

Testimony of the Hawaii Board of Veterinary Medicine

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 13, 2024
9:10 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 2562, RELATING TO VETERINARY MEDICINE**

Chair Keohokalole and Members of the Committee:

My name is Marcella Chock, and I am the Chairperson of the Hawaii Board of Veterinary Medicine (Board). The Board appreciates the intent of and offers comments on this bill.

The purpose of this bill is to prohibit animal owners and their employees from performing any surgical procedures on the owner's dog or dogs.

The Board recognizes that surgical procedures require the proper training, knowledge of anatomy and the ability to prescribe proper pain management therapeutics, which the typical pet owner or their employees would not have received or have access too. The Board suggests that subsection (2)(C) Tail docking on page 2, line 6, either be removed in its entirety or amended to read: Tail docking or amputation of adult dogs;. The Board makes this recommendation as it does not appear that complications appear in the tail docking of neo-natal puppies by owners.

The Board also recommends that the penalties listed on page 4, lines 8 and 9, be updated to be commensurate with chapter 706, Hawaii Revised Statutes (HRS) as both the maximum fine of \$500 listed and the length of imprisonment listed are significantly under the maximum amounts of \$1000 and one year allowed by chapter 706, HRS.

Thank you for the opportunity to testify on this bill.



Hawaiian Humane Society

People for animals. Animals for people.

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

Date: Feb. 11, 2024

To: Chairs Sens. Jarrett Keohokalole and Mike Gabbard
Vice Chairs Sens. Carol Fukunaga and Tim Richards
and Members of the Committees on Commerce and Consumer
Protection, and Agriculture and Environment

Submitted By: Stephanie Kendrick, Director of Community Engagement
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of SB 2562: Relating to Veterinary Medicine
Tuesday, Feb. 13, 2024, 9:10 a.m., Capitol Room 229

On behalf of the Hawaiian Humane Society, thank you for considering our strong support for Senate Bill 2562, which prohibits animal owners and their employees from performing any surgical procedures on the owner's dog or dogs.

This measure closes a loophole in the veterinary licensing statute that owners have used to operate on their own animals, or hire unqualified people to do so, resulting in animals being harmed by backyard surgeries ranging from ear-flap removal to cesarean sections. While dogs represent the main victims of these activities that we see in the shelter, we request that the committee add cats to these protections.

Requested amendment:

471-2 (2) The owner of any animal or animals and the owner's full-time, regular employees from caring for and treating any animals belonging to the owner; provided that the owner and the owner's employees shall not perform any surgical procedure on a dog or cat, or dogs or cats, including:

The Hawaiian Humane Society opposes cosmetic surgery on animals, but we are pleased that this measure would at least require that such procedures must be performed by a licensed veterinarian. It is a good step.

Surgical birth certainly should never be performed by anyone but a licensed veterinarian.

Exxy, an approximately 3-year-old bulldog mix, was brought into our care with a large ventral abdominal hernia and sent out for specialized surgery. The Hawaiian Humane veterinarian who examined her and the veterinary surgeon who operated on her concurred that the injury was the result of a backyard cesarean section.

Exxy was lucky enough to survive the mutilation and get the care she needed, but it is safe to expect that many animals in similar situations die without ever making into the care of a shelter or veterinary clinic.

Many of these backyard surgeries are performed for profit-driven breeders who would rather make more money on the animals they sell than go to a licensed veterinarian for either necessary or cosmetic care. Allowing animals to be bred and sold for profit without regard for their welfare is sadly the norm in our state, but this is one harm we can prevent.

We urge the committee to pass SB 2562 and stop this form of animal cruelty. Mahalo for your consideration.



Exxy before and after surgery for an abdominal hernia, suspected to be secondary to a backyard C-section. She also has very short, cropped ears, which are prone to infection usually an indication of amateur surgery.

SB-2562

Submitted on: 2/10/2024 11:03:15 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Marian Hussenbux	Testifying for Animal Interfaith Alliance	Support	Written Testimony Only

Comments:

SB2162 Relating to Veterinary Medicine prohibits animal owners and their employees from performing any surgical procedures on the owner's dog or dogs.

This measure closes a loophole in the veterinary licensing statute that owners have used to operate on their own animals, or hire unqualified people to do so, resulting animals being harmed by backyard surgeries ranging from ear-flap removal to cesarean sections.

An amendment to include cats so that they are protected as well would be logical.

We beg to support this very important Bill which would prevent unnecessary suffering.



