

CUYAHOGA COUNTY DISTRICT BOARD OF HEALTH RABIES CONTROL REGULATION

(Adopted November 24, 1999)
(Revised August 2, 2009)

A REGULATION ADOPTED UNDER AUTHORITY OF OHIO REVISED CODE SECTION 3709.21 BY THE CUYAHOGA COUNTY DISTRICT BOARD OF HEALTH PROVIDING FOR THE PREVENTION AND CONTROL OF RABIES THROUGH REQUIREMENTS FOR RABIES VACCINATION OF DOGS, CATS AND FERRETS; FOR REPORTING OF ALL ANIMALS THAT BITE PERSONS; QUARANTINE OF ANIMALS THAT BITE PERSONS; REPORTING AND HANDLING OF SUSPECTED RABID AND EXPOSED ANIMALS; ESTABLISHMENT OF A RABIES IMMUNIZATION CERTIFICATE, TAG AND MICROCHIP PROGRAM AND THE REQUIRED PURCHASE OF RABIES VACCINATION TAGS AND MICROCHIPS PROVIDED BY THE CUYAHOGA COUNTY DISTRICT BOARD OF HEALTH; PRESCRIBING THE DUTIES AND AUTHORITY OF THE HEALTH COMMISSIONER; PROVIDING FOR THE ENFORCEMENT OF THE REGULATION AND PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

Cross References

Rabies quarantine – Ohio Revised Code 955.26
Duties after dog bites person – Ohio Revised Code 955.261
Prohibition against violating a rabies quarantine – Ohio Revised Code 955.39
Reimbursement for rabies bite – Ohio Revised Code 955.42
Report of bite of dog or other mammal – Ohio Administrative Code 3701-3-28
Biting animal to be confined; veterinarian to report – Ohio Administrative Code 3701-3-29
Report of suspected rabid animal – Ohio Administrative Code 3701-3-30
Dogs and cats (importation into state) – Ohio Administrative Code 901:1-17-05
Compendium of Animal Rabies Prevention and Control; National Association of State Public Health Veterinarians, Inc. (2008)
Human Rabies Prevention – United States, 2008 Recommendations of the Advisory Committee on Immunization Practices (ACIP)

Section 1 – Definitions

- A. “Board of Health” means the Cuyahoga County District Board of Health.
- B. “Cat” means any domestic feline animal of the species *Felis catus*.
- C. “Dog” means any domestic canine animal of the subspecies *Canis lupus familiaris*.
- D. “Exposure” means an animal bite, any break in human skin, or mucous membrane that has been contaminated by animal saliva or nervous tissue or fluids.

- E. "Feral" means any susceptible domestic animal living in the wild state.
- F. "Ferret" means a carnivorous mammal of the subspecies *Mustela putorius furo*.
- G. "Health Commissioner" means the Health Commissioner of the Cuyahoga County General Health District, as defined by Section 3709.11 of the Ohio Revised Code, or his/her authorized representative.
- H. "Isolation" means the placing of a rabid animal, suspected rabid animal, or a rabies contact in a separate location with the intent of keeping the animal apart from all other susceptible animals or persons so that the transmission of rabies is minimized.
- I. "Owner" means any person who owns, keeps, possesses, harbors, maintains, cares for or willingly permits a dog, cat or ferret to remain on any premises owned or occupied by him/her.
- J. "Person" means any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity within the Cuyahoga County General Health District.
- K. "Quarantine" means the limitation of freedom of movement of rabid or suspected rabid animals, or rabies contacts, for a period of time at least equal to the longest usual incubation period of the disease, as recommended by the Compendium of Animal Rabies Prevention and Control of the National Association of State Public Health Veterinarians, Inc, in such manner as to prevent the spread of the rabies virus. Quarantine includes the isolation of the animal and the control of contacts.
- L. "Rabid Animal" means any animal showing observable clinical signs of rabies or which has been confirmed as having rabies by a laboratory acceptable to the Health Commissioner.
- M. "Rabies Contact" means any susceptible animal that directly or indirectly has come in contact with a rabid or suspected rabid animal.
- N. "Stray" means any animal whose owner cannot be identified or any animal that cannot be apprehended and quarantined for observation.
- O. "Susceptible Animal" means any animal to which rabies can be transmitted.
- P. "Suspected Rabid Animal" means a susceptible animal showing, to a limited degree, observable clinical signs of rabies or a susceptible animal that has bitten a person or has come in contact with a person in such manner that rabies could be transmitted to that person.

