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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 five 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 an individual licensed to engage in the  
6 practice of veterinary medicine in another jurisdiction. A  
7 courtesy permit issued pursuant to this section shall be valid  
8 for a period of thirty days and may be renewed once in any  
9 twelve-month period; provided that any courtesy permit issued  
10 and renewed pursuant to this section shall not exceed sixty  
11 total days in any twelve-month period; provided further that a  
12 courtesy permittee's request for more than two courtesy permits  
13 within a two-year period shall constitute prima facie evidence  
14 that the courtesy permittee is engaged in the active practice of  
15 veterinary medicine in the State and a license issued under  
16 section 471-9 shall be required.

17           (b) Applicants for a courtesy permit shall:



- 1        (1) Hold a current, unencumbered, and active license to
- 2            engage in the practice of veterinary medicine in
- 3            another jurisdiction;
- 4        (2) Incidental to the person's practice in another
- 5            jurisdiction, desire to engage in the practice of
- 6            veterinary medicine in the State on a temporary, not
- 7            permanent or recurring, basis; and
- 8        (3) Have a sponsor.
- 9        (c) A courtesy permittee shall:
- 10        (1) Consent to the personal and subject matter
- 11            jurisdiction and disciplinary authority of the board;
- 12        (2) Practice under the level of direct or indirect
- 13            supervision determined by the sponsor;
- 14        (3) Not practice independently of the sponsor within the
- 15            State;
- 16        (4) Comply with this chapter and rules adopted by the
- 17            board;
- 18        (5) Cease to offer or render veterinary services in the
- 19            State as an individual and on behalf of the sponsor
- 20            if:



1           (A) The courtesy permittee's license or practice in  
2           the other jurisdiction is no longer current and  
3           active; or

4           (B) The courtesy permittee's license or practice has  
5           been limited or conditioned in any jurisdiction,  
6           including the courtesy permittee's principal  
7           place of business;

8           (6) Notify the board within fifteen days if:

9           (A) Any disciplinary action or board proceeding  
10           relating to the courtesy permittee's license is  
11           commenced in any jurisdiction; or

12           (B) The courtesy permittee is convicted of any  
13           criminal offense in any jurisdiction or foreign  
14           country; and

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

19           (d) In no case shall an individual be issued a courtesy  
20           permit and a relief permit in the same twelve-month period.



1        §471-B Relief permit. (a) The board may issue a relief  
2 permit to an individual licensed to engage in the practice of  
3 veterinary medicine in another jurisdiction to conduct the  
4 practice of a veterinarian who is absent from the veterinarian's  
5 practice. A relief permit issued pursuant to this section shall  
6 be valid for a period of thirty days and may be renewed once in  
7 any twelve-month period; provided that any relief permit issued  
8 and renewed pursuant to this section shall not exceed sixty  
9 total days in any twelve-month period. A relief permit may be  
10 renewed in a subsequent twelve-month period. More than two  
11 requests for relief permits within a two-year period shall be  
12 prima facie evidence that the relief permittee is engaged in the  
13 active practice of veterinary medicine in the State and a  
14 license issued under section 471-9 shall be required.

- 15        (b) Applicants for a relief permit shall:
- 16        (1) Hold a current, unencumbered, and active license to  
17        engage in the practice of veterinary medicine in  
18        another jurisdiction;
  - 19        (2) Incidental to the person's practice in another  
20        jurisdiction, desire to engage in the practice of



1 veterinary medicine in the State on a temporary, not  
2 permanent or recurring, basis; and

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

5 (c) A relief permittee shall:

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

8 (2) Not practice independently of the sponsor within the  
9 State;

10 (3) Comply with this chapter and rules adopted by the  
11 board;

12 (4) Cease to offer or render veterinary services in the  
13 State as an individual and on behalf of the sponsor  
14 if:

15 (A) The relief permittee's license or practice from  
16 the other jurisdiction is no longer current and  
17 active; or

18 (B) The relief permittee's license or practice has  
19 been limited or conditioned in any jurisdiction,  
20 including the relief permittee's principal place  
21 of business;



- 1        (5) Notify the board within fifteen days if:
- 2            (A) Any disciplinary action or board proceeding  
3            relating to the relief permittee's license is  
4            commenced in any jurisdiction; or
- 5            (B) The relief permittee is convicted of any criminal  
6            offense in any jurisdiction or foreign country;  
7            and
- 8        (6) Pay all costs associated with any jurisdiction's  
9            investigation, enforcement, and collection efforts  
10           pertaining to the relief permit issued pursuant to  
11           this section, as may be ordered by the board.
- 12        (d) In no case shall an individual be issued a relief  
13 permit and a courtesy permit in the same twelve-month period.
- 14        §471-C Sponsors; responsibilities. For the purposes of  
15 this chapter and rules adopted by the board, a sponsor shall be  
16 responsible for:
- 17           (1) Determining the level of supervision required for the  
18           sponsored individual;
- 19           (2) The veterinary care given to the animal patient by the  
20           sponsored individual;



1           (3) Ensuring that the board has been notified in writing;  
2                   and

3           (4) Confirming that the sponsored individual has obtained  
4                   the appropriate courtesy permit or relief permit from  
5                   the board.

