

Testimony of the Hawaii Board of Veterinary Medicine

**Before the
Senate Committee on Judiciary
Tuesday, February 25, 2020
12:15 p.m.
State Capitol, Conference Room 016**

**On the following measure:
S.B. 2985, S.D. 1, RELATING TO VETERINARIANS**

WRITTEN TESTIMONY ONLY

Chair Rhoads 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 amend Hawaii Revised Statutes chapter 471 to: (1) provide veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence; (2) provide veterinarians who render emergency treatment, when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence; (3) require veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe the event relates to dog fighting or animal abuse; and (4) give veterinarians immunity for civil liability for making these reports.

The Board believes this bill will effectuate the protection of animals. The protections afforded for emergency care will benefit both veterinarians and the public. While the Board has some concerns that the reporting requirement will affect confidentiality between the veterinarian and the client, the overriding concern of protecting animals and the public will be served, based on correlations between animal abuse and domestic abuse accepted in the profession.

Thank you for the opportunity to testify on this bill.



Hawaiian Humane Society
People for animals. Animals for people.

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

Date: Feb. 23, 2020

To: Chair Sen. Karl Rhoads
Vice Chair Sen. Jarrett Keohokalole
and Members of the Committee on Judiciary

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

RE: Testimony in support of SB 2985, SD1: Relating to Veterinarians
Tuesday, Feb. 25, 2020, 12:15 p.m., Capitol Room 016

Aloha Chair Rhoads, Vice Chair Keohokalole and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for Senate Bill 2985, SD1, which provides veterinarians who provide emergency care to an animal with immunity from civil liability; provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship with immunity from civil liability; and 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.

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

In addition, as the agency deputized to help enforce animal laws on Oahu, Hawaiian Humane strongly supports mandatory reporting of suspected animal cruelty. Veterinarians should not have to fear retaliation for doing the right thing. Animal cruelty is an underreported crime and compelling veterinarians to report suspected abuse in return for protection from civil liability will give law enforcement expert eyes and ears on the frontlines of animal care.

Ample research stretching back decades has established links between violence against animals and the abuse of people - especially children, domestic partners and elders.

- In one study of families under investigation for child abuse, co-occurrence of animal abuse ranged from 60% to 88%. These families utilized veterinary services at rates similar to non-abusive households. (Deviney, Dickert, & Lockwood, 1983).
- An Australian study reported that in 23% of cases where veterinarians suspected animal abuse, other forms of family violence were either known or suspected. (Gullone & Clarke, 2005).
- The public is more likely to report suspected animal abuse to their veterinarian than to the humane society or law enforcement agency. (Enns, 2006)

Mandatory reporting will help to protect our entire community.

Many jurisdictions around the country have laws similar to this bill. Its provisions are logical and will help to protect Hawaii's most vulnerable animals and people.

We urge the committee to pass SB 2985, SD1. Mahalo for your consideration.

SB-2985-SD-1

Submitted on: 2/24/2020 11:35:25 AM

Testimony for JDC on 2/25/2020 12:15:00 PM

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

Comments:

Dear Honorable Chair Rhoads and Senate Judiciary Committee Members

RE: STRONG SUPPORT FOR SB2985: Relating to Veterinarians

Thirty-one states either mandate or encourage veterinarians to report animal abuse and provide vets with immunity from civil and/or criminal liability for good-faith reporting. The American Veterinary Medical Association (AVMA) has a very firm policy calling for such reporting and provides the following extensive resources to Veterinarians:

<https://ebusiness.avma.org/Files/ProductDownloads/AVMA%20Suspected%20Animal%20Cruelty.pdf>

Further, the Animal Welfare Institute is committed to providing support to Hawaii Veterinarians reporting suspected cruelty via the below information and resources:

<https://awionline.org/awi-quarterly/2016-fall/veterinarians-can-help-fight-againstanimalabuse>

Thank you for your consideration and support of this bill.

Inga Gibson, On behalf of Animal Welfare Institute



LATE

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

February 24, 2020

Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

RE: SB 2985, SD1, Relating to Veterinarians

Dear Committee on Judiciary,

On behalf of the Hawaii Veterinary Medical Association, I would like to express our support of SB 2985 and its amendments to the Veterinary Medicine Practice Act, HRS Chapter 471.

There are two components to this measure. The first establishes a Good Samaritan law for veterinarians who may without remuneration provide emergency medical care to an animal in need. The second establishes a process whereby animal abuse may be reported, in order to better protect that animal from future harm.