February 13, 2024

AEN/CPN Committees 910am

RE: SB2562; Relating to Veterinary Medicine, SUPPORT WITH AMENDMENTS

Dear Chairs Gabbard and Keohokalole and Agriculture & Environment and Commerce & Consumer Protection Committee Members,

The Animal Welfare Institute strongly supports SB2562 **with the below necessary amendments**. This bill has long been needed to close a loophole in our first degree animal cruelty law that has shockingly exempted non-veterinarians from performing painful surgical procedures on animals, without access to pain medication, antibiotics to prevent infection and other critical pre and post-operative care that can only be provided under the supervision of a licensed veterinarian.

While numerous countries and municipalities across the US completely prohibit ear cropping, tail docking, de-clawing and other procedures, this bill would still allow for such procedures IF performed by a licensed veterinarian. Further, the American Veterinary Medical Association opposes ear cropping and tail docking of dogs when done solely for cosmetic purposes, as that remains the primary justification for such unnecessary procedures and thus, the AVMA also encourages the elimination of ear cropping and tail docking from breed standards.

Locally, there have been countless cases of painful “home/backyard” ear cropping and tail cutting incidents done with scissors or garden shears and male dog “castration” being performed using rubber bands, which painfully restricts blood flow to the animals testicles and can result in death. Further, cases demonstrate that these incidents aren’t limited to a person doing this to their own animal, but performing these cruel and painful acts on animals belonging to others, falsely presenting themselves as veterinary medical experts and charging fees for these procedures. Under existing law, if a person were to cut off or attempt to cut off any other part of an animal they would be rightfully charged with animal cruelty—whereas under current law there is no penalty for “customary” practices such as cropping or docking.

We ask the Committees to please amend the bill to ensure this gaping loophole is closed once and for all, that it is enforceable and holds those who victimize animals and their owners accountable.

Page 1

Line 1 , Strike “the owner and the owner’s employees shall not” and add “no personal shall”

Line 2-3, Strike “dog or dogs” and add “any animal” and add “but not limited to:”

(2) The owner of any animal or animals and the owner's full-time, regular employees from caring for and treating any animals belonging to the owner; provided that no person shall the owner and the owner's employees shall not perform any surgical procedure on any animal dog or dogs, including but not limited to:

Page 4

Line 10 amend section (b) Section 2. to read “(b) Any person convicted of violating section 471-2 (2) shall have committed a class c felony

Line 13 change (b) to (c) to read “(c) In addition to the penalties provided in section (a) and (b)...

Page 4

Line 17, add new Section 3 to amend HRS 711-1108.5; Cruelty to Animals in the First Degree, and strike section (2)(c) below:

- (2) Subsection (1)(a) shall not apply to:
- (a) Accepted veterinary practices;
 - (b) Activities carried on for scientific research governed by standards of accepted educational or medicinal practices; or
 - ~~—(c) Cropping or docking as customarily practiced.~~

Thank you for your consideration of our testimony and these important amendments.

Inga Gibson
On behalf of the Animal Welfare Institute
PonoAdvocacy@gmail.com
808.922.9910



February 9, 2024

To: Chair Sen. Jarrett Keohokalole and Mike Gabbard
Vice Chair Sen. Carol Fukunaga and Herbert M. Richards, III
And Members of the Committee on Commerce and Consumer Protection and
Committee on Agriculture and Environment

Submitted By: Kaua`i Humane Society

RE: SB2562: Relating to veterinary medicine

Testimony in support.

The Kaua`i Humane Society (KHS) supports Senate Bill 2562 prohibiting animal owners and their employees from performing any surgical procedures on their dogs and we hope you will consider expanding this prohibition to cats.

When harnessing the term surgical, we should take immediate pause. Surgical is something done with great precision, it is a specialty, and it relates to surgeons (those licensed to provide medical care). Surgical care should not be provided or performed by someone that is not trained and educated on how to create a hygienic and sanitary location, how to provide pain relief, how to provide after care antibiotics, how to respond in an emergency, and how to perform the precision needed for the operation. These procedures done by the unqualified have brought animals to KHS with infection, increase scar tissue, and more. The number of pets that did not survive these operations is unknown as those never come to us for help. Performing a surgical procedure without the qualifications constitutes animal cruelty.

We urge you to pass Senate Bill 2562 as it will promote responsible and safe care to dogs. It will end unnecessary suffering due to unlicensed pet owners acting as surgeons. Thank you for considering our testimony.

