

STATE SANITARY CODE, CHAPTER 10, HEALTH

Part 2 - Section 2.14 Reporting of suspected rabid animals and persons exposed to them. *Action to be taken by health authority.**

(a) Definitions:

1. Health care provider shall mean any person or facility which gives primary or secondary medical care to humans.
2. Exposure shall mean introduction of the rabies virus into the body of a human or animal. Any penetration by mouth to the skin of humans or animals constitutes a bite exposure. A nonbite exposure is a scratch, abrasion, open wound, or contamination of mucous membranes with saliva or other potentially infectious material from a rabid animal.
3. Domestic livestock shall mean sheep, horses, cattle, goats and swine.
4. Current vaccination shall mean the administration of a rabies vaccine suitable to the species, which meets the standards prescribed by the United States Department of Agriculture for interstate sale and is administered according to the manufacturer's instructions under the direction of a duly licensed veterinarian not later than the expiration date on the package. Current vaccination shall begin 14 days following primary vaccination, and continue for the period stated in the manufacturer's instructions.
5. Approved vaccine shall mean any rabies vaccine which meets the standards prescribed by the United States Department of Agriculture for interstate sale.

(b) It shall be the duty of every health care provider to report immediately to the local health authority having jurisdiction the full name, age, address and telephone number of any person under his care or observation who has been exposed to any animal suspected by the health care provider of having rabies and all pertinent facts relating to such exposure. Such notification shall occur prior to starting rabies postexposure prophylaxis, except in those cases where prior notification would compromise the health of the patient.

(c) If no health care provider is in attendance and the person exposed is a child, it shall be the duty of the parent or guardian to make such report immediately. If the person exposed is an adult, such person shall himself make the report, or, if incapacitated, it shall be made by whomever is caring for such person.

(d) It shall be the duty of every health care provider who has cause to believe that contact has occurred with a rabid animal or animal suspected of being rabid by the health care provider which requires rabies prophylaxis subsequent to the exposure to report the initiation of such prophylaxis and all pertinent facts relating to any such bite, exposure or treatment to the local health authority.

(e) It shall be the duty of every person having knowledge of the existence of an animal exhibiting clinical signs suggestive of rabies to report immediately to the local health authority the existence of such animal, the place where seen, the owner's name, if known, and the signs of infection suggesting rabies.

(f) Whenever, in accordance with this section, the local health authority is notified of a person who has been exposed to any dog, cat, ferret or domestic livestock, vaccinated or not, the local health authority may cause the animal to be confined for 10 days. Any costs associated with this confinement shall be an expense of the animal's owner. Such health authority may, subject to the approval of the owner, if known, cause the animal to be destroyed immediately and have the animal's head submitted to a laboratory approved by the State Commissioner of Health for examination. The dog, cat, ferret or domestic livestock whose ownership cannot be determined may be confined for 10 days, under the direction of the local health authority. Any costs associated with this confinement shall be an expense of the party seeking this confinement. Confinement of the animal, in any case, shall be subject to such conditions and instructions, and under the control of such persons, including the owner if ascertainable, that the local health authority determines will reasonably assure the continued confinement of the animal for the prescribed 10-day period. Should the confined animal develop signs of rabies within the 10-day period, it shall be destroyed under the direction of the local health authority and submitted to a laboratory approved by the State Commissioner of Health for examination. In the case of a dog, cat, ferret or domestic livestock whose ownership cannot be determined, if confinement is not possible or desirable, the animal may be destroyed immediately and an appropriate specimen shall be submitted to a laboratory approved by the State Commissioner of Health for examination.

(1) Bats and any animal other than a dog, cat, ferret or domestic livestock suspected of being rabid shall not be held for observation and shall be destroyed immediately, without injury to the head, and may be submitted upon approval of the local health authority to a laboratory approved by the State Commissioner of Health for examination.

