

Legislative Proposal Form – Summary and Justification

DIVISION: **Division of Public Health**

AGENCY CONTACTS: **Marilyn Haskell, 715-2133; Carl Williams, 733-0391**

DATE: **April 22, 2016**

Title of Proposed Legislation: **Update Rabies Control Laws**

Background (indicate if any recent legislation was passed or did not pass on this subject matter):

1. The 2016 Compendium of Animal Rabies Prevention and Control was published on March 1, 2016 in the Journal of the American Veterinary Medical Association (JAVMA).
 - a. The Rabies Compendium produced by the National Association of State Public Health Veterinarians is the authoritative document for rabies prevention and control in animals. The document is historically published as an MMWR by the Centers for Disease Control and is used as the primary source of reference for the North Carolina Rabies statutes and rules.
2. The 2016 Rabies Compendium makes significant changes to postexposure management recommendations for dogs and cats, (for the most part less restrictive but also more restrictive) than general statute 130A-197, in the following areas:
 - a. Management of currently vaccinated dogs, cats and ferrets remains essentially the same.
 - b. Dogs and Cats that were never vaccinated, (do not have evidence of a prior vaccination) is more lenient; if the owner does not want to euthanize the animal, a four month quarantine is allowed if a booster is administered within 96 hours of exposure, as compared to a six month quarantine.
 - c. Dogs and Cats that are overdue for rabies vaccination may be managed more leniently (45 day owner observation period as compared to six month quarantine) if certain criteria are met. The categories are:
 - i. Overdue with appropriate documentation of a prior vaccination, and
 - ii. Overdue with NO appropriate documentation of a prior rabies vaccination.
3. Adoption or incorporation of these recommendations (see 2.) would potentially result in:
 - a. Fewer dogs and cats euthanized
 - b. More “never vaccinated” dogs and cats placed under quarantine (instead of euthanasia) for a shorter period of time (4 months)

- c. Decreased emotional and financial burden to owners (i.e., dogs and cats overdue with appropriate documentation would receive a rabies booster within 96 hours and be observed for 45 days by their owner)
- d. LHD Human Resource Impact
 - i. Decrease:
 - 1. Fewer animals euthanized (Categories: never vaccinated, and overdue with appropriate documentation)
 - 2. Shorter quarantine periods (Categories: never vaccinated and overdue with appropriate vaccination)
 - ii. Increase:
 - 1. More quarantines to enforce (LHD) (Category: never vaccinated)
 - 2. More interactions between Veterinarians and LHD/animal control for implementation of control measures
 - a. Veterinarian examination and rabies vaccination in each exposure category
 - b. Quarantine implementation
 - c. Prospective Serological Monitoring
- 4. NC DPH public health veterinarians have been receiving calls and inquiries from local health directors and animal control directors regarding the desire for immediate incorporation of the recommended 2016 Compendium postexposure management changes in the form of local ordinances.

Statutes to be Amended (Strikeout indicates requested removal of text):

§ 130A-197. ~~Infected animals to be destroyed; protection of vaccinated animals. Management of dogs, cats and ferrets exposed to rabies.~~

When the local health director reasonably suspects that an animal required to be vaccinated under this Part has been exposed to the saliva, or nervous tissue, or other potentially infectious material of a proven rabid animal or animal reasonably suspected of having rabies that is not available for laboratory diagnosis, the animal shall be considered to have been exposed to rabies. The recommendations and guidelines specified by the National Association of State Public Health Veterinarians in the most current edition of the Compendium of Animal Rabies Prevention and Control shall be the required control measures.

~~An animal exposed to rabies shall be destroyed immediately by its owner, the county Animal Control Officer or a peace officer unless the animal has been vaccinated against rabies in accordance with this Part and the rules of the Commission more than 28 days prior to being exposed, and is given a booster dose of rabies vaccine within five days of the exposure. As an alternative to destruction, the animal may be quarantined at a facility approved by the local health director for a period up to six months, and under reasonable conditions imposed by the local health director.~~

Rationale for Legislative Proposal:

- Proposal will ensure NC rabies control laws remain consistent with national (CDC endorsed) recommendations.
- Proposal will likely result in continued protection of the public from rabies yet will create new control measures that are generally less burdensome and expensive for pet owners.

