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STATE OF WISCONSIN)
) SS.
DEPARTMENT OF AGRICULTURE,)
TRADE & CONSUMER PROTECTION)

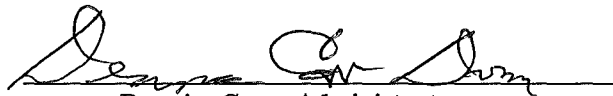
MAR 23 1990
4:10 pm
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Dr. Dennis Carr, Administrator, Animal Health Division, State of Wisconsin, Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order adopting rules relating to local rabies control programs, Chapter Ag 13, Wis. Adm. Code, was duly approved and adopted by the Department on November 16, 1989.

I further certify that said copy has been compared by me with the original on file in the Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Department offices in the city of Madison, this 30th day of November, 1989.



Dennis Carr, Administrator
Animal Health Division



6-1-90

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ORDER OF THE STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING RULES

The Wisconsin department of agriculture, trade and consumer protection adopts the following order to create ch. Ag 13 relating to local rabies control programs.

Analysis Prepared by the
Department of Agriculture, Trade and Consumer Protection

Statutory authority: ss. 93.07(1) and 95.21(9)(b), Stats.

Statutes interpreted: s. 95.21, Stats.

The department's rules creating ch. Ag 13, Wis. Adm. Code, set forth standards for department approval of rabies control programs conducted by counties, cities, villages or towns. The department was granted authority for approving local rabies control programs by 1985 Wisconsin Act 184, which created s. 95.21(9)(b), Stats.

Under the rules, a county, city, village or town wishing to adopt a rabies control program must submit a written proposal to the department. The rules set forth general terms and conditions for approval, including requirements for a local ordinance, quarantine and enforcement procedures, identification by title of the program's administrative officer, veterinarian involvement, staffing and budget projections, and assurance of continuing financial support for the program by the local unit of government. The rules mandate annual review by the department of each approved local rabies control program. The department may terminate the approved status if it finds a failure to comply with these rules or any terms or conditions required for approval.

If an animal is placed under quarantine because it bit a person or is a rabies suspect, the required observations while under quarantine may be conducted by a "trained individual." The rules define "trained individual" and establish requirements for persons to acquire the necessary training and certification to perform various functions in a local rabies control program.

SECTION 1. Ch. Ag 13 is created to read:

CHAPTER AG 13

LOCAL RABIES CONTROL PROGRAMS;
REQUIREMENTS FOR APPROVAL

Ag 13.01 DEFINITIONS. As used in this chapter:

(1) "Administrator" means a natural person responsible for public management of the affairs of a local rabies control program within a specific county, city, village or town.

(2) "Council on local rabies control programs" means the council created under s. 15.137(1), Stats.

(3) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(4) "Isolation facility" has the meaning designated under s. 95.21(1)(am), Stats.

(5) "Local rabies control program" means a program administered by a county, city, village or town under this chapter and pursuant to s. 95.21(9)(b), Stats.

(6) "Trained individual" means a natural person certified by the department as meeting the qualifications to observe quarantined animals in an isolation facility to determine if the animal exhibits any signs of rabies.

(7) "Veterinarian involvement" means oversight responsibility for a local rabies control program by a Wisconsin licensed veterinarian and supervision by the veterinarian of trained individuals who conduct examinations of quarantined animals held in an isolation facility.

Ag 13.02 LOCAL RABIES CONTROL PROGRAM. (1) AUTHORITY. Pursuant to s. 95.21(9), Stats., the department may approve, upon

recommendation of the council on local rabies control programs, the rabies control program of a county, city, village or town. A local rabies control program shall include:

(a) A county or municipal ordinance which sets forth requirements for the control of rabies or adoption by reference of the rabies control provisions of s. 95.21, Stats.

(b) Administration and enforcement of quarantine provisions in the local ordinance or in s. 95.21, Stats.

(2) DEPARTMENT APPROVAL. (a) A county, city, village or town wishing to administer a local rabies control program under this chapter shall file a written proposal with the department. The proposal shall include a complete plan for administration of the rabies control program, including:

1. The proposed ordinance which will be adopted by the local governmental unit as the authority for a local rabies control program.

2. A description of the proposed quarantine and enforcement program to be implemented by the county, city, village or town.

