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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. Chapter 471, Hawaii Revised Statutes, is  
2 amended by adding four new sections to be appropriately  
3 designated and to read as follows:  
4           "§471-A Courtesy permit. (a) The board may issue a  
5 courtesy permit to a person licensed to practice veterinary  
6 medicine in another jurisdiction. A courtesy permit issued  
7 pursuant to this section shall be valid for a period of thirty  
8 calendar days and may be renewed once in any twelve-month  
9 period; provided that any courtesy permit issued and renewed  
10 pursuant to this section shall not exceed sixty total calendar  
11 days in any twelve-month period.  
12           (b) Applicants for a courtesy permit shall:  
13           (1) Hold a current, unencumbered, and active license in  
14           another jurisdiction;  
15           (2) Incidental to the person's practice in another  
16           jurisdiction, desire to practice veterinary medicine



- 1           in the State on a temporary, not permanent or  
2           recurring, basis; and
- 3       (3) Have a sponsor.
- 4       (c) A courtesy permittee shall:
- 5       (1) Consent to the personal and subject matter  
6           jurisdiction and disciplinary authority of the board;
- 7       (2) Practice under the level of supervision determined by  
8           the sponsor;
- 9       (3) Not practice independently of the sponsor within the  
10           limits of the State;
- 11       (4) Comply with this chapter and rules adopted by the  
12           board;
- 13       (5) Cease to offer or render veterinary services in the  
14           State as an individual and on behalf of the sponsor  
15           if:
- 16       (A) The courtesy permittee's license in the other  
17           jurisdiction is no longer current and active; or
- 18       (B) The courtesy permittee's practice has been  
19           limited or conditioned in any jurisdiction,  
20           including the courtesy permittee's principal  
21           place of business;



- 1        (6) Notify the board within fifteen days if:
- 2            (A) Any disciplinary action or board proceeding
- 3            relating to the courtesy permittee's license is
- 4            commenced in any jurisdiction; or
- 5            (B) The courtesy permittee is convicted of any
- 6            criminal offense in any jurisdiction or foreign
- 7            country; and

8        (7) Pay all costs associated with any jurisdiction's  
 9        investigation, enforcement, and collection efforts  
 10       pertaining to the courtesy permit issued pursuant to  
 11       this section, as may be ordered by the board.

12       (d) An applicant may apply for a courtesy permit under  
 13 this section or a relief permit under section 471-B, or both;  
 14 provided that any combination of courtesy or relief permits  
 15 issued pursuant to this section or section 471-B shall not  
 16 exceed sixty days in any twelve-month period.

17       **§471-B Relief permit.** (a) The board may issue a relief  
 18 permit to a person licensed to practice veterinary medicine in  
 19 another jurisdiction to conduct the practice of a veterinarian  
 20 who is absent from the veterinarian's practice. A relief permit  
 21 issued pursuant to this section shall be valid for a period of



1 thirty calendar days and may be renewed once in any twelve-month  
2 period; provided that any relief permit issued and renewed  
3 pursuant to this section shall not exceed sixty total calendar  
4 days in any twelve-month period. A relief permit may be renewed  
5 in a subsequent twelve-month period. More than two requests for  
6 relief permits within a two-year period shall be prima facie  
7 evidence that the relief permittee is engaged in the active  
8 practice of veterinary medicine in the State and a license  
9 issued under section 471-9 shall be required.

10 (b) Applicants for a relief permit shall:

11 (1) Hold a current, unencumbered, and active license in  
12 another jurisdiction;

13 (2) Incidental to the person's practice in another  
14 jurisdiction, desire to practice veterinary medicine  
15 in the State on a temporary, not permanent or  
16 recurring, basis; and

17 (3) Have a sponsor; provided that the sponsor shall not  
18 have to be physically present on the same island.