This measure encourages veterinarians to provide emergency care to critically sick or injured animals without fear of civil liability. Veterinarians are mandated to provide care under a valid and current veterinary-client-patient relationship (VCPR), so there can be confusion when dealing with an animal emergency when there is no owner present to establish a VCPR or if life-saving treatment needs to be provided before the establishment of a VCPR. This measure allows a veterinarian to be a "Good Samaritan" and provide emergency care outside of a valid VCPR, while also protecting the veterinarian when acting as a Good Samaritan in the time of an emergency to assist the animal in need.

We believe this measure also provides justified guidance to practicing veterinarians on reporting acts of animal abuse, cruelty, and staged fighting, similar to laws in 20 states including California, Oregon, Arizona, and Colorado. Reporting such events to law enforcement is beneficial to the community at large, as multiple studies have shown a link between perpetrators of animal abuse and human abuse such as child abuse, domestic violence, arson, and murder. When confronted with a clear case of animal abuse, veterinarians may feel conflicted between maintaining client confidentiality and wanting to protect the animal from further harm. In making animal abuse reporting a duty of the veterinarian, this measure relieves any responsibility of such judgment by the veterinarian

while protecting the veterinarian against any civil liability as a result of reporting such events.

Please SUPPORT SB 2985 to provide additional guidance and protections for veterinarians practicing in Hawaii. Thank you for the opportunity to submit testimony. Please contact me if I can answer any questions or be of further assistance on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Yoshicedo", with a decorative flourish extending to the right.

Jill Yoshicedo, DVM
Executive Vice-President
Hawaii Veterinary Medical Association

SB-2985-SD-1

Submitted on: 2/22/2020 9:28:33 AM

Testimony for JDC on 2/25/2020 12:15:00 PM

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

Comments:

SB-2985-SD-1

Submitted on: 2/23/2020 12:19:33 PM

Testimony for JDC on 2/25/2020 12:15:00 PM

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

Comments:

Please pass this important bill.

SB-2985-SD-1

Submitted on: 2/23/2020 1:02:55 PM

Testimony for JDC on 2/25/2020 12:15:00 PM

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

Comments:

I strongly support this bill to help our veterinarians help animals in need.

SB-2985-SD-1

Submitted on: 2/23/2020 4:56:35 PM

Testimony for JDC on 2/25/2020 12:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Selene Mersereau	Individual	Support	No

Comments:

Please support, thank you, Selene, Kailua HI

SB-2985-SD-1

Submitted on: 2/24/2020 8:26:25 AM

Testimony for JDC on 2/25/2020 12:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Ho	Individual	Support	No

Comments:

Hello,

I'm a resident in Nuuanu, and I strongly support this bill. Veterinarians should be able to provide emergency care to any animal in good faith without fear of liability. Animals should not suffer needlessly when help is available. It's also important to protect vets so they can report suspected animal cruelty.

Thank you,

Jennifer

808-221-7229

SB-2985-SD-1

Submitted on: 2/24/2020 11:45:37 AM

Testimony for JDC on 2/25/2020 12:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Martha Randolph	Individual	Support	No

Comments:

To the Senate Judiciary Committee

I write in support of SB2985 with a simple question, why would any of you NOT want to pass this bill? To protect any veterinarian from our lentiginous society if they act to save a life or the wellbeing of any animal seems simple, logical and essentially a HUMANE thing to do. The spirit of ALOHA is supposed to apply to all living things and even the land and sea. It is time for Hawaii to stop lagging behind so many of the States in compassion and care for all animals but especially human companion animals our pets.

In addition it is a well-known fact that animal abuse in a home is usually an indication of other forms of abuse, towards women, towards children and/or towards elders. The obligation to report suspected animal abuse could go a long way towards revealing abuse of people and other criminal acts. Let's step up and send a message to violent and ignorant people that abusive behavior towards humans or animals is just no longer tolerable.

Sincerely

Martha E Randolph

2nd VP Kupuna Caucus of DPH

Treasurer Environmental Caucus of DPH

LATE

From: [Jennifer Chiwa](#)
To: [JDCTestimony](#)
Subject: Testimony in Support of SB 2985 SD 1 for Hearing on 02-25-20 at 12:15 pm
Date: Monday, February 24, 2020 7:21:45 AM

Aloha, Members of the Senate Committee on Judiciary.

Please support SB 2985 SD 1 which, to my understanding, would protect veterinarians from civil liability when rendering emergency care to an animal even if the owner is unavailable to provide consent for this care and when reporting suspected animal cruelty. The link between abuse of animals and abuse of people is well known so this bill would advance animal and people welfare in Hawaii.

Mahalo.

Jennifer Chiwa
Makiki

LATE

From: mhussenbux@btinternet.com
To: [JDCTestimony](#)
Subject: Testimony in support of SB2985, SD1
Date: Monday, February 24, 2020 6:45:43 AM

Dear Members of the Senate Committee of the State of Hawai'i:

Animal Interfaith Alliance in Britain would like to make a submission on the proposed Hawai'i Veterinary Medical Association's Senate bill, SB2985 SD1.