- Q. “Transient Animal” means any animal owned by a person temporarily remaining within the jurisdiction of the Cuyahoga County Board of Health for less than thirty (30) days.
- R. “Vaccination” means the administration of a biological product recommended in the U.S. Public Health Service Center for Disease Control Animal Rabies Vaccine Compendium or licensed by the U.S. Department of Agriculture and deemed adequate to provide protection to the animal so vaccinated against rabies.
- S. “Veterinarian” means a veterinarian duly licensed under the laws of the State of Ohio or duly licensed and accredited in another state.
- T. “Wild Animal” means any warm blooded non-domestic animal which is indigenous to the State of Ohio and capable of transmitting rabies; or an offspring born to a wild animal bred with a domestic animal; or an offspring born to a domestic animal bred with a wild animal; or any non-domestic animal for which there has been no rabies vaccine in which the efficacy has been demonstrated and for which the quarantine period has not been scientifically researched and defined.

Section 2 – Vaccination of Dogs, Cats and Ferrets Required

- A. Any person who owns a dog, cat or ferret within the jurisdiction of the Cuyahoga County District Board of Health shall have these animals vaccinated against the rabies virus within thirty (30) days after these animals have reached three (3) months of age using a vaccine and method listed in the current Compendium of Animal Rabies Prevention and Control or as approved by the U.S. Department of Agriculture when administered in a manner consistent with its labeling.
- B. Each dog, cat, or ferret shall be re-vaccinated one (1) year after the initial rabies vaccination and thereafter at intervals according to the current Compendium of Animal Rabies Prevention and Control or the appropriate vaccine label recommendations.
- C. Rabies vaccinations shall be administered only by a veterinarian or under the direct supervision of a veterinarian.
- D. If rabies vaccination of dogs, cats or ferrets is contradicted for medical reasons, these reasons shall be documented in written form by a veterinarian, a copy of which shall be given to and retained by the owner.
- E. Each dog, cat or ferret imported into the jurisdiction of the Cuyahoga County District Board of Health must be accompanied by proof of current rabies vaccination. This requirement does not apply to transient animals.
- F. Dogs, cats or ferrets confined for the purpose of research are exempt from rabies

vaccination requirements as long as the person conducting the research is licensed under the U.S. Department of Agriculture Animal Welfare Act.

Section 3 – Vaccination Record Required

- A. All veterinarians, or authorized representatives working under the direct supervision of a veterinarian, vaccinating or re-vaccinating dogs, cats, and ferrets shall keep a record of such vaccination or re-vaccination and shall give to the owner of the dog, cat or ferret vaccinated or re-vaccinated a completed certificate of vaccination which shall include a rabies tag number or microchip number identifying the individual record, a complete description of the dog, cat or ferret, place where the animal is harbored, name of the owner and his/her address, date and type of vaccination or re-vaccination, the signature and address of the veterinarian or authorized representative and other pertinent information as needed.
- B. The veterinarian, or authorized representative, who vaccinates a dog, cat, or ferret, shall forward, within thirty (30) working days, the information required on the certificate described in section 3(A) to the Board of Health and shall maintain the rabies vaccination certificate for the interval between vaccinations.
- C. The certificate described in section 3(A) shall be on a form prescribed by the Board of Health or on a document generated by the veterinarian, or his/her authorized representative, which includes all of the required information and has been approved by the Board of Health.
- D. Failure of the owner of a dog, cat, or ferret to provide a certificate of vaccination for the dog, cat or ferret is a presumption that the dog, cat, or ferret is not currently vaccinated against rabies.
- E. All veterinarians, or authorized representatives, who vaccinate or re-vaccinate a dog, cat, or ferret against rabies shall provide the owner a rabies vaccination tag or shall implant within the animal a microchip issued by the Board of Health which shall be either serially numbered or encoded with a unique serial number.
- F. Each owner of a dog shall affix the rabies vaccination tag to the collar or harness of a vaccinated dog. The tag shall be worn at all times except when the dog is confined in a secure enclosure or when participating in competition or exhibitions.
- G. The rabies vaccination tags and microchips described in section 3(E) shall be provided to the veterinarians by the Board of Health.
- H. In the event that the rabies vaccination tags provided by the Board of Health are imprinted and specific to one particular calendar year, the rabies vaccination tags purchased by a veterinarian for distribution during that specific calendar year and not distributed by said veterinarian prior to the end of that same calendar year may be returned to the Board of Health in exchange for the same number of rabies

vaccination tags for the next calendar year. This exchange of rabies vaccination tags will only be authorized from one calendar year to the next. Tags from any other preceding years will not be honored for exchange. The unused tags will carry no monetary value and will not be exchanged for cash. The return of unused rabies vaccination tags for proposed exchange must occur when the veterinarian places his/her first order for the purchase of rabies vaccination tags in the next calendar year. Returned tags will not be exchanged at any point during the year following the initial purchase of tags by the veterinarian.