19 (c) A relief permittee shall:

20 (1) Consent to the personal and subject matter  
21 jurisdiction and disciplinary authority of the board;



- 1        (2) Not practice independently of the sponsor within the
- 2            limits of the State;
- 3        (3) Comply with this chapter and rules adopted by the
- 4            board;
- 5        (4) Cease to offer or render veterinary services in the
- 6            State as an individual and on behalf of the sponsor
- 7            if:
- 8            (A) The relief permittee's license from the other
- 9            jurisdiction is no longer current and active; or
- 10          (B) The relief permittee's practice has been limited
- 11            or conditioned in any jurisdiction, including the
- 12            relief permittee's principal place of business;
- 13        (5) Notify the board within fifteen days if:
- 14            (A) Any disciplinary action or board proceeding
- 15            relating to the relief permittee's license is
- 16            commenced in any jurisdiction; or
- 17            (B) The relief permittee is convicted of any criminal
- 18            offense in any jurisdiction or foreign country;
- 19            and
- 20        (6) Pay all costs associated with any jurisdiction's
- 21            investigation, enforcement, and collection efforts

1 pertaining to the relief permit issued pursuant to  
2 this section, as may be ordered by the board.

3 (d) An applicant may apply for a relief permit under this  
4 section or a courtesy permit under section 471-A, or both;  
5 provided that any combination of relief or courtesy permits  
6 issued pursuant to this section or section 471-A shall not  
7 exceed sixty days in any twelve-month period.

8 **§471-C Sponsors.** A sponsor under this chapter shall be  
9 responsible for:

10 (1) Determining the level of supervision required for the  
11 sponsored person;

12 (2) The veterinary care given to the patient by the  
13 sponsored person;

14 (3) Ensuring that the board has been notified in writing  
15 as required under this chapter; and

16 (4) Ensuring that the sponsored person has obtained the  
17 appropriate courtesy permit or relief permit from the  
18 board.

19 **§471-D Telemedicine.** (a) A veterinarian shall practice  
20 veterinary telemedicine within the context of the veterinarian-  
21 client-patient relationship between medically necessary



1 examinations of a patient or medically appropriate and timely  
2 visits to the premises where the patient is kept.

3 (b) Only a veterinarian licensed in the State shall  
4 provide telemedicine to a patient located in the State.

5 (c) When practicing veterinary telemedicine, a  
6 veterinarian shall:

7 (1) Conduct all necessary patient evaluations consistent  
8 with currently acceptable standards of care;

9 (2) Take appropriate precautions to safeguard the  
10 confidentiality of a client's or patient's records;

11 (3) Ensure that the client is aware of the veterinarian's  
12 identity, location, license number, and licensure  
13 status; and

14 (4) Maintain appropriate medical records with sufficient  
15 information for continued care that is readily  
16 available upon request by the client.

17 (d) Prescribing medications via veterinary telemedicine  
18 shall require a veterinarian-client-patient relationship and

19 shall be at the professional discretion of the veterinarian.

20 The indication, appropriateness, and safety considerations for  
21 each prescription issued in association with telemedicine



1 services shall be evaluated by the veterinarian in accordance  
2 with all jurisdictional, federal laws, and standards of care.

3 (e) A veterinarian may provide veterinary teleadvice,  
4 veterinary teleconsulting, or veterinary teletriage without the  
5 prior establishment of a veterinarian-client-patient  
6 relationship. An expert with a poison control agency who is not  
7 a veterinarian may provide veterinary teletriage.

8 (f) A veterinarian may provide veterinary telesupervision  
9 for tasks that do not require immediate supervision as specified  
10 by rules adopted by the board.

11 (g) Veterinary telemedicine shall constitute the practice  
12 of veterinary medicine in the State when the veterinarian or  
13 patient are in the State. The board shall have jurisdiction  
14 over a veterinarian practicing veterinary telemedicine within  
15 the State regardless of where the veterinarian's physical  
16 offices are located.

17 (h) Nothing in this section is intended to override  
18 federal or state requirements and standards for issuing  
19 certificates of veterinary inspection or health certificates."

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





1           1. By adding thirteen new definitions to be appropriately  
2 inserted and to read:

3           ""Client" means the patient's owner, owner's agent, or  
4 other person presenting the patient for care.

5           "Consultation" means when a veterinarian seeks and receives  
6 advice in person, telephonically, electronically, or by any  
7 other method of communication from another veterinarian or other  
8 person whose expertise, in the opinion of the veterinarian,  
9 would benefit a patient.

