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10.06.01.02

## **.02 Definitions.**

A. The definitions of terms used in the Control of Communicable Diseases Manual are accepted as official and applicable to the control of diseases within this State under this chapter.

### B. Terms Defined.

#### (1) Body Fluid.

(a) "Body fluid" means an excretion or fluid from a human body that contains visible blood and all other tissues, excretions or fluids including:

(i) Visible blood or any body fluid that is visibly contaminated with blood;

(ii) Semen or vaginal secretions;

(iii) Amniotic, cerebrospinal, pericardial, peritoneal, pleural, or synovial fluids;

(iv) Saliva in dental procedures; and

(v) All body fluids in situations where it is difficult or impossible to differentiate between body fluids.

(b) "Body fluid" does not include stool, nasal secretions, sputum, tears, urine, or vomitus.

(2) "Case of a condition" means an individual who suffers from a condition that is not caused by an infectious agent, including, but not limited to:

(a) An animal bite;

(b) An adverse reaction to pertussis vaccine;

(c) Harmful algal bloom related illness;

(d) Pesticide related illness; or

(e) Ricin toxin poisoning.

(3) "Case" or "case of a disease" means an individual who has laboratory or clinical evidence of being infected by an infectious agent. A case may or may not have symptoms of the infection.

(4) "Case (or suspected case) of avian psittacosis" means that a bird has:

(a) Laboratory evidence of *Chlamydophila psittaci* infection consisting of:

(i) Culture isolation of *Chlamydophila psittaci* from a clinical specimen;

(ii) A positive fluorescent antibody test for *Chlamydophila psittaci* on a clinical specimen;

(iii) A fourfold, or greater, increase in *Chlamydophila psittaci* antibody in a serologic titer, in two serum specimens obtained at least 2 weeks apart and assayed simultaneously at the same laboratory; or

(iv) Identification of *Chlamydophila psittaci* within macrophages in smears stained with Gimenez or Macchiavellos stain or sections of the bird's tissues; or

(b) Clinical evidence of *Chlamydophila psittaci* infection consisting of an epidemiologic link to an avian case that has laboratory evidence of infection, and has:

(i) Exhibited one or more symptoms of psittacosis,

(ii) Died,

(iii) Been clinically diagnosed as having psittacosis by a licensed veterinarian, or

(iv) Had gross necropsy findings or histopathological evidence consistent with psittacosis as reported by a veterinary pathologist.

(5) Child Care Facility.

(a) "Child care facility" means a licensed, registered, or unlicensed facility, institution, establishment, or home where children receive care or supervision for which money is paid when the child's parent has given the child's care over to another on a regular basis for some portion of a 24-hour day as a supplement to the parent's primary care of the child.

(b) "Child care facility" includes child care center, day care center, nursery, family day care home, and babysitter.

(6) Clinical Material.

(a) "Clinical material" means:

(i) An organism isolated from a clinical specimen;

(ii) Material derived or prepared from a clinical specimen in which evidence of a communicable disease has been identified or detected; or

(iii) If the organism or material described in §B(6)(a)(i) and (ii) of this regulation is not available, material from an individual that has already been obtained by the medical laboratory, in the following order of preference: a patient specimen, microbial genetic material, or other laboratory material.

(b) "Clinical material" includes, for *Mycobacterium tuberculosis*, one culture obtained from the primary isolate on which the diagnosis of tuberculosis was established.

(7) "Colonization" means the proliferation of microorganisms on or within one or more body sites without detectable host immune response, cellular damage, or clinical expression.

(8) "Commissioner" means the Commissioner of Health of the Baltimore City Health Department.

(9) "Department" means the Department of Health and Mental Hygiene.

(10) "Expedited partner therapy" means the treatment under the Expedited Partner Therapy Pilot Program of a sex partner of a patient with a sexually transmitted infection of gonorrhea or chlamydia without previous medical evaluation or prevention counseling of the sex partner.

(11) "Expedited Partner Therapy Pilot Program" means a program to conduct and evaluate expedited partner therapy in the Baltimore City Health Department pursuant to Health-General Article, §18-214.1, Annotated Code of Maryland.

(12) "Foodborne disease outbreak" means two or more epidemiologically related cases of illness following consumption of a common food item or items, or one case of botulism, cholera, mushroom poisoning, trichinosis, or fish poisoning such as ciguatera poisoning, scombroid poisoning, paralytic shellfish poisoning, and other neurotoxic shellfish poisoning.