3. Identification by job title of the administrator.

4. Identification by name, office address, and veterinary medical examining board registration number of the Wisconsin licensed veterinarian responsible for veterinarian involvement.

5. Projected staffing and budget for the program, including staffing and budget for training and enforcement.

6. Assurance of continuing adequate financial support for the rabies control program by the county, city, village or town.

(b) The department shall submit each proposal filed by a local unit of government to the council on local rabies control programs for its recommendation regarding approval. The council may recommend to the department that the proposal be granted, denied or granted with modifications.

(3) REVIEW AND EVALUATION. At least once each year, the department shall review and evaluate the rabies control program of each county, city, village or town having an approved program. If the department finds that the local program fails to comply with this chapter or with the terms and conditions of the program's approval, the department may terminate the approved status. Notice of termination shall be in writing and shall specify the grounds for termination and the effective date. In lieu of termination, the department may notify the local government of any deficiencies in the rabies control program and establish a deadline date for correction of the deficiencies.

Ag 13.03 PROGRAM APPROVAL REQUIREMENTS. An approved local rabies control program shall meet the following criteria:

(1) INVESTIGATION OF EXPOSURES. Investigation of all reported human or animal exposures to a known or suspected rabid animal.

(2) RECORDKEEPING. Maintenance of a recordkeeping system which enables tracking and follow-up on all reported human or animal exposure incidents by the administrator or assigned staff.

(3) QUARANTINE REQUIREMENT. Creation of a quarantine requirement having conditions equal to the conditions set forth in s. 95.21(4) to (8), Stats., except that a local ordinance may require only two examinations of the quarantined animal during a 10-day isolation period and the observations may be made by a trained individual.

(4) VACCINATION ENFORCEMENT. Enforcement of the rabies vaccination requirement for dogs set forth in s. 95.21(2), Stats.

(5) ANNUAL REPORT. Preparation of and filing an annual report with the department not later than February 28, which covers the preceding calendar year. The report shall include the total number of the following actions for the year:

- (a) Investigations.
- (b) Reported animal bites.
- (c) Quarantines.
- (d) Quarantine violations and enforcement actions taken.
- (e) Animals exhibiting positive signs of rabies during quarantine.
- (f) Animals exhibiting negative signs of rabies during quarantine.
- (g) Enforcement actions taken for violations of the vaccination requirements.
- (h) Animals sacrificed for exhibiting symptoms of rabies or being rabies suspects.

(6) VETERINARIAN INVOLVEMENT. Veterinarian involvement in the overall administration of the rabies control program and examination of animals quarantined under the program.

Veterinarian involvement requires designation of a Wisconsin licensed veterinarian to have responsibility for and direct control over professional decisions involving the practice of veterinary medicine as it relates to the local rabies control program. It includes but is not limited to:

(a) Making a final determination in questionable cases whether an animal exhibits positive signs of rabies during quarantine.

(b) Ascertaining whether prospective trained individuals are capable of carefully observing quarantined animals and accurately noting any exhibited signs of rabies.

(c) Immediately notifying the administrator of suspected rabies cases.

(d) Consulting with the administrator and trained individuals on request.

(e) Meeting quarterly with trained individuals to refresh observation skills and evaluate performance of trained individuals.

(f) Review the annual rabies control program report required under sub. (5) prior to filing the report with the department.

Ag 13.04 TRAINED INDIVIDUAL CERTIFICATION.

(1) APPLICATION FOR CERTIFICATION. Application for a trained individual certificate shall be made on forms prescribed by the department.

(2) CERTIFICATION REQUIREMENTS. Certification may be granted by the department upon completion of the following requirements:

(a) Satisfactory completion of a department training program which includes but is not limited to:

1. Statutory authority and requirements under the state rabies control program (s. 95.21, Stats.).
2. Due process of law requirements in investigation and enforcement actions under a rabies control program.
3. Animal quarantine procedures.
4. Animal control procedures.
5. Animal observation skills for purposes of detecting possible evidence of rabies.
6. Other areas relevant to an effective rabies control program as determined by the department.

(b) Successful completion of an examination administered by the department for certification of trained individuals for local rabies control programs.

SECTION 2. The rules contained in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22(2)(intro.), Wis. Stats.

Dated this 6 day of December , 1989.

STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By Dennis J. Carr
Dennis J. Carr, D.V.M.
Administrator
Animal Health Division