10          "Emergency response" means the response to a natural or  
11 human-caused disaster, animal rescue, or cruelty case that needs  
12 urgent attention.

13          "Indirect supervision" means the veterinarian is not on the  
14 premises, but:

15           (1) Has given either written or oral instructions for  
16 treatment of the patient;

17           (2) Is readily available by telephone or other forms of  
18 immediate communication; and

19           (3) Has assumed responsibility for the veterinary care  
20 given to the patient by a person working under their  
21 sponsorship.



1       "Jurisdiction" means any of the several states, the  
2 District of Columbia, or any territory or possession of the  
3 United States, or any province of Canada.

4       "Patient" means any animal or group of animals receiving  
5 veterinary care from a veterinarian.

6       "Sponsor" means a veterinarian holding a current license in  
7 the State who requests the presence and medical assistance of a  
8 person licensed to practice veterinary medicine in another  
9 jurisdiction.

10       "Veterinarian-client-patient relationship" means a  
11 relationship that exists when:

12       (1) The veterinarian and client agree for the veterinarian  
13 to assume responsibility for making medical judgments  
14 regarding the health of the patient;

15       (2) The veterinarian has sufficient knowledge of the  
16 patient to initiate a general or preliminary diagnosis  
17 of the medical condition of the patient, which means  
18 that the veterinarian is personally acquainted with  
19 the keeping and care of the patient and has recently  
20 physically examined the patient or made medically



1 appropriate and timely visits to the premises where  
2 the patient is kept;

3 (3) The veterinarian is readily available or provides for  
4 follow-up care and treatment in case of adverse  
5 reactions or failure of the therapy regimen; and

6 (4) The veterinarian maintains records that document  
7 patient visits, consultations, diagnosis and  
8 treatment, and other relevant information required  
9 under this chapter.

10 "Veterinarian-client-patient relationship" includes the  
11 provision of on call or cross-coverage services by a  
12 veterinarian who has been designated by a veterinarian with an  
13 existing veterinarian-client-patient relationship and has access  
14 to relevant patient records.

15 "Veterinary teleadvice" means the provision of health  
16 information, opinion, guidance, or recommendations that are not  
17 specific to a particular patient.

18 "Veterinary teleconsulting" means the electronic  
19 consultation with a veterinarian or appropriate expert about  
20 patient care by a veterinarian who has established a  
21 veterinarian-client-patient relationship.



1       "Veterinary telemedicine" means the practice of veterinary  
2 medicine subsequent to an established veterinarian-  
3 client-patient relationship where patient care, treatment, and  
4 services are provided through the use of electronic  
5 communication, including telephone and audio-visual technology,  
6 consistent with the veterinarian's professional judgement.

7       "Veterinary telesupervision" means the remote supervision  
8 of a veterinary assistant, veterinary technician, or other  
9 employee of a licensed veterinarian who administers medication  
10 or who renders auxiliary or supporting assistance under the  
11 responsible supervision of a licensed veterinarian.

12       "Veterinary teletriage" means using electronic consultation  
13 with a client, including through a poison control agency, to  
14 provide a timely assessment and decision as to whether to  
15 immediately refer a patient to a veterinarian for emergency or  
16 urgent care."

17       2. By amending the definition of "practice of veterinary  
18 medicine" to read:

19       ""Practice of veterinary medicine" means the assessment,  
20 diagnosis [e#], treatment, or prescribing for the prevention,  
21 cure, or relief of, or the giving of advice concerning, a



1 disease, pain, injury, deformity, or other [~~physical~~] condition  
2 of an animal, or a change of a physical characteristic of an  
3 animal for cosmetic or utility purposes. [~~It~~] "Practice of  
4 veterinary medicine" includes medical, surgical, and dental care  
5 of animals."

