt SB2512 in its current form.



Charlee D. C. Abrams

Breeder of Merit

President, Hawaiian Chinese Shar-Pei Club (est. 1988)



SB-2512-SD-1

Submitted on: 3/9/2020 7:42:42 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Willie-Joe Camara	Individual	Oppose	No

Comments:

I strongly oppose this bill as written.

SB-2512-SD-1

Submitted on: 3/9/2020 10:40:05 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Govier	Individual	Oppose	No

Comments:

I oppose SB 2512 and ask you to vote NO.

Since this bill is to protect animals, not people, I hope it will go to the Agriculture Committee where animal issues are a focus.

While the idea of the bill is to protect animals, especially dogs, from cruelty, suitable, knowledgeable veterinarian care is not always available or at a reasonable cost. Not everyone in this state lives down the block from the vet or emergency veterinarian hospital. And the vet is not necessarily the answer to cruelty.

And we do not want people who inadvertently cause a medical problem with their animal to be afraid to seek help--because of this law. Let's encourage them to seek help.

The broad assumptions and the language that does not define what exactly what measures are "surgical" just confuses me. This bill can be done--done much better.

Please vote NO on bill as it is now.

Mahalo,Susan Govier

SB-2512-SD-1

Submitted on: 3/9/2020 10:47:16 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lor. Maki	Individual	Oppose	No

Comments:

I oppose this bill. This should have been heard by the Agriculture committee first.
Please don't pass this bill.

SB-2512-SD-1

Submitted on: 3/10/2020 6:11:31 AM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Wilcox	Individual	Support	No

Comments:

I am speaking for the voiceless animals who are harmed by this inhumane practice of unqualified people performing surgical procedures on animals.

Aloha, Members of the House Committee on Consumer Protection and Commerce.

Please support SB 2512 SD 1. It's my understanding that this bill prohibits anyone who is not a licensed veterinarian from performing surgical procedures on animals. Such procedures should clearly only be done by licensed veterinarians to protect animals from suffering.

Mahalo.

Jennifer Chiwa
Makiki

Dear House Committee members

This must be passed or how can we hold up our heads as the Aloha State?

No one should be foolish enough to try to perform professional medical procedures on pets any more than they would perform surgery on a human being.

I am sure there is law that would put anyone who tried to amputate a limb of a kid directly into jail for abuse or even attempted murder.

Let Hawaii join with other civilized states and make sure no animal is treated like a surgical test subject by amateurs.

Martha E Randolph
President of Democratic Precinct 4
Democratic District 25
2nd VP Kupuna Caucus of DPH
Treasurer Environmental Caucus of DPH
808-284-0264



improving the quality of lives of pets and their people.

Testimony by Alicia Maluafiti, Board President, Poi Dogs & Popoki
In strong support of SB 2512 SD 1 – Relating to Veterinary Medicine
House Committee on Consumer Protection
Wednesday, March 11, 2020, 2 pm, Room 329

Aloha Chair Takumi and members of the Committee,

Poi Dogs & Popoki (PDP) is a nonprofit animal welfare organization with a mission to help people and their pets. We operate a mobile spay/neuter and wellness clinic on the island of Oahu and provide affordable services for pet owners and caregivers in rural and underserved communities. We are in strong support of SB 2512 and would like to thank Chair Takumi for introducing the House version of this measure.

Operating a mobile spay/neuter and wellness clinic on the island of Oahu, we provide veterinary care to pet owners and rescuers in rural and underserved areas from Waianae to Waialua to Waimanalo. We routinely see and treat rescued animals with botched ear cropping often with severe infections. It's apparent to our staff that these procedures were performed by unlicensed people and PDP has first-hand knowledge of one in particular from Pearl City. The neighbors have even complained about the horrible cries from puppies because of their failure and inability to properly sedate the animal. The American Veterinary Medical Association (AVMA) also opposes ear cropping and tail docking of dogs when done solely for cosmetic purposes and they encourage the elimination of ear cropping and tail docking from breed standards. It's an archaic, unnecessary practice.

Proposed Amendments

For both the licensing requirement and the criminal penalty, we propose that the language specifically address both the pet owner seeking services from unlicensed individuals as well as the individuals providing the unlicensed activity. This would appropriately hold the owners liable and accountable for the illegal activity as well as the people performing the surgery. This "underground" activity is perpetuated by breeders looking for a quick and cheap chop job and it is based on referrals. We would like to end this practice.

Mahalo for your compassion for Hawaii animals.

SB-2512-SD-1

Submitted on: 3/10/2020 3:28:42 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Matsusaka	Individual	Oppose	No

Comments:

SB-2512-SD-1

Submitted on: 3/10/2020 6:40:42 PM

Testimony for CPC on 3/11/2020 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Parker	Individual	Oppose	Yes

Comments: