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# A BILL FOR AN ACT

RELATING TO VETERINARY MEDICINE.

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

1 SECTION 1. Section 471-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§471-2 License required.** (a) No person shall engage in  
4 the practice of veterinary medicine, either gratuitously or for  
5 pay, or shall offer to so practice, or shall announce or  
6 advertise, publicly or privately, as prepared or qualified to so  
7 practice, or shall append the letters "Dr." or affix any other  
8 letters to the person's name with the intent thereby to imply  
9 that the person is a practitioner of veterinary medicine,  
10 without having a valid unrevoked license obtained from the  
11 Hawaii board of veterinary medicine; provided that nothing in  
12 this chapter prevents or prohibits the following:

13 (1) Any person from gratuitously treating animals in case  
14 of emergency;

15 (2) The owner of any animal or animals and the owner's  
16 full-time, regular employees from caring for and  
17 treating any animals belonging to the owner; provided



- 1           that a person who is not licensed under this chapter  
2           shall not perform any surgical procedure on a pet  
3           animal, including but not limited to:
- 4           (A) A cesarean section;  
5           (B) Ear cropping;  
6           (C) Tail docking;  
7           (D) Ventriculocordectomy, also known as  
8           devocalization or debarking;  
9           (E) Onychectomy, also known as declawing, or dewclaw  
10           removal; or  
11           (F) The elastration, or castration via banding;
- 12       (3) Any student enrolled in any veterinary school or  
13           college or any employee of a veterinarian from working  
14           under the direct supervision of a veterinarian;
- 15       (4) Any person from practicing veterinary medicine in the  
16           employ of the United States government while engaged  
17           in the performance of the person's official duties;
- 18       (5) Any person licensed to engage in the practice of  
19           veterinary medicine in any jurisdiction, from  
20           practicing in the State when in consultation with  
21           veterinarians of this State; provided that the



1           veterinarian receiving consultation shall maintain the  
2           veterinarian-client-patient relationship;

3       (6) Any farmer from giving to another farmer the  
4           assistance customarily given in the ordinary practice  
5           of animal husbandry;

6       (7) Any applicant who meets the licensing requirements of  
7           practicing veterinary medicine under a veterinarian by  
8           temporary permit; provided that the applicant applies  
9           for and takes the examination scheduled by the board.  
10          The temporary permit shall not be renewed;

11       (8) An individual licensed to engage in the practice of  
12           veterinary medicine in another jurisdiction from  
13           practicing in the State under a sponsor and indirect  
14           supervision of a veterinarian as part of an emergency  
15           response or enforcement action pursuant to chapter  
16           711; provided that the sponsor shall file notification  
17           with the board regarding the arrival of the sponsored  
18           individual; provided further that the sponsored  
19           individual shall serve in an emergency capacity for no  
20           longer than twenty-one consecutive days; or



1 (9) Any person who has obtained a courtesy permit or  
2 relief permit pursuant to sections 471-9.5 and 471-9.6  
3 from practicing in the State.

4 (b) For the purposes of this section, "pet animal" has the  
5 same meaning as defined in section 711-1100."

6 SECTION 2. Section 471-15, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "[~~+~~§471-15[~~+~~] **Criminal penalties.** (a) Any person  
9 convicted of violating section 471-2 shall have committed a  
10 misdemeanor and be subject to a fine not to exceed [~~\$500~~] \$1,000  
11 or imprisoned [~~not~~] more than [~~six months,~~] one year, or both.

12 [~~Additionally,~~] (b) In addition to the penalties provided  
13 in subsections (a), all tools, implements, appliances, medicine,  
14 and drugs used in the practice of veterinary medicine by any  
15 person convicted of practicing veterinary medicine without a  
16 license shall be declared forfeited to the State by the court  
17 and turned over to the board for any disposition [~~as~~] it may  
18 choose [~~to make~~]."

19 SECTION 3. Section 711-1108.5, Hawaii Revised Statutes, is  
20 amended by amending subsection (2) to read as follows:

21 "(2) Subsection (1)(a) shall not apply to:



1 (a) Accepted veterinary practices[+] when the practices  
2 are performed by a veterinarian licensed under  
3 chapter 471;

4 (b) Activities carried on for scientific research governed  
5 by standards of accepted educational or medicinal  
6 practices; [~~or~~] and

7 (c) Cropping or docking as customarily practiced."

8 SECTION 4. This Act does not affect rights and duties that  
9 matured, penalties that were incurred, and proceedings that were  
10 begun before its effective date.

11 SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

Animals; Pet Animals; Surgery; Prohibited

**Description:**

Prohibits animal owners and their employees from performing any surgical procedures on the owner's animal or animals. Provides that a violation of the prohibition is a class C felony. Clarifies that the offense of cruelty to animals in the first degree does not apply to accepted veterinary practices when the practices are performed by a licensed veterinarian. Effective 7/1/3000. (HD1)

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