6 SECTION 3. Section 471-2, Hawaii Revised Statutes, is  
7 amended to read as follows:

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

18 (1) Any person from gratuitously treating animals in case  
19 of emergency;



- 1           (2) The owner of any animal or animals and the owner's
- 2                 full-time, regular employees from caring for and
- 3                 treating any animals belonging to the owner;
- 4           (3) Any student enrolled in any veterinary school or
- 5                 college or any employee of a veterinarian from working
- 6                 under the direct supervision of a veterinarian;
- 7           (4) Any person from practicing veterinary medicine in the
- 8                 employ of the United States government while engaged
- 9                 in the performance of the person's official duties;
- 10          (5) Any person licensed to practice veterinary medicine in
- 11                 any [~~state, or any certified scientist or professional~~
- 12                 ~~in animal care,~~] jurisdiction, from practicing in this
- 13                 State when in [~~actual~~] consultation with [~~or under the~~
- 14                 ~~sponsorship of~~] licensed veterinarians of this State;
- 15                 provided that the [~~person licensed from another state,~~
- 16                 ~~or the certified scientist or professional in animal~~
- 17                 ~~care, shall not open an office, or appoint a place to~~
- 18                 ~~meet patients, or receive calls within the limits of~~
- 19                 ~~the State,~~] licensed veterinarian receiving
- 20                 consultation shall maintain the veterinarian-client-
- 21                 patient relationship;



- 1 (6) Any farmer from giving to another farmer the  
2 assistance customarily given in the ordinary practice  
3 of animal husbandry; [~~or~~]
- 4 (7) Any applicant who meets the licensing requirements of  
5 practicing veterinary medicine under a veterinarian by  
6 temporary permit; provided the applicant applies for  
7 and takes the [~~first~~] examination scheduled by the  
8 board. [~~A~~] The temporary permit shall not be  
9 renewed[-];
- 10 (8) A person licensed to practice veterinary medicine in  
11 another jurisdiction from practicing in the State  
12 under a sponsor and indirect supervision of a  
13 veterinarian as part of an emergency response;  
14 provided that the sponsor shall file notification with  
15 the board regarding the arrival of the sponsored  
16 person; provided further that the sponsored person  
17 shall serve in an emergency capacity for no longer  
18 than twenty-one consecutive days; or
- 19 (9) Any person who has obtained a courtesy permit or  
20 relief permit pursuant to sections 471-A and 471-B  
21 from practicing in the State."



1 SECTION 4. Section 471-8, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) No person shall be licensed to practice veterinary  
4 medicine unless the person has passed an examination of the  
5 qualifications and fitness to engage in the practice of  
6 veterinary medicine given by the Hawaii board of veterinary  
7 medicine. Before any applicant shall be eligible for  
8 examination under this chapter the applicant, at least sixty  
9 days before the date set for examination, shall file an  
10 application in the form as shall be prescribed by the board, pay  
11 to the department of commerce and consumer affairs application  
12 and examination fees, and furnish proof satisfactory to the  
13 board that the applicant:

14 (1) Is eighteen or more years of age; and

15 (2) Is a graduate of [a]:

16 (A) A veterinary college meeting all the standards  
17 established by the American Veterinary Medical  
18 Association[7] Council on Education, or, in lieu  
19 thereof, has actively practiced for ten out of  
20 twelve years immediately preceding the date of  
21 application in a state having standards for





1                   licensing comparable to those in this State~~[ ]~~;

2                   or

3           (B) A foreign college of veterinary medicine who has

4                   successfully completed the requirements

5                   established by the American Veterinary Medical

6                   Association Educational Commission for Foreign

7                   Veterinary Graduates or the American Association

8                   of Veterinary State Boards Program for the

9                   Assessment of Veterinary Education Equivalence."

10           SECTION 5. In codifying the new sections added by section

11 1 of this Act, the revisor of statutes shall substitute

12 appropriate section numbers for the letters used in designating

13 the new sections in this Act.

14           SECTION 6. Statutory material to be repealed is bracketed

15 and stricken. New statutory material is underscored.

16           SECTION 7. This Act shall take effect on January 1, 2050.

17



**Report Title:**

Veterinarians; Temporary Permits; Courtesy Permits; Relief Permits; Out-of-State Veterinarians; Telemedicine; Licensure

**Description:**

Authorizes the Hawaii board of veterinary medicine to grant temporary courtesy permits and relief permits for out-of-state veterinarians. Permits licensed veterinarians to practice veterinarian telemedicine. Allows for international veterinary school graduates to qualify for the licensure examination. Effective 1/1/2050. (HD1)

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