This bill protects veterinarians who render emergency aid to an animal who is sick or injured from civil liability as long as their actions were taken in good faith and do not constitute gross negligence.

- It allows veterinarians to treat animals brought to them in need of immediate care, even if an owner is not available to consent to care, without fear of civil liability.
- And it requires veterinarians to report suspected animal cruelty and protects them from civil liability for making such reports.

While we support all of these provisions, we join with Hawaiian Humane in considering the mandatory reporting section and its potential to allow you all to seek justice for more abused animals, of paramount importance.

We understand that animal cruelty is an under-reported crime. Protecting veterinarians from reprisals and requiring them to report suspected abuse will give law enforcement expert eyes and ears on the frontlines of animal care.

Given the established links between animal cruelty and other forms of abuse, especially domestic violence, this measure will protect your entire community, people and animals alike.

It is therefore greatly desirable that the Bill should pass, and we beg to support it.

Thank you once again for your active concern for animals in your state and we appreciate the opportunity to support them from afar.

Best regards,

Marian Hussenbux. Secretary International Campaigns

Animal Interfaith Alliance
www.animal-interfaith-alliance.com

Faiths Working Together for Animals

Member Organisations:

Anglican Society for the Welfare of Animals
Bhagvatinandji Education and Health Trust

Catholic Concern for Animals
Christian Vegetarian Association UK
Christian Vegetarian Association US
Dharma Voices for Animals UK
Institute of Jainology
Islamic Concern
Jewish Vegetarian Society UK
Mahavir Trust
Oshwal Association of the UK
www.panorthodoxconcernforanimals.org
Quaker Concern for Animals
Sadhu Vaswani Centre
Young Jains

President - Dr Richard D. Ryder. Vice President - Dr Deborah Jones.

Patrons (in alphabetical order) - Rev. Christa Blanke, Joyce D'Silva, Kay, Duchess of Hamilton, Satish Kumar, Nitin Mehta MBE, Dr Andre Menache, Dr Alpesh Patel, Dr Matthieu Ricard, Anant Shah, Ajit Singh MBE, Charanjit Singh, Mohammad Safa.

LATE

From: [Kim Tomey](#)
To: [JDCTestimony](#)
Subject: Testimony in support of SB2985, SD1
Date: Monday, February 24, 2020 8:46:23 AM

I write to support this very important bill. I know first hand how important it is for vets to be able to treat wounded animals. I rescued a cat hit by a car and rushed it to my vet. Fortunately, the cat was microchipped and the vets were able to reach the owner for permission to treat their cat. Had the cat not been chipped or home when the vet called, the poor animal would have died in agony. Fortunately, it survived! Please don't leave future animals to an uncertain fate.

Support SB2985, SD1!

Mahalo!

Kim Tomey
44-315 Kaneohe Bay Drive



From: [Dale Tagami](#)
To: [JDCTestimony](#)
Subject: Testimony in support of SB2985, SD1
Date: Monday, February 24, 2020 10:05:58 AM

I am in full support of giving Veterinarians the ability to report suspected abuse of any animal. Animals are not able to speak on their behalf and having Veterinarians recognize and report these issues to the authorities to RESCUE these animals is the least we can do.

Dale Tagami Fukushima
Mobile: 808-330-7784
Email: DaleTagami@yahoo.com

From: [Carole Kai Onouye](#)
To: [JDCTestimony](#)
Subject: Testimony in support of SB2985, SD1
Date: Monday, February 24, 2020 11:25:03 AM



Please support this bill to help our Helpless animals!

Animal cruelty is such an underreported crime!

Please Protect the veterinarians from reprisals and require them to report suspected abuse!

This will help to give law enforcement expert eyes and ears on the frontlines of animal care.

Animals give us love and emotional support. We need to protect them from abuse.

Please help with this bill!

God will Bless you for doing this!

Aloha Pumehana,

Carole Kai Onouye

808 306-3869

LATE

From: [Gina Tu](#)
To: [ACU members](#)
Subject: In strong support of SB2985 SD1
Date: Tuesday, February 25, 2020 10:20:07 AM
Attachments: [IMG_0543.JPG](#)

Dear Chair and Committee members,

I ask you to please support SB 2985 SD1. Our animals depend on us to protect them and do the right thing for them.

One of my dogs, a silky named Tulip (photos below- you may have seen her on the news) was severely abused that she had to have a leg amputated and has ongoing medical issues. Veterinarians must be protected and required to report if they suspect abuse. They see enough that they can tell if the injuries look suspicious.

Thank you so much for your kind consideration.

Aloha,
Gina Tu





Sent from my iPhone