Section 4 – Report of Animal Bites Required

- A. Whenever a person is bitten or otherwise exposed to a susceptible animal, the physician in attendance, person in charge of a hospital, dispensary, clinic, or other institution providing care or treatment, the person bitten, or any individual having knowledge of a bite shall report the bite within twenty-four (24) hours to the Board of Health.
- B. This report shall include at a minimum, the name, age, address and telephone number of the person bitten, the part of the body where the bite was inflicted and, if known, the name, address and telephone number of the owner of the biting animal. The report shall also include a description of the animal and, if known, the veterinarian administering the most recent rabies vaccination.

Section 5 – Quarantine, Observations and Examinations

- A. Whenever it is reported that a dog, cat, or ferret has bitten, scratched, or otherwise exposed a person, the Health Commissioner shall have the animal quarantined, at the expense of the owner, for a minimum period of ten (10) days from the date of the bite, scratch or exposure and have the animal observed, by a veterinarian or Board of Health representative, as required in Section 5(D) of these regulations, for clinical signs of rabies at the end of the quarantine.
- B. Home quarantine by the owner is acceptable, provided that the following criteria are met:
 - 1. The owner assumes all risk related to the animal during home quarantine.
 - 2. Animals confined indoors must be confined to a house, building or other enclosure in such a way that prevents human contact, other than contact with the owner(s).
 - 3. Animals confined outdoors must be kept on a leash, under direct supervision of a responsible adult capable of controlling and handling the animal, or confined in a kennel or enclosure to prevent contact with other susceptible animals or persons.

- C. If at any time during the quarantine the animal displays clinical signs of rabies or dies for any reason, the attending veterinarian, owner or person caring for the animal shall, after the death of the animal, contact the Board of Health immediately and shall deliver, or arrange for delivery to the laboratory of the Ohio Department of Health, the head of the suspected rabid animal for rabies examination and analysis.
- D. If the animal does have a current rabies vaccination at the time of the bite or exposure, a quarantined dog, cat or ferret shall be examined at the end of the quarantine period by a veterinarian or Board of Health representative for clinical symptoms of rabies. If at the time of the bite, scratch or exposure the animal does not have a current rabies vaccination, the owner must take the animal to a veterinarian within twenty-four (24) hours after the tenth day of the bite, scratch or exposure. The examination shall be at the owner's expense. The veterinarian shall promptly report the conclusions reached as a result of the examination. The veterinarian shall forward this information to the Health Commissioner on a form approved by the Board of Health. No dog, cat or ferret shall be released from quarantine until it has been examined for clinical signs of rabies by a veterinarian or Board of Health representative, as applicable, and is currently vaccinated against rabies.
- E. If the dog, cat or ferret is a stray, the Health Commissioner shall either:
1. Order the quarantine of the animal at a suitable location for a minimum of ten (10) days from the date of the bite, scratch or exposure and have the animal examined for clinical symptoms of rabies, or
 2. Direct the euthanasia of the animal by a suitable humane method that does not damage the animal's head. The Health Commissioner shall direct the removal of the animal's head by a veterinarian, animal handler, or Board of Health representative, and submit the head to the Ohio Department of Health laboratory for rabies examination.
- F. Whenever it is reported that any susceptible animal other than a dog, cat or ferret has bitten or exposed a person, the Health Commissioner shall either:
1. Direct the immediate sacrifice of the animal in a humane method that does not damage the animal's head. The Health Commissioner shall also direct the removal of the animal's head and submit the head to the Ohio Department of Health laboratory for rabies examination. If the animal is owned, the above will be conducted at the owner's expense; or
 2. Order the quarantine of the animal for a period of time to be determined by the Health Commissioner. If the animal dies before the end of the quarantine period, the owner shall immediately inform the Health Commissioner. The Health Commissioner shall direct the removal of the animal's head and submit the head to the Ohio Department of Health laboratory for rabies examination.