(13) "Health care provider" includes, but is not limited to:

- (a) Physicians;
- (b) Physician assistants;
- (c) Dentists;
- (d) Chiropractors;
- (e) Nurse practitioners;
- (f) Nurses;
- (g) Podiatrists;
- (h) Medical examiners;
- (i) Hospital administrators;
- (j) Clinic administrators;
- (k) Dispensary administrators;
- (l) Nursing home administrators; and
- (m) Any other licensed health care providers.

(14) Health Care Worker.

(a) "Health care worker" means a paid or unpaid individual working in a health care setting who has the potential for exposure to:

- (i) Infectious materials, including body substances;
- (ii) Contaminated medical supplies and equipment;
- (iii) Contaminated environmental surfaces; or
- (iv) Contaminated air.

(b) "Health care worker" includes, but is not limited to:

- (i) Emergency medical service personnel;
- (ii) Dental personnel;
- (iii) Laboratory personnel;
- (iv) Autopsy personnel;
- (v) Nurses;
- (vi) Nursing assistants;

- (vii) Physicians;
- (viii) Physician assistants;
- (ix) Technicians;
- (x) Therapists;
- (xi) Pharmacists;
- (xii) Students and trainees;
- (xiii) Contractual staff not employed by the health care facility; and

(xiv) Individuals not directly involved in patient care but potentially exposed to infectious agents, for example, clerical, dietary, housekeeping, maintenance, and volunteer personnel.

(15) "Health officer" means the health officer in each of the 23 counties and the Commissioner of Health in Baltimore City, or the duly designated representative of the health officer, or both.

(16) "Infectious" means capable of being transmitted in a manner that can cause a disease or abnormal condition in an individual.

(17) "Invasive disease" means a disease in which an organism is detected in a specimen taken from a normally sterile body site.

(18) "Normally sterile body site" means a body site except for skin, external ear, oronasopharynx, gastrointestinal tract, urethral meatus, and vagina.

(19) "Novel influenza A virus infection" means a human case of infection with an influenza A virus subtype that is suspected to be markedly different from currently circulating human influenza A viruses, including, but not limited to, H2, H5, H7, or H9 subtypes.

(20) "Outbreak" means:

(a) A foodborne disease outbreak;

(b) Three or more cases of a disease or illness that is not a foodborne outbreak and that occurs in individuals who are not living in the same household, but who are epidemiologically linked;

(c) An increase in the number of infections in a facility, such as a hospital, long-term care facility, assisted living facility, school, or child care center, over the baseline rate usually found in that facility;

(d) A situation designated by the Secretary as an outbreak; or

(e) One case of:

(i) Anthrax;

(ii) Botulism;

(iii) Cholera (imported or seafood related);

(iv) Ciguatera poisoning;

- (v) Mushroom poisoning;
- (vi) Paralytic shellfish poisoning and other neurotoxic shellfish poisoning;
- (vii) Plague;
- (viii) Rabies (human);
- (ix) Smallpox;
- (x) Scombroid poisoning; or
- (xi) Trichinosis.

(21) Pet Animal.

(a) "Pet animal" means a live animal sold or distributed to the public with or without charge for pleasure or companionship and not for utility.

(b) "Pet animal" does not include domestic farm animals including, but not limited to:

- (i) Equids;
- (ii) Cattle;
- (iii) Goats;
- (iv) Sheep; and
- (v) Swine.

(22) Pet Store.

(a) "Pet store" means a facility that keeps, cares for, and houses animals classified as pet animals for the purpose of sale or distribution to the public.

(b) "Pet store" includes but is not limited to a:

- (i) Commercial facility;
- (ii) Feed store; or
- (iii) Department store.

(23) "Physician" means an individual licensed to practice osteopathy or medicine by the State, or the physician's designee working under the supervision of the physician.

(24) "Reptile" means a cold blooded, air breathing vertebrate of the class Reptilia.

(25) "Secretary" means the Secretary of Health and Mental Hygiene or the Secretary's designee.

(26) "Sell" means to sell, hold for sale, or offer for commercial or public distribution, a pet animal.

(27) "Seller" means a person who sells, holds for sale, or offers for commercial or public distribution, a pet animal.

(28) "Sexually transmitted disease or infection" means an infection which may be spread by sexual intercourse or other forms of sexual contact with an infected individual, including a disease or condition classified as a venereal disease.

(29) Skin-Penetrating Body Adornment Procedure.

(a) "Skin-penetrating body adornment procedure" means a process that involves piercing or entering the skin or the mucous membrane of an individual for the purpose of inserting pigmented patterns, jewelry, or other forms of body decoration.

(b) "Skin-penetrating body adornment procedure" includes body-piercing and tattooing.

(c) "Skin-penetrating body adornment procedure" does not include piercing of an earlobe using a properly disinfected ear-piercing gun and single-use sterile studs and clutches.

