

ACT 306

H.B. NO. 2242

A Bill for an Act Relating to Continuing Education for Veterinarians.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the profession of veterinary medicine has changed dramatically in the last ten years. Veterinary medicine is the only profession that routinely operates at the intersection of human and animal health. Veterinarians are challenged with the continuous development of new drugs; new

drug therapies; new treatment and modalities for animals, including the use of herbs and alternative drugs; and emerging diseases that affect both animals and humans, such as avian flu. Consumers depend on veterinarians to be fully informed and competent about the proper use of drugs and treatment for their animals. Currently, forty-seven states require continuing education for veterinarians.

The purpose of this Act is to require veterinarians in the State of Hawaii to complete a minimum of twenty credit hours of continuing education courses during each licensing biennium.

SECTION 2. Section 471-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

“Continuing education courses” means courses approved by the board of veterinary examiners, the Hawaii Veterinary Medical Association, the American Association of Veterinary State Boards’ Registry, or other board-approved organizations.

“Credit hour” means, except as otherwise provided, the value assigned to fifty minutes of instruction.”

SECTION 3. Section 471-9, Hawaii Revised Statutes, is amended to read as follows:

“§471-9 Licenses. (a) Except as otherwise provided in this [section-] chapter, the board of veterinary examiners shall issue a license [upon payment of a license fee] to engage in the practice of veterinary medicine to all persons meeting the requirements of this chapter[-] upon payment of a license fee.

(b) All licenses issued by the board shall expire on June 30 of each even-numbered year next following the date of issuance. Failure to renew the license on or before June 30 of each even-numbered year shall automatically constitute a forfeiture of the license; provided that the license shall be restored upon the submission of a written application, a renewal fee, a penalty fee, and proof of completing the applicable continuing education credits to the board.

(c) [Every veterinarian shall pay a biennial renewal fee in each even-numbered year. The payment of the renewal fee shall entitle the veterinarian to renewal of the license.] Prior to the June 30, 2016, payment deadline for license renewal, and prior to every license renewal thereafter, a licensee shall:

- (1) Pay all required fees; and
- (2) Complete at least twenty credit hours of continuing education within the two-year period preceding the renewal date.

(d) [Any holder of an expired license may be reinstated as a veterinarian upon payment of the renewal fee and a penalty fee.] A licensee who has graduated from an accredited veterinary school within one year of the licensee’s first license renewal shall not be subject to the continuing education requirement for the first license renewal.

(e) Each licensee shall be responsible for maintaining the licensee’s continuing education records. At the time of renewal, each licensee shall certify under oath that the licensee has complied with the continuing education requirement of this section. The board may require a licensee to submit, in addition to the certification, evidence satisfactory to the board that demonstrates compliance with the continuing education requirement of this section.

(f) The board may conduct random audits of licensees to determine compliance with the continuing education requirement. The board shall provide written notice of an audit to a licensee randomly selected for audit. Within sixty days of notification, the licensee shall provide the board with documentation verifying compliance with the continuing education requirement established by this section.

~~[(e)]~~ (g) Notwithstanding any other provision, no license shall expire while the ~~holder thereof~~ licensee is serving on active duty in the armed forces of the United States during any emergency declared by the President or Congress and six months after the termination thereof.”

SECTION 4. Section 471-10, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) In addition to any other actions authorized by law, the board may revoke or suspend the license of any veterinarian ~~[or]~~, fine ~~[the]~~ a licensee, or both, for any cause authorized by law, including but not limited to the following:

- (1) Professional misconduct, gross negligence, or manifest incapacity;
- (2) Violation of this chapter or the rules adopted pursuant thereto or any other law which applies to the licensee as a practicing veterinarian;
- (3) Making any false representations or promises through advertising or otherwise;
- (4) Habitual intemperance in the use of alcoholic beverages or addiction to the use of narcotic or dangerous substances;
- (5) Mental incompetence;
- (6) Any fraudulent, dishonest, or deceitful act in connection with the practice of veterinary medicine;
- (7) Making a false statement ~~[in]~~ on any document submitted or required to be filed by this chapter~~], including a false certification of compliance with the continuing education requirement;~~
- (8) Revocation, suspension, or other disciplinary action by another state of a license or certificate for reasons as provided in this section;
- (9) Conviction of or plea of nolo contendere to a penal offense substantially related to the qualifications, functions, or duties of a veterinarian, notwithstanding any statutory provision to the contrary;
- (10) Violation of chapter 329, the uniform controlled substances act, or any rule adopted pursuant thereto;
- (11) Failure to report any disciplinary action taken against ~~[a]~~ the licensee in another jurisdiction within thirty days after the disciplinary action becomes final; or
- (12) Conduct or practice contrary to the recognized principles of medical ethics of the veterinary profession as adopted by the Hawaii Veterinary Medical Association and the American Veterinary Medical Association.”

SECTION 5. The board of veterinary medicine shall provide written notification of the contents of this Act to all persons licensed under chapter 471, Hawaii Revised Statutes, within ninety days of the effective date of this Act.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved July 9, 2012.)