Respectfully,
Nicole Schafer Crane
Executive Director
Kaua`i Humane Society
nicole@kauaihumane.org



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

February 11, 2024

Committee on Agriculture and Environment
Senator Mike Gabbard, Chair
Senator Herbert Richards III, Vice Chair

Committee on Commerce and Consumer Protection
Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

RE: SB2562, Relating to Veterinary Medicine

Dear Committee on Agriculture and Environment and Committee on Commerce and Consumer Protection,

The Hawaii Veterinary Medical Association and local veterinary community stand strongly in favor of this bill, which prevents non-veterinarians from performing surgical procedures on dogs. Veterinarians have extensive training in surgery, anesthesia, anesthetic monitoring, asepsis, and pain management; their expertise allows them to perform surgical procedures humanely and safely. Unfortunately, it is not uncommon for local veterinarians to be asked to treat pets suffering from botched surgeries performed by non-veterinarians. We support ending the current legal practice of allowing dog owners and their employees from performing surgical procedures on their own dogs.

We prefer the language of this bill over the language in the similar House bill HB1527, as SB2562 specifically protects the animals (dogs) that are most frequently injured by such practices. SB2562 also continues to allow commonly accepted livestock husbandry practices and does not require addressing the legal definition of "pet animal", which could have many unintended consequences.

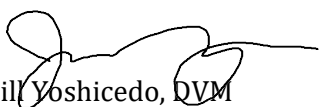
We request one technical correction:

Section 1. 471-2 License required.

(2)(E) "onchectomy" should be changed to "onychectomy" to reflect the accurate term for surgical removal of an animal's claws.

Thank you for considering our testimony in favor of SB2562. Please do not hesitate to contact us if we can be of further assistance.

On behalf of the Hawaii Veterinary Medical Association,


Jill Yoshicedo, DVM
Executive Vice-President
Hawaii Veterinary Medical Association
contact@hawaiiivetmed.org



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Herbert M. "Tim" Richards, III, Vice Chair

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

SB2562

RELATING TO VETERINARY MEDICINE

Tuesday, February 13, 2024, 9:10 PM
Conference Room 229 & Videoconference

Chairs Keohokalole & Gabbard, Vice Chairs Fukunaga & Richards, and Members of the Committees,

The Hawaii Cattlemen's Council **supports SB2562** which prohibits animal owners and their employees from performing any surgical procedures on the owner's dog or dogs.

We prefer this bill over the language of a similar bill the House, HB1527. Please consider moving this bill along as the vehicle for the purpose to prohibit surgical procedures.

Thank you for the opportunity to testify on this matter. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four county-level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



SB-2562

Submitted on: 2/8/2024 6:04:12 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Armstrong	Individual	Support	Written Testimony Only

Comments:

Please pass this bill as it will help eliminate all the folks who think that operations on dogs (and cats) look easy and they think that being quick is all they need AND they feel they can save money.

This will eliminate owners operating in the garage to dock tails or trim ears on trusting animals. This will save so much terror and infection for animals. Please pass this bill.

SB-2562

Submitted on: 2/8/2024 9:13:24 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Crozer	Individual	Support	Written Testimony Only

Comments:

This is to protect dogs from getting operated on by people who may not know what they are doing. It's just not pono.

SB-2562

Submitted on: 2/9/2024 9:30:43 AM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Sandie Wong	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill and request that the Committee pass it out. Thank you.

SB-2562

Submitted on: 2/11/2024 11:14:20 AM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Serena Stefanic-Phillip	Individual	Support	Written Testimony Only

Comments:

I support bill SB2562

SB-2562

Submitted on: 2/9/2024 5:09:48 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

This measure closes a loophole in the veterinary licensing statute that owners have used to operate on their own animals, or hire unqualified people to do so, resulting animals being harmed by backyard surgeries ranging from ear-flap removal to cesarean sections.

However, it does not go far enough. It should also include, at a minimum, cats and pet birds. I urge you to amend this bill to include cats and pet birds, and any other animals other testifiers request to be added.

SB-2562

Submitted on: 2/9/2024 8:47:48 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Bonnie Gollero	Individual	Support	Written Testimony Only

Comments:

Only a licensed vet should perform any surgical procedure on any animal.

I am a Palolo resident, and strongly support this bill.

SB-2562

Submitted on: 2/10/2024 3:02:08 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Taurie Kinoshita	Individual	Support	Written Testimony Only

Comments:

To the Honorable Committee,

I am writing in strong support of SB2562.

Animal owners nor their employees should be allowed to perform any surgical procedures on the owner's dog or dogs.

Without this measure, animals are often harmed in cruel, horrific ways. Licensed veterinarians have recounted the damage from these backyard surgeries--all of which could be prevented by passing this important measure!