(30) Standard Precautions.

(a) "Standard precautions" means a group of infection prevention practices that apply to all patients, regardless of suspected or confirmed diagnosis or presumed infection status, given that all blood, body fluids, secretions, excretions except sweat, nonintact skin, and mucous membranes may contain transmissible infectious agents.

(b) "Standard precautions" includes:

(i) Hand hygiene and use of gloves, gown, mask, eye protection, or face shield depending on anticipated exposure;  
and

(ii) Handling equipment or items in the patient environment likely to have been contaminated with infectious fluids in a manner to prevent transmission of infectious agents.

(31) "Turtle" means an animal commonly known as a turtle, tortoise, or terrapin.

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*10.06.01.14*

## **.14 Rabies.**

A. Control of a Case (Human). A health care provider shall apply contact isolation to the case for the period of communicability.

B. Control of Contacts. A health officer or health care provider shall evaluate individually a close contact or hospital contact to determine the need for post-exposure rabies prophylaxis. A health care provider shall warn an immediate attendant of the hazard of infection.

C. Infection Control. A health care provider shall practice contact isolation.

D. Confinement or Examination of Animals. The health officer or the Maryland Public Health Veterinarian shall direct the quarantine, examination, control, and disposition of any animal that bites or otherwise potentially exposes a human to rabies, according to COMAR 10.06.02.

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10.06.01.24

## **.24 Sale and Distribution of Pet Animals.**

To help prevent the spread of a communicable disease, a seller or a group of sellers who prepares or causes to be prepared a pamphlet, flyer, or other printed information on the handling of one or more pet animals and who distributes this pamphlet, flyer, or other printed information, shall ensure that this pamphlet, flyer, or other printed information stresses the importance of handwashing after contact with a reptile or other pet animals or its surroundings, and the need to consult a physician if a child younger than 5 years old, a pregnant woman, or an immunocompromised individual lives in the household for which a pet animal is purchased.



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## **.25 Control of Communicable Diseases in Pet Stores.**

A. A pet store shall utilize procedures to ensure prevention and control of diseases common to and shared among humans and animals.

B. The Department recommends that pet stores utilize the Compendium of Animal Rabies Prevention and Control, the Compendium of Measures To Control Chlamydomphila psittaci Infection Among Humans (Psittacosis) and Pet Birds (Avian Chlamydiosis), and the Compendium of Measures to Prevent Disease Associated with Animals in Public Settings issued by the National Association of State Public Health Veterinarians, to ensure prevention and control of diseases common to and shared among humans and animals.

C. A health officer shall annually inspect a pet store to determine compliance with §A of this regulation.

D. A health officer:

(1) May delegate the authority to conduct annual pet store inspections to another specified agency such as, but not limited to, the local animal control; and

(2) Shall execute and keep on file a written agreement with the delegated inspection agency.

E. Enforcement. An authorized law enforcement officer or local animal control authority shall promptly enforce a written order of the health officer or the Maryland Public Health Veterinarian issued pursuant to COMAR 10.06.02.

F. Penalty. The owner of a pet store refusing or failing to comply with the provisions of this regulation is subject to the penalties set forth in Health-General Article, §§18-222, 18-604, and 24-110, Annotated Code of Maryland.

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## **.02 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Adequately vaccinated" means a graduate veterinarian at a public antirabies clinic or a licensed veterinarian has:

(a) Immunized an animal against rabies in accordance with the current year's recommendations as circulated by the Department; and

(b) Documented the rabies immunization by issuing a valid rabies certificate.

(2) "Animal" means a nonhuman species of mammal.

(3) "Animal exposed to a rabid animal" means an animal that is known or is suspected to have had a bite from or non-bite contact with another animal that is known or suspected to be infected with rabies.

(4) "Apparently healthy" means an:

(a) Animal shows no signs of illness suggestive of rabies; and

(b) Investigation by the local health officer or the health officer's designee shows that:

(i) The animal has not had a change in health or behavior in the past 30 days, including but not limited to lethargy, lameness, weakness, slowness of movement or gait, paresis, paralysis, or loss of appetite, or

(ii) A licensed veterinarian, having examined the animal more than 30 days before the bite or non-bite contact, has identified and documented that behavior or health changes were caused by a condition unrelated to rabies.

(5) "Area quarantine" means a geographic region designated by the Public Health Veterinarian within which animals of a species designated by the Public Health Veterinarian are subject to the restrictions specified in this chapter.

(6) "Bite contact" means penetration of the skin by the teeth of an animal.

(7) "Biting animal" means an animal that has bitten or has exposed through a non-bite contact a human or another animal.

(8) "Cat" means *Felis catus*.

(9) "Custodian" means a caretaker or keeper of an animal, or the local animal control authority who has responsibility for an unclaimed animal.

(10) "Department" means the Department of Health and Mental Hygiene.

(11) "Department-approved facility" means a facility that has prior written approval of the Department to quarantine rabies suspect animals.

(12) "Dog" means *Canis familiaris*, not including canine hybrids.

(13) "Domestic animal" means a species of mammal that is accustomed to living in or about the habitation of man and is

dependent on man for food or shelter, including but not limited to dogs, cats, ferrets, and livestock.

(14) "Feral dog or cat" means a dog or cat that:

- (a) Shows no evidence, such as a collar, tag, or grooming, of being owned; and
- (b) Exhibits savage or wild behavior or is living in the wild.

(15) "Ferret" means *Mustela putorius furo*.

(16) "Livestock" means domestic farm animals, including but not limited to cattle, equine, swine, sheep, and goats.

(17) "Local animal control authority" means that agency or individual appointed by the governing body of a county or the city of Baltimore to oversee animal control.

(18) "Local health department" means a county health department under the direction of a local health officer or the Baltimore City Health Department under the direction of the Baltimore City Commissioner of Health.

(19) "Local health officer" means the local health officer of a county or the Baltimore City Commissioner of Health, or the designee of the local health officer or the Commissioner of Health.

(20) Non-Bite Contact.

(a) "Non-bite contact" means a scratch or contamination of an abrasion, open wound, or mucous membrane with saliva or other potentially infectious material from an animal.

(b) "Non-bite contact" does not include exposure to non-infectious material such as dried saliva.

(21) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind, and any partnership, firm, association, corporation, or other entity.

(22) "Provoked bite" means a bite that resulted from human activity, such as an individual attempting to play with, pet, feed, handle, hold, or redirect an animal's actions.

(23) "Public Health Veterinarian" means the veterinarian designated by the Secretary as responsible for the Veterinary Public Health Program of the Department or the designee of the Public Health Veterinarian.

(24) "Quarantine" means, pursuant to an order of the Public Health Veterinarian or local health officer and on the private premises of the owner or custodian of the animal or at a Department-approved facility, confinement of an animal by leash, an escape-proof enclosure, or another manner, approved in writing by the Public Health Veterinarian or local health officer, that ensures protection of the public health.

(25) "Rabies" means an acute viral disease in humans and animals produced by a rhabdovirus belonging to the genus *Lyssavirus*.

(26) "Risk assessment" means the evaluation of the circumstances surrounding a bite or non-bite contact to determine the likelihood that an individual has come into contact with an animal that was exposed to rabies.

(27) "Secretary" means the Secretary of Health and Mental Hygiene.

(28) "State Epidemiologist" means the person designated as the State Epidemiologist by the Secretary or the designee of the State Epidemiologist.

(29) "Strict isolation" means that:

- (a) An animal is confined in a double-door, escape-proof enclosure;

(b) The animal is not removed from the enclosure at any time except for transport in a manner, approved in writing by the local health officer, that will safeguard the public health;

(c) Human contact with the animal is restricted to one adult caring for the animal or not allowed at all by the local health officer or Public Health Veterinarian;

(d) The enclosure is constructed in a manner to ensure that the confined animal is unable to come in contact with another animal; and

(e) The owner or custodian of the animal has signed an agreement with the local health department or animal control office that the owner or custodian has met and agrees to meet the requirements specified in §B(29)(a)—(d) of this regulation.

(30) "Unclaimed stray animal" means a domestic animal that is:

(a) Not a feral dog or cat; and

(b) Unclaimed by an owner after being held by the local animal control authority at least 72 hours for an owner to claim it.

(31) "Wild animal" means a member of a mammalian species that is:

(a) Not a domestic animal;

(b) A feral dog or cat; or

(c) An unclaimed stray animal.

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10.06.02.04

## **.04 Animal Rabies.**

A. Reporting. An individual who knows of an animal that has rabies or is suspected of having rabies or of an animal that has had a bite from or non-bite contact with an animal known to have or suspected of having rabies shall report the facts immediately by telephone or in person to the local police, sheriff's department, or local animal control authority.

B. Disposition of a Suspected Rabid Animal-----No Bite and No Non-Bite Human Contact.

(1) Dogs, Cats, and Ferrets.

(a) Except as provided in §B(3) of this regulation, the director of a Department-approved facility shall hold in strict isolation, in a manner and place as established by the local health officer or the Public Health Veterinarian, any dog, cat, or ferret suspected of having rabies that has not had bite or non-bite contact with an individual in the preceding 10 days.