- G. No person shall kill a quarantined animal until the quarantine period has been completed and the animal has been examined for clinical signs of rabies by a veterinarian or Board of Health representative, as required in Section 5(D) of these regulations. This prohibition shall not apply to the humane killing of an animal to prevent further injury or suffering if the animal is diseased or seriously injured, the temperament of the animal makes it unsafe to handle during the quarantine, or if the sacrifice of a stray animal is directed by the Health Commissioner. If an animal is euthanized prior to the completion of its quarantine, the animal must be submitted for rabies testing to the Ohio Department of Health laboratory.
- H. No person shall remove a quarantined animal from the Cuyahoga County General Health District until the quarantine period has been completed, without the permission of the Health Commissioner.
- I. No person shall transfer ownership of a quarantined animal until the quarantine period has been completed except that a person may transfer an animal to a location deemed suitable by the Health Commissioner for quarantine.
- J. No animal shall be vaccinated against rabies while under quarantine, until approved by the Health Commissioner.
- K. Any dog, cat or ferret that is not vaccinated against the rabies virus and is exposed to a rabid animal shall be euthanized immediately. If approved by the Health Commissioner, the animal can instead be placed in a strict isolation for six (6) months. Isolation, in this context, refers to confinement in an enclosure that precludes direct contact with people and other animals. Rabies vaccination recommendations documented in the most current Compendium of Animal Rabies Prevention and Control shall be administered for these animals.
- L. Any dog, cat or ferret that is currently vaccinated against the rabies virus and is exposed to a rabid animal shall be kept under the owner's direct control and observed for forty-five (45) days. Rabies vaccination recommendations documented in the most current Compendium of Animal Rabies Prevention and Control shall be administered for these animals.

Section 6 – Administration

- A. The Board of Health shall furnish and supply all forms, rabies vaccination tags and microchips used in the administration and enforcement of the health regulations concerning the vaccination of dogs, cats and ferrets against rabies. Documents generated by the veterinarian, or their authorized representative, may be utilized after approval by the Board of Health. Rabies vaccination tags and microchips supplied by any other source or manufacturer other than the Board of Health will not be recognized by the Board of Health and will not meet the requirements set forth in these regulations.

- B. No person shall violate a rabies quarantine order issued under Ohio Revised Code 955.26.
- C. A veterinarian, or their authorized representative, shall issue to the owner of a dog, cat or ferret a rabies vaccination certificate and tag, after the animal has received a rabies vaccination administered under their direct authority. In lieu of issuing a rabies vaccination tag, a microchip may be surgically implanted in the animal by a veterinarian. The tags and microchips shall only be distributed or implanted by the veterinarian, or authorized representative, administering the vaccination. The vaccination tag issued to the animal owner must be from the series of tags directly obtained from the Board of Health. The microchip implanted within the animal must also be from the series of microchips directly obtained from the Board of Health. The tags or microchips may not be obtained from a third party or other source or manufacturer.
- D. The Board of Health may collect a fee for each rabies vaccination tag or microchip under the authority vested in Ohio Revised Code section 3709.21 and as established under Ohio Revised Code section 3709.09. Any such fee shall be utilized by the Board of Health to administer the program, to defray the costs of procuring and distributing rabies immunization certificates, tags and microchips, for surveillance of rabies occurrence within the General Health District, and for educational efforts promoting rabies vaccination and awareness.

Section 7 – Rabies Control Advisory Committee

- A. The Health Commissioner shall establish a Rabies Control Advisory Committee which shall be composed of a representative from each of the local health departments or General Health Districts in Cuyahoga County, a representative of the Cleveland Academy of Veterinary Medicine, a representative of the Animal Protective League, a representative of the local Academy of Medicine, a representative of the Cuyahoga County Dog Warden’s office, a representative of the Cuyahoga Animal Wardens’ Society, a representative of the Cleveland Dog Warden’s office, a representative of the Ohio Department of Natural Resources - Division of Wildlife, a representative of the Ohio Department of Health, a representative of the United States Department of Agriculture – Wildlife Services, and one member of the public, who must be a dog, cat or ferret owner residing in Cuyahoga County. Additional members may be considered for representation on the committee as deemed necessary by the Health Commissioner.
- B. The Rabies Control Advisory Committee shall meet at least once each year to review rabies activity and rabies control efforts in Cuyahoga County, the State of Ohio and neighboring states, and to provide recommendations and guidance to the Board of Health regarding rabies control measures.

Section 8 – Unconstitutionality Clause

- A. Should any section, paragraph, sentence, clause, or phrase of this regulation of the Cuyahoga County District Board of Health be declared unconstitutional or invalid for any reason, the remainder of said regulation shall not be affected thereby.

Section 9 – Penalties

- A. Each and every violation of the provision of these regulations shall constitute a separate offense. Penalties associated with the violation of these regulations are established in section 3709.99 of the Ohio Revised Code.