(g) Except as hereinafter provided, any mammal which has been bitten by or in direct contact with a known rabid animal or animal suspected by the local health authority of being rabid shall be destroyed unless it shall be isolated for a period of six months either in a veterinary hospital approved by the local health authority, or in a locked enclosure approved by the local health authority as being so constructed and maintained that the animal cannot escape and cannot have contact with any other animal or human except, when absolutely necessary, with the person responsible for the care of the confined animal. Quarantine of the animal, in any case, shall be subject to such conditions and instructions, and under the control of such persons, including the owner if ascertainable, that the health authority determines will reasonably assure the continued quarantine of the animal for the prescribed six-month period. The expense of such isolation shall be borne by the owner. Any animal currently vaccinated as defined in this section, prior to exposure, may remain at large or under the owner's immediate control as may be required

by local ordinance provided a booster injection of such approved vaccine is given within five days of the date of exposure.

(h) An animal under such restrictions shall not be removed from one health district into another prior to the conclusion of the prescribed isolation period except with the permission of the health authority from whose district such animal is to be removed and the permission of the health authority to whose jurisdiction such animal is to be transferred. The former shall give permission only after securing the consent of the health authority to whose jurisdiction the animal is to be transferred, except that if removal is to be to New York City or into another state, he shall give permission only after securing the consent of the Commissioner of Health of the State of New York. Such removal shall be by private conveyance, in charge of a responsible person and conducted in such a manner as to prevent the escape of the animal or its coming in contact with other animals or persons.

(i) The local health authority shall report forthwith to the state district health office or county health office having jurisdiction the name, age and address of every person exposed to any animal suspected of having rabies, any incident which requires rabies prophylaxis and all the pertinent facts relating to any such bite, exposure or treatment.

(j) Whenever any animal that has or is suspected of having rabies dies, or is killed, the local health authority may, at his discretion, cause the head of such animal to be removed and sent immediately, properly packed, with a complete history of the case, to a laboratory approved for this purpose by the State Commissioner of Health for examination.

(k) Whenever the disease rabies is confirmed by the State Wadsworth Center for Laboratories and Research in a raccoon in any county of New York State, within 30 days of notice to the county of the confirmation, all cats residing in the county who are not then actively immunized as defined in this section must be vaccinated as outlined below. Such notice will be sent to the county's local health authority by the Commissioner of Health. Actively immunized shall mean injection of a rabies vaccine which meets the standards prescribed by the United States Department of Agriculture for interstate sale and administered according to the manufacturer's instructions under the direction of a duly licensed veterinarian. All cats in the county, three months of age or over, are to be vaccinated to prevent rabies. This section shall not apply to cats owned by a non-resident, while passing through any town, city or village for a period not exceeding fifteen days, if entered in any exhibition at any cat show therein, and if confined and in immediate charge of the exhibitor, or to cats actually confined to the premises of incorporated societies, devoted to the care or hospital treatment of lost, strayed or homeless animals, or confined to the premises of public or private hospitals devoted to the treatment of sick animals, or confined for the purposes of research institutions, or to cats actually confined to the premises of a person, firm, or corporation actually engaged in the business of breeding or raising cats for profit and are so licensed as a class A dealer under the Federal Laboratory Animal Welfare Act, or if such vaccination would adversely affect the health of the cat as determined by a duly licensed veterinarian.

The veterinarian either administering the vaccine or responsible for supervising the vaccination shall give to the owner of the cat a signed statement. Such statement shall include the following information: name and address of the owner, date or dates of vaccination together with the type of vaccine injected and its duration of immunity, amount and manner of injection, name of manufacturer, lot number and expiration date of the vaccine. Or, if applicable, the veterinarian shall give the owner of the cat a signed statement verifying that the cat is exempt because such vaccination would adversely affect the health of the cat.

Compulsory vaccination shall remain in effect until the county presents evidence to the Commissioner that it has been one year since the last confirmed case of rabies in a terrestrial animal species.

Proof of rabies immunization must be shown by the owner to the local health authority whenever a cat bites a person. If the owner is unable to show such proof, the local health authority must follow the procedures outlined in subdivision (f) of this section.

*** See Public Health Law, Sections 2140-2146; Agriculture and Markets Law, Sections 106-127.

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State Sanitary Code Part 2