(b) Except as provided in §B(3) of this regulation, unless otherwise specified by the Public Health Veterinarian, the director of a Department-approved facility shall continue the strict isolation of the suspected rabid animal for at least 10 days and maintain proper, humane care of the animal during the period of isolation, after which the animal may be humanely killed or released to its owner or custodian or for adoption.

(c) At any time during the isolation period, the local health officer, the Public Health Veterinarian, the owner, or the custodian of the animal may direct that the animal suspected of having rabies be humanely killed for the purpose of rabies testing.

(d) At any time during the isolation period, the owner or custodian of the animal may direct that the animal be humanely killed.

(e) Rabies testing is not required if there is no human contact.

(2) Livestock.

(a) Except as provided in §B(3) of this regulation, the Public Health Veterinarian shall direct the owner or custodian of livestock that has not had bite or non-bite contact with an individual and is suspected of having rabies to hold the livestock in strict isolation for at least 10 days and shall designate the place and manner in which the strict isolation is to be carried out, after which the livestock may be humanely killed or released to the owner or custodian.

(b) At any time during the strict isolation period, the local health officer, the Public Health Veterinarian, the owner, or the custodian of the animal may direct that the animal be humanely killed for the purpose of rabies testing.

(c) At any time during the isolation period, the owner or custodian of the animal may direct that the animal be humanely killed.

(d) Rabies testing is not required if there is no human contact.

(3) Wild Animals.

(a) The Public Health Veterinarian may order a wild animal that is suspected of having rabies to be humanely killed if there is no evidence that the animal has an individual owner.

(b) If there is evidence of ownership, the Public Health Veterinarian, local health officer, or local animal control authority may order the humane killing of the animal if the owner or custodian does not appear within 24 hours to claim the animal or if there is imminent threat to human health or safety. For unclaimed stray animals, the 24-hour period is included within the period required under Regulation .02B(30) of this chapter.

(c) If an owner or custodian of the wild animal claims the animal within 24 hours, the Public Health Veterinarian may order the owner to hold the animal in strict isolation in a place and manner determined by the Public Health Veterinarian for at least 30 days, after which it may be released to the owner or custodian if the animal has not developed rabies.

(d) At any time during the isolation period, the local health officer, the Public Health Veterinarian, or the owner or custodian of the animal may direct that the animal be humanely killed for the purpose of rabies testing.

#### C. Examination of Animals Suspected of Having Rabies.

(1) The Public Health Veterinarian or the local health officer may order a veterinary examination at any time of an animal suspected of having rabies.

(2) The examining veterinarian shall report the results of the examination to the local health officer immediately.

(3) The owner or custodian of the animal shall bear the expense of the examination.

#### D. Disposition of an Animal Exposed to a Rabid Animal or to an Animal Suspected of Having Rabies.

(1) If the owner or custodian of a domestic animal that has been exposed to an animal having rabies, or exposed to an animal suspected of having rabies, is able to provide a current rabies vaccination certificate for the animal, the Public Health Veterinarian or local health officer shall order the animal re-vaccinated and kept under quarantine for 45 days or for such time as specified by the Public Health Veterinarian.

(2) If the owner or custodian of a domestic animal that has been exposed to a rabid animal, or to an animal suspected of having rabies, is unable to provide a current rabies vaccination certificate, the owner or custodian shall:

(a) Have the animal humanely killed; or

(b) Hold the animal in strict isolation for a minimum of 6 months in a facility and a manner approved by the Public Health Veterinarian and, if the animal shows no evidence of rabies, vaccinate it with rabies vaccine 1 month before release.

(3) The owner or custodian of a domestic animal that is being held in strict isolation or quarantine is responsible for all costs related to isolation or quarantine of the animal.

(4) The local health officer or the Public Health Veterinarian may make inspections of the site where an animal is being held in strict isolation to assure that the animal is being held in isolation under the terms specified in this chapter.

(5) The local health officer or the Public Health Veterinarian may order the humane killing for rabies testing of an animal exposed to a rabid animal or to an animal suspected of having rabies if:

(a) The isolation agreement defined in Regulation .02B(29) of this chapter is violated;

(b) The animal shows signs of having developed rabies;

(c) A human bite or non-bite contact occurs;

(d) The animal is a wild animal; or

(e) The exposed animal poses an imminent threat to human health or safety.