6           §471-D Veterinary telemedicine. (a) A veterinarian shall  
7           only practice veterinary telemedicine within the context of the  
8           veterinarian-client-patient relationship between medically  
9           necessary examinations of an animal patient or medically  
10           appropriate and timely visits to the premises where the animal  
11           patient is kept.

12           (b) Only a veterinarian licensed in the State shall  
13           provide veterinary telemedicine to an animal patient located in  
14           the State.

15           (c) When practicing veterinary telemedicine, a  
16           veterinarian shall:

17           (1) Conduct all necessary animal patient evaluations  
18                   consistently with currently acceptable standards of  
19                   care;



1       (2) Take appropriate precautions to safeguard the  
2       confidentiality of a client's or animal patient's  
3       records;

4       (3) Ensure that the client is aware of the veterinarian's  
5       identity, location, license number, and licensure  
6       status; and

7       (4) Maintain appropriate medical records with sufficient  
8       information for continued care that are readily  
9       available upon request by the client.

10       (d) Prescribing medications via veterinary telemedicine  
11       shall require a veterinarian-client-patient relationship and  
12       shall be at the professional discretion of the veterinarian.  
13       The indication, appropriateness, and safety considerations for  
14       each prescription issued in association with veterinary  
15       telemedicine services shall be evaluated by the veterinarian in  
16       accordance with all jurisdictional and federal laws and  
17       standards of care.

18       (e) A veterinarian may provide veterinary teleadvice or  
19       veterinary teletriage without the prior establishment of a  
20       veterinarian-client-patient relationship. An expert with a





1 poison control agency who is not a veterinarian may provide  
2 veterinary teletriage.

3 (f) A veterinarian may provide veterinary telesupervision  
4 for tasks that do not require direct supervision as specified by  
5 rules adopted by the board.

6 (g) Veterinary telemedicine shall constitute the practice  
7 of veterinary medicine in the State when the individual  
8 practicing veterinary telemedicine or the animal patient are in  
9 the State. The board shall have jurisdiction over an individual  
10 practicing veterinary telemedicine within the State regardless  
11 of where the veterinarian's physical offices are located.

12 (h) Nothing in this section shall be construed to alter  
13 federal or state requirements and standards for the issuance of  
14 Certificates of Veterinary Inspection or health certificates.

15 §471-E Permit surcharge; fees. (a) There shall be  
16 imposed on every courtesy permit and relief permit issued by the  
17 board pursuant to sections 471-A and 471-B a \$100 surcharge that  
18 shall be deposited into the compliance resolution fund  
19 established under section 26-9(o) to defray the costs incurred  
20 by the department in administering those permits.



1        (b) Application fees paid pursuant to this chapter shall  
2 not be refundable. Pursuant to section 26-9(1), the director of  
3 commerce and consumer affairs shall establish examination,  
4 reexamination, license, renewal, restoration, enforcement, and  
5 other fees relating to the administration of this chapter by  
6 rule."

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

9        1. By adding twelve new definitions to be appropriately  
10 inserted and to read:

11        "Client" means the animal patient's owner, owner's agent,  
12 or other person presenting the animal patient for care.

13        "Consultation" means when a veterinarian seeks and receives  
14 advice in person, telephonically, electronically, or by any  
15 other method of communication from another veterinarian or other  
16 person whose expertise, in the opinion of the veterinarian,  
17 would benefit an animal patient.

18        "Emergency response" means the response to a natural or  
19 human-caused disaster.

20        "Indirect supervision" means the veterinarian is not on the  
21 premises, but:



- 1        (1) Has given either written or oral instructions for
- 2        treatment of the animal patient;
- 3        (2) Is readily available by telephone or other forms of
- 4        immediate communication; and
- 5        (3) Has assumed responsibility for the veterinary care
- 6        given to the animal patient by a person working under
- 7        their sponsorship.

8        "Jurisdiction" means another state, the District of  
9        Columbia, or any territory of the United States, or any province  
10       of Canada.

11       "Patient" or "animal patient" means any animal or group of  
12       animals receiving veterinary care from a veterinarian.

13       "Sponsor" means a veterinarian who requests the presence  
14       and medical assistance of an individual licensed to engage in  
15       the practice of veterinary medicine in another jurisdiction.