Please pass SB2562.

Thank you for your consideration!

Sincerely,

Taurie Kinoshita

SB-2562

Submitted on: 2/11/2024 3:51:27 AM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Keohokalole, Vice Chair Senator Fukunaga and Members of the Committee on Commerce and Consumer Protection, and Chair Senator Gabbard, Vice Chair Senator Richards III and Members of the Committee on Agriculture and Environment.

Please support SB 2562 which prohibits dog owners and their employees from performing surgical procedures on the owner's dog or dogs.

Please support the intent of an amendment that I understand the Hawaiian Humane Society will be asking for which is to include cats in this bill. Please consider including all animals in an amendment.

Again, please support SB 2562 with an amendment to include all animals.

Mahalo.

Jennifer Chiwa

Makiki

SB-2562

Submitted on: 2/11/2024 3:24:56 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Eric Ako DVM	Individual	Support	Written Testimony Only

Comments:

Honorable Chair and members of the committees,AEN/CPN

I write in support of SB2562

It is with regret that I can confirm that in 2024, there are people who are overdosing pets with tranquilizers,and attempting surgical procedures including ear cropping and ceasarian section on pets, including those not belonging to them.

As a profession,we are seeing these traumatized,mutilated animals and must struggle to return them to good health.

I began by volunteering for a veterinarian,worked as an assistant for 9 years,9 years of college,before beginning my journey as a life saver.

We must STOP unlicensed surgery.PERIOD.NOW.

Respectfully,

Eric Ako DVM
Past Chair,Board of Veterinary Medicine

Past President,Hawaii Veterinary Medical Association and Executive Vice President
Past President Honolulu Veterinary Society

Founder,Windward CC Veterinary Technology Program

Past Vice Chair and Board member,Hawaiian Humane Society

SB-2562

Submitted on: 2/11/2024 7:59:31 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Wood	Individual	Support	Written Testimony Only

Comments:

Hello, Please support Bill SB2562 to prohibit and prevent animal abuse at the hands of owners or employees doing surgery on their own or other's dogs. I've seen so many dogs with botched ears and worse, that look both painful, unmanaged, and clearly didn't heal properly. This is a form of abuse that we can prevent. Please help to protect our animals.

Aloha,

Jen Wood

808-221-7229

2502 Henry Street, Honolulu, HI 96817

SB-2562

Submitted on: 2/11/2024 8:54:50 PM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Whitney Broekstra	Individual	Support	Written Testimony Only

Comments:

I support.

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Herbert M. "Tim" Richards, III, Vice Chair

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

SB2562, RELATING TO VETERINARY MEDICINE

- Tuesday, Feb. 13, 2024
- 9:10 a.m., 9:10 a.m., Conference Room 229 & Videoconference State Capitol

In Support of this initiative.

Thank you for the opportunity to articulate my support for this important bill. As a (rescue) pet owner and animal lover, I firmly support this effort to bring Hawaii's veterinary regulations into the 21st century. Surgical procedures for all of our animals must be handled by skilled, licensed veterinarians. It is unbelievable to me that any unskilled/unlicensed individual would risk harm, permanent injury, or worse to an animal by performing a surgical procedure.

The existing legal loophole **MUST BE CLOSED** by this legislative session. Please support our veterinarians, concerned citizens, and animals by supporting this measure.

I urge you to favorably consider this forward-looking legislation.

I support the position of the Hawaiian Humane Society on this Bill.
Testimony/Anne Forshey/annejforshey@gmail.com/Ewa Beach, HI 96706

SB-2562

Submitted on: 2/12/2024 8:48:13 AM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

Thank you for allowing me to express my support for SB2562 by Senator Lee which prohibits backyard surgery on dogs. Surgical procedures should be performed by veterinarians for the safety of the dog.

Mahalo,

Renee Rabb

Hawaiian Paradise Park

Keaau, HI 96749

SB-2562

Submitted on: 2/12/2024 8:34:57 AM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lorene Maki	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs, Vice Chairs and Members of the Committees,

I strongly oppose the SB 2562.

Thank you for the opportunity to testify.

Lorene Maki

SB-2562

Submitted on: 2/12/2024 8:50:42 AM

Testimony for AEN on 2/13/2024 9:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Carole R. Richelieu	Individual	Support	Written Testimony Only

Comments:

This measure closes a loophole in the veterinary licensing statute that owners have used to operate on their own animals or hire unqualified people to do so, resulting animals being harmed by backyard surgeries ranging from ear-flap removal to cesarean sections. Support HHS amendment to include cats so that they are protected as well.