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10.06.02.06

### **.06 Risk Assessment Following Bite or Non-Bite Contact to Humans.**

Following the report of a bite or non-bite contact to a human, the local health officer shall conduct a risk assessment that includes a determination of:

- A. The species of animal that made the contact;
- B. Whether the animal is apparently healthy;
- C. Whether the animal is adequately vaccinated appropriate to its age;
- D. The type of contact;
- E. Whether the bite was a provoked bite and what human activity may have provoked the bite; and
- F. The reasonable likelihood that the contact animal may have rabies or may have been exposed to rabies within the past 6 months, including information about unsupervised out-of-doors escape episodes, injuries, and other potential contacts of the animal to wild animals or bats.

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## **.07 Disposition of Animals Following Bite or Non-Bite Contact to Humans.**

A. When the local health officer has determined that quarantine of the exposing animal is allowable based on the findings of the risk assessment, the animal shall be quarantined.

### B. Quarantine Period.

(1) **Dogs, Cats, and Ferrets, Including Unclaimed Stray Animals.** Except as provided in §B(3) and (4) of this regulation, the owner or custodian of a dog, cat, or ferret that was involved in bite or non-bite contact with a human shall quarantine the animal in a place and manner approved by the local health officer or the Public Health Veterinarian for at least 10 days after the date of the bite or contact.

(2) **Livestock Including Unclaimed Stray Animals.** Except as provided in §B(3) and (4) of this regulation, the owner or custodian of livestock that has been involved in bite or non-bite contact with an individual shall quarantine the livestock in a place and manner approved by the Public Health Veterinarian in consultation with the Maryland Department of Agriculture for at least 10 days after the date of the bite or contact or a time period specified by the Public Health Veterinarian.

(3) **Wild Animals.** Except in situations in which the local health officer or the Public Health Veterinarian determines that an animal poses an imminent threat to public health or safety and must be killed immediately, the Public Health Veterinarian may order a wild animal involved in bite or non-bite contact with an individual to be placed in quarantine for at least 24 hours and, if the animal is not claimed by an owner or custodian within that time, shall order the animal to be humanely killed and its head submitted to the laboratory designated by the Department for rabies testing. For unclaimed stray animals, the 24-hour period is included within the period required under Regulation .02B(30) of this chapter.

(4) **Wild Animal with a Legal Owner.** When a legally owned wild animal has been involved in bite or a non-bite contact with a human, the local health officer, in consultation with the Public Health Veterinarian, shall determine the disposition of the wild animal based on its individual risk assessment.

### C. Conditions of Quarantine.

(1) The Public Health Veterinarian or the local health officer may order the owner or custodian of an animal under quarantine that has had bite or non-bite contact with a human to have the animal examined by a Maryland-licensed veterinarian at any time during the quarantine period.

(2) The owner or custodian of an animal under quarantine shall pay for the cost of the veterinary examination or other associated cost.

(3) If a Maryland-licensed veterinarian determines that a quarantined animal is inhumanely suffering with possible rabies manifestations, the veterinarian may kill the animal in a humane manner and submit its head promptly to the laboratory designated by the Department for testing for rabies.

D. **Limitation on Movement During Quarantine.** A person may not move an animal under quarantine from the place of quarantine without the written permission of the local health officer or the Public Health Veterinarian.

E. **Humane Killing of an Animal for Rabies Testing.** The local health officer or the Public Health Veterinarian may order in writing the humane killing of an animal that has had bite or non-bite contact with a human for the purpose of rabies testing if:

(1) The local health officer has determined that the contact animal is reasonably likely to have rabies based on the risk assessment;

(2) The owner or custodian requests humane destruction during the quarantine;



(3) The animal is a wild animal unclaimed for at least 24 hours by an owner or custodian, with, for unclaimed stray animals, the 24-hour period included within the period required under Regulation .02B(30) of this chapter; or

(4) The animal is inhumanely suffering.

F. Surrender of Animals. A person may not fail or refuse to surrender an animal for quarantine or destruction as required in this chapter when demand is made by written order of the local health officer or the Public Health Veterinarian.

G. The police, sheriff, or animal control center staff shall enforce all written orders of the local health officer or Public Health Veterinarian issued pursuant to this regulation.

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### **.08 Area Quarantine.**

A. If rabies is known to exist within an area, the Public Health Veterinarian, in conjunction with the Maryland Department of Agriculture, may establish an area quarantine for rabies, define the boundaries of the quarantine area, and specify the species of animal or animals subject to the quarantine.

B. The owner or custodian of an animal subject to the area quarantine shall keep the animal in quarantine on the premises of the owner or custodian at all times until the area quarantine is terminated in writing by the Public Health Veterinarian, in conjunction with the Maryland Department of Agriculture.

C. A person may not bring an animal subject to an area quarantine into or out of the quarantine area without the written permission of the Public Health Veterinarian and the Department of Agriculture.