16       "Veterinarian-client-patient relationship" means a  
17       relationship that exists when:

- 18       (1) The veterinarian and client agree for the veterinarian
- 19       to assume responsibility for making medical judgments
- 20       regarding the health of the animal patient;



- 1       (2) The veterinarian has sufficient knowledge of the  
2       animal patient to initiate a general or preliminary  
3       diagnosis of the medical condition of the animal  
4       patient, which means that the veterinarian is  
5       personally acquainted with the keeping and care of the  
6       animal patient and has recently physically examined  
7       the animal patient or made timely and medically  
8       appropriate visits to the premises where the animal  
9       patient is kept;
- 10       (3) The veterinarian is readily available or provides for  
11       follow-up care and treatment in case of adverse  
12       reactions or failure of the therapy regimen; and
- 13       (4) The veterinarian maintains records that document  
14       animal patient visits, consultations, diagnosis and  
15       treatment, and other relevant information required  
16       under this chapter.
- 17       "Veterinarian-client-patient relationship" includes the  
18       provision of on-call or cross-coverage services by a  
19       veterinarian who has been designated by a veterinarian with an  
20       existing veterinarian-client-patient relationship and has access  
21       to relevant animal patient records.



1       "Veterinary teleadvice" means the provision of health  
2 information, opinion, guidance, or recommendations that are not  
3 specific to a particular animal through the use of electronic  
4 communication, including telephone and audio-visual technology.

5       "Veterinary telemedicine" means the practice of veterinary  
6 medicine subsequent to the establishment of a veterinarian-  
7 client-patient relationship where animal patient care,  
8 treatment, and services are provided through the use of  
9 electronic communication, including telephone and audio-visual  
10 technology, consistent with the veterinarian's professional  
11 judgment.

12       "Veterinary telesupervision" means the remote supervision  
13 of a veterinary assistant, veterinary technician, or other  
14 employee of a veterinarian who administers medication or who  
15 renders auxiliary or supporting assistance under the responsible  
16 supervision of a veterinarian.

17       "Veterinary teletriage" means using electronic  
18 communication with a client, including through a poison control  
19 agency, to provide a timely assessment and decision as to  
20 whether to immediately refer an animal patient to a veterinarian  
21 for emergency or urgent care."



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

3           ""Practice of veterinary medicine" means the assessment,  
4 diagnosis [~~o~~], treatment, or prescribing for the prevention,  
5 cure, or relief of, or the giving of advice concerning, a  
6 disease, pain, injury, deformity, or other [~~physical~~] condition  
7 of an animal, or a change of a physical characteristic of an  
8 animal for cosmetic or utility purposes. [~~It~~] "Practice of  
9 veterinary medicine" includes medical, surgical, and dental care  
10 of animals."

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

13           "**§471-2 License required.** No person shall engage in the  
14 practice of veterinary medicine, either gratuitously or for pay,  
15 or shall offer to so practice, or shall announce or advertise,  
16 publicly or privately, as prepared or qualified to so practice,  
17 or shall append the letters "Dr." or affix any other letters to  
18 the person's name with the intent thereby to imply that the  
19 person is a practitioner of veterinary medicine, without having  
20 a valid unrevoked license obtained from the Hawaii board of



1 veterinary medicine; provided that nothing in this chapter  
2 prevents or prohibits the following:

- 3 (1) Any person from gratuitously treating animals in case  
4 of emergency;
- 5 (2) The owner of any animal or animals and the owner's  
6 full-time, regular employees from caring for and  
7 treating any animals belonging to the owner;
- 8 (3) Any student enrolled in any veterinary school or  
9 college or any employee of a veterinarian from working  
10 under the direct supervision of a veterinarian;
- 11 (4) Any person from practicing veterinary medicine in the  
12 employ of the United States government while engaged  
13 in the performance of the person's official duties;
- 14 (5) Any person licensed to engage in the practice of  
15 veterinary medicine in any [~~state, or any certified~~  
16 ~~scientist or professional in animal care,~~]  
17 jurisdiction, from practicing in [~~this~~] the State when  
18 in [~~actual~~] consultation with [~~or under the~~  
19 ~~sponsorship of~~] veterinarians of this State; provided  
20 that the [~~person licensed from another state, or the~~  
21 ~~certified scientist or professional in animal care,~~