If legislation is not enacted during the 2016 Legislative Session, explain the impact on the Division/Department and consumers:

This will create a situation where our state control measures will be more restrictive than existing national guidelines. State laws may be challenged as being outdated and draconian.

Impact on other State Divisions/Agencies:

None

Stakeholders:

Local Health Departments,
Local agencies responsible for Animal Control,
Pet owners
Veterinarians

Fiscal Impact:

- There are no foreseeable additional costs to the Department.
- Local health departments and/or local animal control may potentially have increased human resource requirements for rabies control activities in the areas of increased quarantine enforcement compliance and monitoring as well as education and coordination with Veterinarians regarding Prospective Serologic Monitoring (category: overdue without appropriate documentation).
- There is a potential for significant cost saving to individual pet owners dependent on the situation. The attached table highlights potential cost savings.

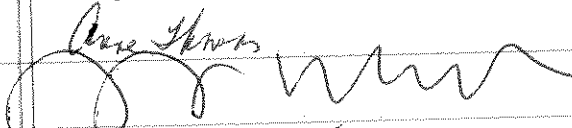
Situation	Current 130A-197 Control measures	2016 Compendium Control measures	2016 Compendium Fiscal Impact
Dog/cat is: 1) Exposed to rabies AND 2) Currently vaccinated against rabies	Provide booster dose of rabies vaccine within 5 days of exposure (\$25.00)	Provide booster dose of rabies vaccine immediately after exposure (\$25.00)	Equal to existing standard
Dog/cat is: 1) Exposed to rabies AND 2) Is overdue for rabies vaccine AND 3) Has documentation of prior rabies vaccination	A) Euthanasia (\$150.00) or B) Immediate vaccination against rabies and place in six month quarantine (\$25.00 + \$3600.00)	Provide rabies booster dose within 96 hours of exposure, keep under owner observation for 45 days (\$25.00)	A) ~ \$125.00 less expensive than existing standard (does not include emotional cost of pet loss). B) \$3600.00 less expensive
Dog/cat is: 1) Exposed to rabies AND 2) Is overdue for rabies vaccine AND 3) Has NO documentation of prior rabies vaccination	A) Euthanasia (\$150.00) or B) Immediate vaccination against rabies and place in six month quarantine (\$25.00 + \$3600.00)	A) Euthanasia (\$150.00) or B) Vaccinate within 96 hours of exposure against rabies and place in four month quarantine (\$25.00 + \$2400.00) or C) Prospective serologic monitoring (\$134.00 + \$420.00 strict quarantine) a. IF evidence of prior vaccination then keep under owner observation for 45 days b. IF NO evidence of prior vaccination then euthanize or quarantine as above	A) Equal to existing standard B) \$1200.00 less expensive C) \$554.00 more expensive includes additional cost for strict quarantine until lab evidence finalized. Note this may obviate the need for either A or B above and, while a new expense, is considerably less expensive than either A or B above
Dog/cat is: 1) Exposed to rabies AND 2) Has never been vaccinated against rabies	A) Euthanasia (\$150.00) or B) Immediate vaccination against rabies and place in six month quarantine (\$25.00 + \$3600.00)	A) Euthanasia (\$150.00) or B) Immediate vaccination (within 96 hours) against rabies and place in four month quarantine (\$25.00 + \$2400.00)	A) Equal to existing standard B) \$1200.00 less expensive

NOTE: All prices are approximate except endpoint titer serologic testing. Table is not meant to be inclusive of all recommendations but addresses what are likely to be the most common situations with the most fiscal impact.

Draft Proposed Language:
N/A

Core PH

5-18-16

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 DME RICE

Macon Co
 Wake
 Stanly Co.
 Granville Vance
 Richard
 Busby
 Person
 Johnston
 DPH
 Wilson
 Beaufort
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 Buncombe
 DPH-Oral Health
 Craven
 GASTON
 Greene
 Onslow
 Alamance
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 Gender
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