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## **.10 Vaccination of Animals.**

A. An owner or custodian of a dog, cat, or ferret 4 months old or older shall have that animal adequately vaccinated against rabies.

### B. Vaccination Documentation.

(1) Before July 1 of each year, an owner or custodian of an animal, except a local animal control authority, required to be licensed or registered shall have the animal adequately vaccinated and shall obtain a valid rabies vaccination certificate on the form specified by the Department. The certificate shall be completed and signed by a Maryland-licensed veterinarian or, in the case of public antirabies clinics, the certificate may be issued under the authority of the Public Health Veterinarian, documenting that the animal has been adequately vaccinated against rabies for the period of time covered by the license or registration.

(2) Except for a kennel licensed by the local animal control authority as a boarding kennel, an owner or operator of a kennel shall present, upon the request of the local health officer, Public Health Veterinarian, or local animal control authority, a valid rabies vaccination certificate for each dog, cat, or ferret:

(a) Owned or kept by the kennel; and

(b) That is 4 months old or older.

(3) The Public Health Veterinarian may delay temporarily or indefinitely the rabies vaccination requirement for certain dogs, cats, or ferrets in the interest of public safety or for medical determinations or research.

C. Unless the Public Health Veterinarian has authorized a delay in vaccination, a local animal authority may not license or register a dog, cat, or ferret without verifying the rabies vaccination status as documented by a current rabies vaccination certificate.

### D. Vaccination Certificates.

(1) A vaccine manufacturer shall issue the official National Association of State Public Health Veterinarians (NASPHV) Form 51, Rabies Vaccination Certificate, or an equivalent form.

(2) A veterinarian shall administer rabies vaccine to an animal in accordance with the specifications on the vaccine and recommendations for immunization procedures, such as the current year's Compendium of Animal Rabies Control.

(3) The veterinarian administering rabies vaccine to an animal shall:

(a) Complete the NASPHV Form 51, or an equivalent form, containing the:

(i) Vaccine manufacturer, lot or serial number, and the vaccine expiration date,

(ii) Date the vaccine was given,

(iii) Signature of the veterinarian and the date the rabies certificate was signed,

(iv) Veterinarian's name, address, telephone number, and veterinary license number legibly stamped, typed, or printed,

(v) Owner's name, address, and telephone number,

(vi) Rabies tag number, and

(vii) Animal's species, age, weight, predominant breed, and color; and

(b) Promptly provide a copy of the certificate to the animal's owner.

(4) When vaccine is administered at public antirabies clinics, the local clinic staff shall complete the NASPHV Form 51, or an equivalent form, as directed by the Public Health Veterinarian and provide a copy to the local health department and the animal owner.

(5) A person administering rabies vaccine to animals shall send to the local health department information detailing vaccinations administered each month by way of:

(a) Copies of signed and completed certificates;

(b) A line list summary of all vaccinations; or

(c) An alternative method as determined by the health officer.

(6) The local health department shall maintain the copies or the line listing summary by tag number.

(7) A veterinarian administering rabies vaccine shall maintain copies of vaccination certificates by tag number for a minimum of 5 years following the vaccination of an animal.

(8) An owner or custodian may use the vaccination certificate as proof of vaccination and shall provide it to local police, State Police, or health officials upon request.

#### E. Vaccination Procedures.

(1) A licensed veterinarian may select a rabies vaccine of the veterinarian's choice and use procedures for administering it that are consistent with the recommendations of NASPHV, the United States Department of Agriculture, and the Compendium of Animal Rabies Control.

(2) The Public Health Veterinarian shall select the vaccine or vaccines to be used in public clinics according to Department procedures.

(3) The Public Health Veterinarian may require specified lots of vaccine to be tested for potency, safety, and contamination as a prerequisite to their use.

(4) Except for veterinary staffing, the public antirabies clinics and the local health officer shall determine all administrative procedures for public antirabies clinics in keeping with the requirements of this chapter.

(5) A vendor of rabies vaccine for animal use shall supply vaccine only to a veterinary biologic supply firm, a Maryland-licensed veterinarian, or the Public Health Veterinarian.

#### F. Rabies Tags.

(1) The Public Health Veterinarian shall specify annually the size, shape, and color of the rabies tag to be issued by veterinarians and public antirabies clinics.

(2) Public antirabies clinics and veterinarians who provide rabies vaccination services to dogs, cats, and ferrets shall promptly issue to the owner of each vaccinated animal a rabies certificate, tag, and s-shaped metal link for attaching the tag on the animal's collar.

(3) The local health officer shall order rabies tags through the Public Health Veterinarian for use in public antirabies clinics.