1           ~~shall not open an office, or appoint a place to meet~~  
2           ~~patients, or receive calls within the limits of the~~  
3           ~~State,]~~ veterinarian receiving consultation shall  
4           maintain the veterinarian-client-patient relationship;  
5           (6) Any farmer from giving to another farmer the  
6           assistance customarily given in the ordinary practice  
7           of animal husbandry; [~~or~~]  
8           (7) Any applicant who meets the licensing requirements of  
9           practicing veterinary medicine under a veterinarian by  
10           temporary permit; provided the applicant applies for  
11           and takes the [~~first~~] examination scheduled by the  
12           board. [A] The temporary permit shall not be  
13           renewed[-];  
14           (8) An individual licensed to engage in the practice of  
15           veterinary medicine in another jurisdiction from  
16           practicing in the State under a sponsor and indirect  
17           supervision of a veterinarian as part of an emergency  
18           response or enforcement action pursuant to chapter  
19           711; provided that the sponsor shall file notification  
20           with the board regarding the arrival of the sponsored  
21           individual; provided further that the sponsored





1           individual shall serve in an emergency capacity for no  
 2           longer than twenty-one consecutive days; or  
 3           (9) Any person who has obtained a courtesy permit or  
 4           relief permit pursuant to sections 471-A and 471-B  
 5           from practicing in the State."

6           SECTION 4. Section 471-8, Hawaii Revised Statutes, is  
 7 amended to read as follows:

8           "§471-8 Examinations; qualifications of applicants. (a)

9 No person shall be licensed to engage in the practice of  
 10 veterinary medicine unless the person has passed an examination  
 11 of the qualifications and fitness to engage in the practice of  
 12 veterinary medicine given by the Hawaii board of veterinary  
 13 medicine. Before any applicant shall be eligible for  
 14 examination under this chapter the applicant, at least sixty  
 15 days before the date set for examination, shall file an  
 16 application in the form as shall be prescribed by the board, pay  
 17 to the department of commerce and consumer affairs application  
 18 and examination fees, and furnish proof satisfactory to the  
 19 board that the applicant:

- 20           (1) Is eighteen or more years of age; and
- 21           (2) Is a graduate of [a]\_:





1 be given to each person being examined during a particular  
2 examination. The subject matter of the examinations shall  
3 embrace the subjects and demonstrations of practical ability  
4 normally covered in the curricula of American veterinary  
5 colleges. The form of the examination shall be determined by  
6 the board. Applicants shall certify on the application that  
7 they have read, understood, and agree to comply with the laws  
8 and rules that the board determines are required for licensure.

9 The requirements imposed by this section shall not be a bar  
10 to renewal, reissuance, or restoration of any license issued  
11 prior to May 13, 1949.

12 (c) A temporary permit may be issued subject to the  
13 following conditions:

14 (1) An applicant is a graduate of:

15 (A) A veterinary college meeting all the standards  
16 established by the American Veterinary Medical  
17 Association Council on Education; or

18 (B) A foreign college of veterinary medicine who has  
19 successfully completed the requirements  
20 established by the American Veterinary Medical  
21 Association Educational Commission for Foreign



1 Veterinary Graduates or the American Association  
2 of Veterinary State Boards Program for the  
3 Assessment of Veterinary Education Equivalence;

4 (2) Veterinarians licensed by another state board of  
5 veterinary medicine;

6 (3) The temporary permittee shall practice veterinary  
7 medicine only under the supervision of a veterinarian  
8 licensed to practice in Hawaii who holds a current,  
9 unencumbered, active license. At all times when the  
10 temporary permittee is engaged in the practice of  
11 veterinarian medicine, the licensed veterinarian shall  
12 be physically present on the same island as the  
13 temporary permittee and must be available on a daily  
14 basis for consultation with the permittee;

15 (4) Only one permit, which shall be nonrenewable, shall be  
16 issued to an applicant;

17 (5) The temporary permit shall be valid until the results  
18 of the Hawaii state board examination taken by the  
19 permittee are known; provided, that failure of the  
20 Hawaii state board exam, the National Board



1           Examination, or Clinical Competency Test shall  
2           immediately terminate the temporary permit; and  
3           (6) In any event, no permit shall be valid for longer than  
4           twenty-four months."

5           SECTION 5. In codifying the new sections added by section  
6 1 of this Act, the revisor of statutes shall substitute  
7 appropriate section numbers for the letters used in designating  
8 the new sections in this Act.

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

11           SECTION 7. This Act shall take effect upon its approval;  
12 provided that sections 471-A and 471-B, Hawaii Revised Statutes,  
13 as established by section 1 of this Act shall take effect on  
14 July 1, 2024.



**Report Title:**

Veterinarians; Courtesy Permits; Relief Permits; Out-of-State  
Veterinary Telemedicine; Licensure Examination; Surcharge

**Description:**

Authorizes the Hawaii Board of Veterinary Medicine to grant temporary courtesy and relief permits for out-of-state veterinarians. Permits licensed veterinarians to practice veterinarian telemedicine. Creates a permit surcharge. Allows for international veterinary school graduates to qualify for the licensure examination. Establishes a temporary permit to be issued under certain conditions. (CD1)

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