G. Antirabies Clinics.

(1) In conjunction with the local health department, the Department shall provide for low-cost, self-financing, antirabies clinics for animals in each county and Baltimore City.

(2) The Department shall assure that at least two clinics are offered annually with at least one to be held between April 1 and July 1 at dates and locations determined by the local health department.

(3) The Public Health Veterinarian shall establish in writing the vaccination procedures to be used at the clinics and distribute these procedures to the local health officers.

(4) The local health departments may establish fees sufficient to cover the costs of operating the clinics.

(5) The local health officer shall report, in the manner specified by the Public Health Veterinarian, data concerning animals vaccinated at each clinic and the related costs.

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10.06.02.11

## **.11 Importation of Animals.**

A. Except as provided in B and I of this regulation, the owner or custodian of a dog, cat, or ferret 4 months old or older to be imported into the State for any purpose shall forward a certificate, issued by a licensed veterinarian, to the Public Health Veterinarian, within 10 days of the animal's arrival in the State, that:

(1) Describes the dog, cat, or ferret, documenting that it was vaccinated against rabies;

(2) Lists the manufacturer or brand of vaccine used;

(3) Lists the date or dates the vaccine was given;

(4) Documents that the animal is adequately vaccinated; and

(5) Documents that the most recent dose of vaccine was given more than 30 days before the date the animal arrived in the State.

B. Except as provided in §I of this regulation, the owner or custodian of a dog, cat, or ferret brought into the State for a period of less than 30 days is exempt from the requirement to forward a certificate to the Public Health Veterinarian as specified in §A of this regulation, if a copy of a certificate signed by a licensed veterinarian can be presented to the local health officer immediately when requested.

C. The local animal control agency may accept the certificate specified in §A of this regulation as proof of vaccination for licensing or registration purposes for the period specified on the certificate or 12 months, whichever period is shorter.

D. The Public Health Veterinarian or the local health officer may order the owner or custodian of a dog, cat, or ferret brought into Maryland in violation of the provisions of this regulation to return the animal immediately to its point of origin at the owner's expense.

E. If the local animal control authority is unable to locate an individual who will assume fiscal responsibility for an animal under an order to be returned to the point of origin within 48 hours of the issuance of the order, the authority may deem the animal abandoned and humanely kill it or place it for adoption.

F. Research facilities and licensed dealers, as defined in 7 U.S.C. §2132 and 9 CFR 1.1 and 2.7, are exempt from the provisions of D and E of this regulation when importing dogs, cats, and ferrets.

G. The Secretary shall establish, in consultation with the Maryland Department of Agriculture, rabies control requirements for the importing and keeping of animals other than dogs, cats, and ferrets, such as livestock, wildlife, zoo animals, and exotic animals.

H. The Secretary, with the agreement of the Secretary of Agriculture and the Secretary of Natural Resources, shall prohibit the importation of certain animals or species of animals from areas inside or outside the United States that are known to have a high prevalence of rabies and the animals subject to the ban are judged to present an unacceptable risk of rabies infection in humans or animals.

I. The Public Health Veterinarian may waive the requirements of A and B of this regulation if the importation of the animal poses no risk to the public health or safety.

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10.06.02.12

## **.12 Permits Required for Keeping Certain Animals.**

The Secretary shall require a person to obtain from the Public Health Veterinarian a permit for keeping certain animals or species of animals if the Secretary has determined that these animals or species of animals represent a substantial threat of rabies to humans.

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10.06.02.13

### **.13 Disposition of Animals by Animal Shelters, Pounds, or Veterinarians.**

A. The owner or custodian of an animal who surrenders the animal to an animal shelter, pound, or veterinarian for the purpose of having the animal humanely killed or for the purpose of offering the animal for adoption shall certify in writing, under penalty of perjury, that the animal:

(1) If a dog, cat, ferret, or livestock, has not had bite or non-bite contact with an individual within the previous 10 days;  
or

(2) If a wild animal, has not had bite or non-bite contact with an individual within the previous 30 days.

B. Except as provided in §C of this regulation, if the animal has had bite or non-bite contact with an individual within the time periods specified in §A of this regulation, the animal shelter, pound, or veterinarian shall:

(1) If the animal is a dog, cat, ferret, or livestock, offer the owner or custodian, the option of:

(a) Quarantining the animal for 10 days at the owner's or custodian's expense, or

(b) Humanely killing the animal and submitting the brain for rabies testing; or

(2) If the animal is a wild animal, immediately humanely kill the animal and submit its brain for rabies testing.

C. The Public Health Veterinarian may waive the requirements of §B of this regulation if it is determined that the public health is not threatened.